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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

COUNTY OF MULTNOMAH,  
  
Plaintiff,  
  
v.  
  
EXXON MOBIL CORP., SHELL PLC F.K.A.  
ROYAL DUTCH SHELL PLC,  
SHELL U.S.A., INC., EQUILON  
ENTERPRISES LLC DBA SHELL OIL  
PRODUCTS US, BP PLC, BP AMERICA,  
INC., BP PRODUCTS NORTH AMERICA,  
INC., CHEVRON CORP., CHEVRON U.S.A.,  
INC., CONOCOPHILLIPS, MOTIVA  
ENTERPRISES, LLC, OCCIDENTAL  
PETROLEUM F.K.A. ANADARKO  
PETROLEUM CORP., SPACE AGE FUEL,  
INC., VALERO ENERGY CORP.,  
TOTALENERGIES, S.E. F.K.A. TOTAL  
S.A., TOTALENERGIES MARKETING USA  
F.K.A. TOTAL SPECIALTIES USA, INC.,  
MARATHON OIL COMPANY,  
MARATHON OIL CORP., MARATHON  
PETROLEUM CORP., PEABODY ENERGY  
CORP., KOCH INDUSTRIES, INC.,  
AMERICAN PETROLEUM INSTITUTE,

) Case No. 3:23-cv-01213-YY  
)  
)  
) **DECLARATION OF JAMES C.**  
) **PLISKA IN SUPPORT OF**  
) **DEFENDANT SPACE AGE FUEL,**  
) **INC.’S RESPONSE IN OPPOSITION**  
) **TO PLAINTIFF’S MOTION TO**  
) **REMAND**

WESTERN STATES PETROLEUM )  
ASSOCIATION, MCKINSEY & COMPANY, )  
INC., MCKINSEY HOLDINGS, INC., and )  
DOES 1-250 INCLUSIVE, )  
 )  
Defendants. )  
\_\_\_\_\_ )

I, James C. Pliska, hereby declare:

1. I am over the age of 18, have personal knowledge of all matters set forth herein, and am otherwise competent to make this declaration.

2. I make this declaration in support of Defendant Space Age Fuel, Inc.’s Response in Opposition to Plaintiff’s Motion to Remand.

3. I am the president of Space Age Fuel, Inc. fka Space Age Fuels, Inc. fka Space Age Oil Co. (“Space Age”). Space Age is an active Oregon corporation registered with the Oregon Secretary of State’s Corporation Division.

4. Space Age is a small, family-owned and operated Oregon business. I started the company with my father, Hal Pliska, in 1982. Attached as Exhibit 1 is a true and correct copy of the Certificate of Incorporation for Space Age Oil Co.

5. Space Age is an independent marketer and seller of fuel products with the wholesale purchase of fuel products from third-party petroleum manufacturers and subsequent resale of those fuel products in Oregon and Washington on a wholesale and retail basis.

6. Space Age operates its business in compliance with Oregon law and is currently licensed in the State of Oregon and the County of Multnomah as an Oregon Motor Vehicle and Aircraft Fuel Dealer, and in the State of Oregon as a Use Fuel Seller, under License No. 30000043. Attached as Exhibit 2 is a true and correct copy of the Active Current Fuels Tax Licenses from the Oregon Department of Transportation as of October 31, 2023.

7. Space Age has never had any involvement in production, extraction, or refining of fossil fuels.

8. Space Age has never engaged in any marketing campaign relating to greenhouse gases, climate change, or other science of climate change.

9. Space Age has never engaged in any lobbying or advocacy campaign relating to greenhouse gases, climate change, or the science of climate change.

10. Space Age has never released or made any public statement about the causes or science of climate change, the impact of Space Age's products or fossil fuel products generally on climate change, or the effects of climate change.

11. Space Age has never conducted any research relating to greenhouse gases, climate change, or the science of climate change.

12. Space Age has never obtained any information about greenhouse gases, climate change, or the science of climate change, beyond what information has been available to the general public.

13. Space Age has never been a member of the Global Climate Coalition, American Petroleum Institute, Western States Petroleum Association, or Heartland Institute, and has never:

- a. Participated in a meeting of any of these organizations;
- b. Taken any action on behalf of these organizations;
- c. Received any information from these organizations; nor
- d. Played any role in any alleged disinformation campaign by these organizations.

14. Space Age's 2020 lawsuit against Oregon Governor Kate Brown regarding Executive Order No. 20-04 was solely a challenge to Governor Brown's actions on the basis of

concerns about the separation of powers and that her actions could harm business like Space Age—not as any kind of climate advocacy.

15. Space Age participated in the 2020 lawsuit against Governor Brown because it was concerned that Governor Brown’s order exceeded her legal powers under the Oregon state constitution by setting greenhouse gas rules different from and in contravention of, rules enacted into law by the Oregon Legislative Assembly.

16. The sole issue in the 2020 lawsuit against Governor Brown was whether her executive order exceeded her constitutional powers. The lawsuit contained no allegations about climate change, its causes, or its effects.

17. Space Age did not join in the 2020 lawsuit against Governor Brown on the basis of any information about greenhouse gases, global warming, or the science of climate change, beyond what information has been available to the general public.

18. Space Age did not make any public statements about the causes, science, or effects of climate change as part of this lawsuit.

19. Space Age did not have any interaction with the American Petroleum Institute, Global Climate Coalition, Western States Petroleum Association, or the Heartland Institute in connection with pursuing the 2020 lawsuit.

I declare under penalty of perjury under the laws of the State of Oregon and the United States of America that the foregoing is true and correct and that I executed this Declaration on November 15, 2023.

DocuSigned by:  
*James C. Pliska*  
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James C. Pliska

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing **DECLARATION OF JAMES C. PLISKA IN SUPPORT OF DEFENDANT SPACE AGE FUEL, INC.’S RESPONSE IN OPPOSITION TO PLAINTIFF’S MOTION TO REMAND** with the Clerk of the Court using the CM/ECF system which in turn automatically generated a Notice of Electronic Filing to all parties in the case who are registered users of the CM/ECF system.

DATED this 16<sup>th</sup> day of November 2023.

**BROWNSTEIN RASK, LLP**

By: /s/ Douglas J. Raab  
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