

## Brown seeks settlement of global warming lawsuit

By Julia Cheever,

SAN FRANCISCO (BCN) - California Attorney General Jerry Brown announced in San Francisco Thursday that he has asked six automobile makers to discuss a possible settlement of an unusual public nuisance lawsuit aimed at addressing global warming.

At the same time, Brown said, his office will "vigorously" pursue the lawsuit even while seeking a settlement.

Brown said at a news conference at the State Building that global warming is "a gigantic problem" and the lawsuit filed by the state last fall is "an opportunity to get to some solutions."

He said, "The point of the lawsuit is, the sooner we get at it, the better."

The lawsuit against the American and Japanese auto makers was filed in federal court in San Francisco in September by Brown's predecessor, former state Attorney General Bill Lockyer.

The suit is based on the legal theory that carbon dioxide sent into the air through automobile tailpipes creates an environmental public nuisance by contributing to global warming.

The defendants are General Motors Corp., Ford Motor Co., Chrysler Motors Corp., Toyota Motor North America Inc., Honda North America and Nissan North America.

Brown released a letter he sent to the auto makers' chief lawyer, Theodore Boutrous of Los Angeles, on Wednesday, asking for a meeting with the chief executive of each of the companies "to discuss resolution of our pending litigation."

Brown wrote, "I am struck by the need for California and the auto makers to work together to address the profound environmental challenges posed by global warming."

The automakers have asked U.S. District Judge Martin Jenkins to dismiss the lawsuit. Jenkins will consider the request at a March 6 hearing.

Lawyers from Brown's office filed a brief Thursday opposing the bid for dismissal, arguing that California has the right to seek compensation for the millions of dollars in damage to infrastructure and natural resources allegedly caused by global warming.

Boutrous said, "We appreciate the conciliatory tone of the attorney general's letter."

But he said, "As we have argued in our motion to dismiss, the global warming debate implicates policy issues that need to be addressed at the national and international levels."

In another lawsuit now pending before a federal judge in Fresno, the automakers have sued the state in 2004 to challenge California regulations that would limit tailpipe emissions.

U.S. District Judge Anthony Ishii has put that lawsuit on hold until the U.S. Supreme Court rules on a related case.

**In a separate development, a coalition of conservation groups led by the Center for Biological Diversity petitioned seven federal departments and agencies to establish regulations addressing the impact of global warming on imperiled species.**

**Center attorney Bill Snape said, "Upwards of one-quarter of all the world's species could disappear forever this century if global warming trends continue.**

**"This petition would allow the Administration to get constructively ahead of the global warming and extinction curve," Snape said.**