IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

| PERSIAN GULF INC., |) Case Nos.: 3:15-cv-01749-L-AGS |
|-----------------------------------|----------------------------------|
| |) and |
| Plaintiff, |) 18-cv-01374-L-AGS |
| |) 18-cv-01377-L-AGS |
| v. |) |
| |) |
| BP WEST COAST PRODUCTS LLC; |) |
| CHEVRON U.S.A. INC.; TESORO |) |
| REFINING & MARKETING COMPANY |) |
| LLC; EQUILON ENTERPRISES LLC |) |
| (D/B/A SHELL OIL PRODUCTS US); |) |
| EXXONMOBIL REFINING & SUPPLY |) |
| COMPANY; VALERO MARKETING AND |) |
| SUPPLY COMPANY; PHILLIPS 66; ALON |) |
| USA ENERGY, INC.; KERN OIL & |) |
| REFINING CO.; and DOES 1-25, |) |
| , |) |
| Defendants. |) |
| |) |
| | , |

CONSUMER WATCHDOG'S OBJECTIONS AND RESPONSES TO DEFENDANTS EXXONMOBIL REFINING & SUPPLY CO., PHILLIPS 66, AND CHEVRON U.S.A. INC.'S SUBPOENA TO PRODUCE DOCUMENTS

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, non-party Consumer Watchdog, a charitable non-profit organized under section 501(c)(3) of the Internal Revenue Code, submits the following objections and responses to Defendants ExxonMobil Refining & Supply Co., Phillips 66, and Chevron U.S.A. Inc.'s Subpoena to Produce Documents. These Objections and Responses reflect changes to the subpoena Requests reflected in Defendants' August 21, 2019 letter and September 3, 2019 email.

GENERAL OBJECTIONS

The following General Objections apply to every Request of Defendants' Subpoena to Produce documents:

- 1. Non-party Consumer Watchdog objects to each Request to the extent that it calls for the production of material that is neither relevant to any material issue in the pending action nor reasonably calculated to lead to the discovery of admissible evidence in connection with the pending action.
- 2. Non-party Consumer Watchdog objects to every Request on the basis that it calls for privileged information, including, without limitation, information protected by the attorney-client privilege, attorney work product privilege, and the First Amendment associational and journalists' privilege and the right to petition the Government for redress of grievances.
- 3. Non-party Consumer Watchdog objects to each Request to the extent it encompasses information that is confidential, proprietary, and/or a trade secret.
- 4. Non-party Consumer Watchdog objects to each Request on the basis that it is overly broad, unduly burdensome, harassing, and duplicative to the extent the Request calls for the production of documents that are readily available from public sources, including, but not limited to, Consumer Watchdog's internet website http://www.consumerwatchdog.org. Consumer Watchdog further objects to each Request on the same grounds to the extent that the Request calls for the production

of documents that are in the possession, custody, or control of the parties to this action, including Plaintiffs, Defendants, their counsel, and/or their retained experts.

- 5. Non-party Consumer Watchdog objects to each Request to the extent that the information sought is obtainable from other sources that are more convenient, less burdensome, or less expensive. Consumer Watchdog further objects on the basis that this subpoena inappropriately imposes significant cost and burden on a non-party 501(c)(3) charitable organization in the form of diverting limited staff resources away from the organization's charitable mission, which constitutes a waste of charitable resources.
- 6. Non-party Consumer Watchdog objects to all Requests on the grounds that they constitute abuse of the discovery process, as they appear to be intended to harass or improperly burden Consumer Watchdog and ultimately to silence a long-time critic of the oil and gas industry.
- 7. Non-party Consumer Watchdog objects to all Requests using the defined word "COMMUNICATIONS" on the basis that this definition is (1) overly broad, encompassing information and other third parties beyond the scope of this litigation, and (2) unduly burdensome, as among other things it includes every manner or means of transmitting of information, including, for example, oral conversations as well as communications with the news media. Moreover, as the requests do not specify the names of the participants in any potential

COMMUNICATIONS for which Defendants seek records, including records of electronic correspondence, Consumer Watchdog would be required to examine hundreds of thousands of e-mail communications during the designated time period in order to identify potentially responsive records. Therefore, the definition of "COMMUNICATIONS" is independently overbroad on this basis. Due to the overbreadth of this defined term, the preparation of a privilege log would be unduly burdensome on Consumer Watchdog, a small charitable non-profit organization.

- 8. Non-party Consumer Watchdog objects to all Requests using the defined word "DOCUMENTS" on the basis that this definition is (1) overly broad, encompassing information and other third parties beyond the scope of this litigation, and (2) unduly burdensome, as among other things it includes every manner or means of recorded information. Therefore, the definition is independently overbroad on this basis, and the preparation of a privilege log would be unduly burdensome on Consumer Watchdog, a small charitable non-profit organization.
- 9. Non-party Consumer Watchdog objects to all Requests using the defined phrases "OR RELATE TO" or "RELATING TO," on the basis that these definitions are overly broad, encompassing information and other third parties beyond the scope of this litigation, as these definitions encompass any document or communication, whether written or oral, produced or transmitted during the designated time period evincing any connection, however remote, to Consumer

Watchdog's work to protect utility ratepayers and the environment or in connection to the petrochemical industry. Therefore, the preparation of a privilege log would be unduly burdensome on Consumer Watchdog, a small charitable non-profit organization.

- 10. Non-party Consumer Watchdog objects to all Requests using the terms "considered, referred to or relied upon," which are undefined, vague, and ambiguous.
- 11. Non-party Consumer Watchdog objects to all Requests as unreasonable, unduly burdensome, oppressive, and outside the scope of discovery to the extent the Requests require Consumer Watchdog to interpret, and potentially litigate the meaning of, the Plaintiffs' and Defendants' Expert Disclosure Agreement as it applies to records either from a period prior to or after the date that Robert McCullough, McCullough Research, and/or Cody Rosenfield were engaged by the Plaintiffs as expert witnesses.
- 12. Non-party Consumer Watchdog objects to every Request, read in conjunction with Defendants' introductory "definitions" and "instructions," on the basis that it seeks to impose obligations beyond those required by the Federal Rules of Civil Procedure or the applicable rules of this court.
- 13. Non-party Consumer Watchdog objects to Defendants' demand for a privilege log as unreasonable, unduly burdensome, oppressive, and outside the scope

of discovery insofar as Consumer Watchdog objects to the purported relevance of any and all responsive and privileged documents it withholds.

14. The assertion of any objection to any Request is not intended to mean, and shall not be construed as acknowledging or suggesting, that any responsive documents were in fact created or existed, or that Consumer Watchdog has possession, custody, or control of such documents.

RESPONSES TO SUBPOENA REQUESTS

Subject to and without waiver of the foregoing General Objections, non-party Consumer Watchdog responds to Defendants' specific Subpoena Requests as follows:

REQUEST NO. 1:

All DOCUMENTS that YOU sent to, or received from, Robert McCullough or McCullough Research before he was engaged by the plaintiffs as an expert witness in July 2015.

RESPONSE TO REQUEST NO. 1:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith.

Consumer Watchdog further objects to this Request on the grounds that it is

overly broad, unduly burdensome, harassing, duplicative, and/or requests documents that are already in the possession of Defendants or are available from Plaintiff or Plaintiff's counsel or their retained expert and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog. Consumer Watchdog also objects to this Request to the extent it calls for information protected by the attorney-client privilege and attorney work product privilege.

REQUEST NO. 2:

All DOCUMENTS not created by a PERSON employed by YOU that were considered, referred to or relied upon in connection with any presentation made to the Petroleum Market Advisory Committee by Jamie Court.

RESPONSE TO REQUEST NO. 2:

In addition to its general objections, Consumer Watchdog specifically objects to this Request on the grounds that it is calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. Consumer Watchdog objects to this request on the grounds that the terms "considered, referred to or relied upon" are undefined, vague, and ambiguous. Consumer Watchdog further objects to this

Request because it calls for information protected by the First Amendment's associational and journalists' privileges and right to petition the Government for redress of grievances, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog. Consumer Watchdog also objects to this Request to the extent it calls for information protected by the attorney-client privilege and attorney work product privilege.

Subject to and without waiving these specific and general objections, and following a diligent search and reasonable inquiry, Consumer Watchdog provides the following links to non-privileged responsive documents. Additional documents relied upon by Jamie Court relating to presentations made to the Petroleum Market Advisory Committee are cited and referenced in the following documents:

- June 30, 2015 Meeting https://www.energy.ca.gov/sites/default/files/2019-05/Consumer_Watchdog_comments.pdf;
- October 13, 2015 Meeting –
 https://www.energy.ca.gov/sites/default/files/2019-05/Consumer_Watchdog.pdf;
- December 16, 2015 Meeting –
 https://efiling.energy.ca.gov/GetDocument.aspx?tn=207139&DocumentCon
 tentId=22565;

- February 8, 2016 Meeting –
 https://www.energy.ca.gov/sites/default/files/2019 05/Consumer_Watchdog.pdf;
- April 22, 2016 Meeting –
 https://www.energy.ca.gov/sites/default/files/2019-
 O5/Consumer Watchdog April PMAC Presentation.pdf;
- August 16, 2016 Meeting –
 https://efiling.energy.ca.gov/GetDocument.aspx?tn=212820&DocumentCon
 tentId=22688;
- November 29, 2016 Meeting –
 https://efiling.energy.ca.gov/GetDocument.aspx?tn=214568&DocumentCon
 tentId=22697; and,
- "Up Like a Rocket, Down Like a Feather: The State of California's Gasoline Market," An Oversight Hearing of the Senate Transportation and Housing and Energy, Utilities and Communications Committees (March 24, 2015) https://seuc.senate.ca.gov/sites/seuc.senate.ca.gov/files/03-24-15_background.pdf.

REQUEST NO. 3:

All DOCUMENTS not created by a PERSON employed by YOU that were considered, referred to or relied upon in connection with any presentation made to

the California Energy Commission by Jamie Court.

RESPONSE TO REQUEST NO. 3:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog objects to this request on the grounds that the terms "considered, referred to or relied upon" are undefined, vague, and ambiguous. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, and duplicative, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges and right to petition the Government for redress of grievances, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog. Consumer Watchdog also objects to this Request to the extent it calls for information protected by the attorney-client privilege and attorney work product privilege.

Subject to and without waiving the foregoing objections, Consumer Watchdog responds as follows: Following a diligent search and reasonable inquiry, Consumer Watchdog does not have in its possession, custody, or control any

documents responsive to this Request, as there were no "presentations" by Jamie Court to the California Energy Commission independent of his presentations to the Petroleum Market Advisory Committee. This Request is therefore duplicative of Request No. 2.

REQUEST NO. 4:

All COMMUNICATIONS between YOU and any PERSON not employed by YOU RELATING TO the content of any presentation (draft or final) made to the Petroleum Market Advisory Committee by Jamie Court, including but not limited to COMMUNICATIONS with anyone affiliated with the California Energy Commission and/or the Petroleum Market Advisory Committee.

RESPONSE TO REQUEST NO. 4:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, and duplicative, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges and right to petition the Government for redress of grievances, having the effect of

invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog. Consumer Watchdog also objects to this Request to the extent it calls for information protected by the attorney-client privilege and attorney work product privilege.

Subject to and without waiving these specific and general objections, and following a diligent search and reasonable inquiry, Consumer Watchdog provides links to responsive, non-privileged documents in Exhibit A.

REQUEST NO. 5:

All COMMUNICATIONS between YOU and any PERSON not employed by YOU RELATING TO the content of any presentation (draft or final) made to the California Energy Commission by Jamie Court, including but not limited to COMMUNICATIONS with anyone affiliated with the California Energy Commission and/or the Petroleum Market Advisory Committee.

RESPONSE TO REQUEST NO. 5:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, and duplicative, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation,

and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privilege and right to petition the Government for redress of grievances, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog. Consumer Watchdog also objects to this Request to the extent it calls for information protected by the attorney-client privilege and attorney work product privilege.

Subject to and without waiving the foregoing objections, Consumer Watchdog responds as follows: Following a diligent search and reasonable inquiry, Consumer Watchdog does not have in its possession, custody, or control any documents responsive to this Request, as there were no "presentations" by Jamie Court to the California Energy Commission independent of his presentations to the Petroleum Market Advisory Committee. This Request is therefore duplicative of Request No. 4.

REQUEST NO. 6:

DOCUMENTS sufficient to IDENTIFY any PERSON who participated in researching, drafting, editing, and/or preparing each of the REPORTS.

RESPONSE TO REQUEST NO. 6:

In addition to its general objections, Consumer Watchdog further objects to this Request as vague and ambiguous to the extent that it relies on the terms "participated in," "researching," "drafting," "editing," and/or "preparing," which are

undefined, vague, and ambiguous. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog.

Subject to and without waiving the foregoing general objections, the PERSONS who participated in "researching, drafting, editing, and/or preparing" each of the REPORTS are as follows:

- Jamie Court: Supervising all report drafting and principally responsible for all content.
- Cody Rosenfield: Researching and drafting.
- Liza Tucker: Editing.

REQUEST NO. 7:

All DOCUMENTS and COMMUNICATIONS RELATING TO any REPORTS that were authored in whole or in part by Cody Rosenfield, INCLUDING RELATING TO any research undertaken by Cody Rosenfield concerning the REPORTS. This request applies to, but is not limited to, the following REPORTS:

(1) Letter from Jamie Court, Liza Tucker and Cody Rosenfield to Stephanie Yonekura, Melinda Haag, Laura E. Duffy, and Benjamin B. Wagner (May 21, 2015), available at http://www.consumerwatchdog.org/resources/ltrusattorneyspricemanip5-21-15ltrhd2 0.pdf; (2) the source for Cody Rosenfield's

comment that "[o]il companies created a shortage by selling abroad, and then shutting down refineries, and have made billions at the expense of Californians who are paying a huge premium due to the state's low inventories"; (3) Jamie Court & Cody Rosenfield, Consumer Watchdog Calls for Sunlight On Big Oil Refiners to Avert CA Gasoline Price Spikes; State Energy Commission Panel to Make Recommendations on Transparency for Refiners, Consumer Watchdog (Apr. 22, 2016); (4) Cody Rosenfield, Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits, Consumer Watchdog (Feb. 8, 2016); (5) Cody Rosenfield, Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits, Consumer Watchdog Presentation to Petroleum Market Advisory Committee (Feb. 8, 2016); (6) Jamie Court, Cody Rosenfield and Liza Tucker, Price Spiked: How Oil Refiners Gouge Californians on Their Gasoline and What it Costs, Consumer Watchdog; and (7) Cody Rosenfield and Liza Tucker, Golden State Gouge, the Summer of Record Refining Profits, Consumer Watchdog (Aug. 5, 2015).

RESPONSE TO REQUEST NO. 7:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is ambiguous, overly broad, unduly burdensome, duplicative, and/or

requests documents that are already in the possession of Defendants or are available from Plaintiff, Plaintiff's counsel, or its retained experts, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges and right to petition the Government for redress of grievances, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog. Consumer Watchdog objects to this Request to the extent it calls for information protected by the attorney-client privilege and attorney work product privilege.

Subject to and without waiving these specific and general objections, the following responsive, non-privileged DOCUMENTS and COMMUNICATIONS relating to the seven sources enumerated in the Request are available on Consumer Watchdog's website:

- The letter authored by Consumer Watchdog sent to U.S. Attorneys Stephanie Yonekura, Melinda Haag, Laura E. Duffy, and Benjamin B. Wagner (May 21, 2015), is available at http://www.consumerwatchdog.org/resources/ http://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/resources/ https://www.consumerwatchdog.org/ https://www.consumerwatchdog.org/ https://www.consumerwatchdog.org/ <a href
- The source for Cody Rosenfield's comment that "[o]il companies created a shortage by selling abroad, and then shutting down refineries, and have made

billions at the expense of Californians who are paying a huge premium due to the state's low inventories" is available at https://consumerwatchdog.org/newsrelease/west-coast-oil-companies-exported-record-amount-gasoline-
foreign-nations-month-%C3%A2%E2%82%AC%C5%93supply-s;

- The news release authored by Consumer Watchdog entitled *Consumer Watchdog Calls for Sunlight On Big Oil Refiners to Avert CA Gasoline Price Spikes; State Energy Commission Panel to Make Recommendations on Transparency for Refiners* (Apr. 22, 2016) is available at https://www.consumerwatchdog.org/newsrelease/consumer-watchdog-calls-sunlight-big-oil-refiners-avert-ca-gasoline-price-spikes-state-e;
- The report authored by Consumer Watchdog entitled *Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits* (Feb. 8, 2016) is available at https://consumerwatchdog.org/sites/default/files/2017-09/ reportagainstthetide.pdf;
- The report authored by Consumer Watchdog entitled *Price Spiked: How Oil Refiners Gouge Californians on Their Gasoline and What it Costs* is available at https://consumerwatchdog.org/sites/default/files/2017-09/PriceSpiked.pdf;
- The report authored by Consumer Watchdog entitled *Golden State Gouge, the Summer of Record Refining Profits*, Consumer Watchdog (Aug. 5, 2015) is

available at https://consumerwatchdog.org/report/golden-state-gouge-summer-record-refining-profits; and

• Exhibit A provides links to responsive communications and documents related to the seven sources enumerated in this Request.

REQUEST NO. 8:

All COMMUNICATIONS with Cody Rosenfield after he ceased to be employed by YOU RELATING TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

RESPONSE TO REQUEST NO. 8:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, duplicative, and/or requests documents that are available from Plaintiff, Plaintiff's counsel, and/or its retained experts, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges, having the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog.

Subject to and without waiving the foregoing objections, Consumer Watchdog responds as follows: Following a diligent search and reasonable inquiry, Consumer Watchdog does not have in its possession, custody, or control any documents responsive to this Request.

REQUEST NO. 9:

All DOCUMENTS provided to Cody Rosenfield after he ceased to be employed by YOU RELATING TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

RESPONSE TO REQUEST NO. 9:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, duplicative, and/or requests documents that are already in the possession of Defendants or are available from Plaintiff, Plaintiff's counsel, and/or its retained experts, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges, having the effect of invading, intruding into, and chilling the First Amendment interests of

Consumer Watchdog.

Subject to and without waiving the foregoing objections, Consumer Watchdog responds as follows: Following a diligent search and reasonable inquiry, Consumer Watchdog does not have in its possession, custody, or control any documents responsive to this Request.

REQUEST NO. 10:

All DOCUMENTS received from Cody Rosenfield after he ceased to be employed by YOU RELATING TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

RESPONSE TO REQUEST NO. 10:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, duplicative, and/or requests documents that are already in the possession of Defendants or are available from Plaintiff, Plaintiff's counsel, and/or its retained experts, and is therefore calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges, having

the effect of invading, intruding into, and chilling the First Amendment interests of Consumer Watchdog.

Subject to and without waiving the foregoing objections, Consumer Watchdog responds as follows: Following a diligent search and reasonable inquiry, Consumer Watchdog does not have in its possession, custody, or control any documents responsive to this Request.

REQUEST NO. 12:

All COMMUNICATIONS with ANY governmental agency, including but not limited to the California Energy Commission AND/OR the California Attorney General's Office RELATED TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

RESPONSE TO REQUEST NO. 12:

In addition to its general objections, Consumer Watchdog objects to this Request on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation nor likely to lead to the discovery of admissible evidence in connection therewith. Consumer Watchdog further objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, duplicative, and/or is calculated to subject non-party Consumer Watchdog to harassment, intimidation, and oppression. The request is also objectionable because it calls for information protected by the First Amendment's associational and journalists' privileges and

right to petition the Government for redress of grievances, having the effect of

invading, intruding into, and chilling the First Amendment interests of Consumer

Watchdog.

Subject to and without waiving these specific and general objections, all

public documents responsive to this request, if any, are available in Exhibit A and

on Consumer Watchdog's internet website at http://www.consumerwatchdog.org,

Facebook page at www.facebook.com/consumerwatchdog, Twitter account at

www.twitter.com/consumerwatchdog, YouTube page at

www.youtube.com/user/consumerwatchdog, or Instagram page

www.instagram.com/consumerwatchdog.

DATED: September 6, 2019

CONSUMER WATCHDOG

at

/s

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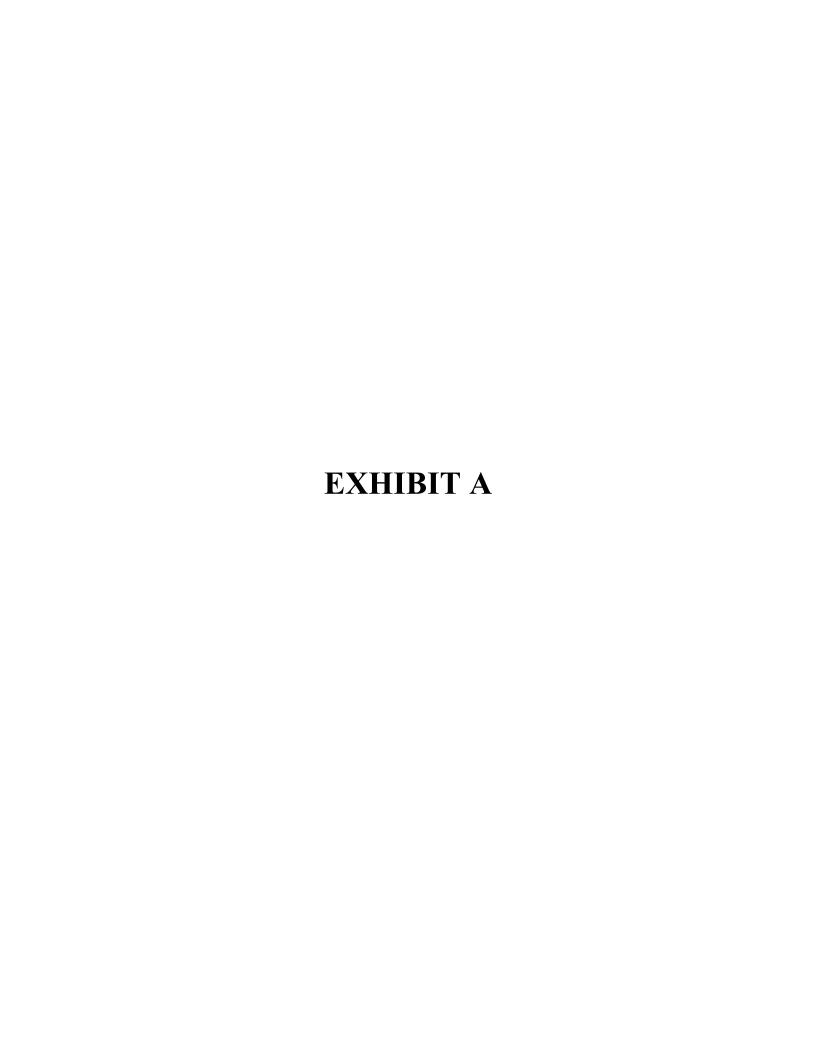


EXHIBIT A

PRESS RELEASES:

https://www.consumerwatchdog.org/energy/gov-newsom-fires-top-oil-regulator-institutes-sweeping-ethics-review-agency-response

https://www.consumerwatchdog.org/energy/watchdogs-call-resignations-permit-freeze-california-oil-regulators-approve-surge-well

https://www.consumerwatchdog.org/energy/tv-ad-youngster-schooling-gov-brown-being-being-cruel-and-heartless-oil-drilling-hits-san

https://www.consumerwatchdog.org/energy/consumer-watchdog-thanks-jerry-brown-signature-sb-100-says-it-will-not-help-kids-living

https://www.consumerwatchdog.org/energy/brown-needs-shut-down-oil-wells-he-controls-state-waters-after-he-signs-important-bill-today

https://www.consumerwatchdog.org/energy/consumer-advocates-thank-senate-protem-toni-atkins-standing-energy-barons-protect-consumers

https://www.consumerwatchdog.org/energy/consumer-and-environmental-advocates-call-gov-brown-stop-california-energy-transfer-trump

https://www.consumerwatchdog.org/energy/report-warns-enron-all-over-again-governor-jerry-brown-and-electricity-deregulation-era

https://www.consumerwatchdog.org/energy/governor-brown-please-step-more-750-public-interest-groups-call-governor-brown-halt-new

https://www.consumerwatchdog.org/energy/consumer-watchdog-demands-state-oil-regulators-publicly-reveal-leaking-california-oil-wells

https://www.consumerwatchdog.org/energy/30-public-interest-groups-urge-governor-brown-freeze-state-oil-drilling

https://www.consumerwatchdog.org/energy/consumer-watchdog-urges-gov-brown-halt-all-ca-offshore-drilling-response-trump-move-open

 $\frac{https://www.consumerwatchdog.org/energy/ca-cap-and-trade-program-isnt-working}{}$

https://www.consumerwatchdog.org/energy/germany-could-teach-jerry-brown-how-be-greener-consumer-watchdog-says

https://www.consumerwatchdog.org/energy/will-governor-really-sign-bill-benefiting-sisters-development-company

https://www.consumerwatchdog.org/energy/senate-completes-creation-brown-utility-commission-neutering-puc-independence

https://www.consumerwatchdog.org/energy/governor-browns-former-cabinet-secretary-secretly-lobbying-californias-grid-operator

https://www.consumerwatchdog.org/energy/public-interest-groups-urge-ca-senate-deny-govs-point-man-confirmation-puc-after-he-fired

https://www.consumerwatchdog.org/energy/governors-sister-kathleen-brown-makes-more-1-million-dollars-sempra-board-work-and-stands

https://www.consumerwatchdog.org/energy/governor-jerry-brown-betrays-californians-massive-giveaway-oil-industry-proposed-extension

https://www.consumerwatchdog.org/energy/fossil-fuel-electric-plant-developers-fund-browns-beijing-fling

https://www.consumerwatchdog.org/newsrelease/state-ethics-commissioners-asked-compel-witness-interviews-complaints-against-mcfadden-a

https://www.consumerwatchdog.org/newsrelease/public-interest-groups-urge-senate-deny-govs-point-man-confirmation-puc-after-he-fired-t

https://www.consumerwatchdog.org/newsrelease/big-oil-should-pay-new-gas-tax-out-windfall-profits-not-consumers-consumer-watchdog-tell

https://www.consumerwatchdog.org/newsrelease/governor-jerry-brown-slams-trump-administration-putting-interests-big-oil-ahead-clean--0

https://www.consumerwatchdog.org/newsrelease/12-public-interest-groups-find-governor-jerry-brown-not-so-green-lays-blame-excess-ca-el

https://www.consumerwatchdog.org/newsrelease/consumer-watchdog-report-keystone-xl-pipeline-would-increase-gas-prices-while-bringing-f

 $\frac{https://www.consumerwatchdog.org/newsrelease/brown-stacks-cpuc-confidant-who-did-wet-work-oil-industry-firing-tough-oil-well-regulato}{}$

https://www.consumerwatchdog.org/newsrelease/consumer-watchdog-testifies-refiners-continue-get-rich-inflated-gasoline-prices-cutting-

 $\frac{https://www.consumerwatchdog.org/newsrelease/gasoline-trading-company-vitol-blames-exxonmobil-misinformation-california-2015-gas-pric}{}$

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https://www.youtube.com/watch?v=lLlz4e2uHG0

https://www.youtube.com/watch?v=XPDiM5sUyI0

https://www.youtube.com/watch?v=EDj5c6YAAcE

https://www.youtube.com/watch?v=ZWMC-jDKwfM

https://www.youtube.com/watch?v=71GH852LOI0

https://www.youtube.com/watch?v=W37M0obxmK8

https://www.youtube.com/watch?v=gR1hqaIxaLo

https://www.youtube.com/watch?v=NMNyMk67Duc

https://www.youtube.com/watch?v=VxZesKBdZgc

https://www.youtube.com/watch?v=vTbZVFBXg_8

https://www.youtube.com/watch?v=bQV5-o sPgc

https://www.youtube.com/watch?v=gKC3VQ4TuNY

https://www.youtube.com/watch?v=3MCoL-5Z3Lg

https://www.youtube.com/watch?v=XrfBILaq5vY

https://www.youtube.com/watch?v=cQzN_WuZmkM

https://www.youtube.com/watch?v=W37M0obxmK8

https://www.youtube.com/watch?v=emveHbRo6UI

https://www.youtube.com/watch?v=YMM6NpWf1lc

https://www.youtube.com/watch?v=BYMrZhNafsk

https://www.youtube.com/watch?v=2nIhtoqbnWM

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https://www.youtube.com/watch?v=XyBtGQHXiXk

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https://www.youtube.com/watch?v=NU5O7TBPKtE

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https://www.youtube.com/watch?v=PF6vUiMNLSQ

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https://www.youtube.com/watch?v=IPoiQP8QT2M

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https://www.youtube.com/watch?v=38rnEv2yaBQ

https://www.youtube.com/watch?v=pD2HiVRiTSE

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https://www.youtube.com/watch?v=C7JbNU_j6Nc

Consumer Watchdog Non-Party Subpoena Response Persian Gulf Inc. et al v. BP West Coast Products LLC, et al

https://www.youtube.com/watch?v=P1t8xHPtoSk

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https://www.youtube.com/watch?v=LHJO4lR6zcs

 $\underline{https://www.youtube.com/watch?v=lTCIQlJq0Uo}$

https://www.youtube.com/watch?v=2gcVXZeFY 4

https://www.youtube.com/watch?v=lMXXGL_IMrg

https://www.youtube.com/watch?v=hFDeoC9PIx8

https://www.youtube.com/watch?v=soYguqxUeOI

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EXHIBIT A September 6, 2019 Consumer Watchdog Non-Party Subpoena Response

Persian Gulf Inc. et al v. BP West Coast Products LLC, et al

https://www.youtube.com/watch?v=qAez74JjnZE

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PROOF OF SERVICE

I am employed in the City of Los Angeles and County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 6330 San Vicente Blvd., Suite 250, Los Angeles, California 90048, and I am employed in the city and county where this service is occurring.

On September 6, 2019, I served true and correct copies of the following document entitled:

CONSUMER WATCHDOG'S OBJECTIONS AND RESPONSES TO DEFENDANTS EXXONMOBIL REFINING & SUPPLY CO., PHILLIPS 66, AND CHEVRON U.S.A. INC.'S SUBPOENA TO PRODUCE DOCUMENTS

upon the persons named in the attached service list, in the following manner:

- ✓ by ELECTRONIC MAIL TRANSMISSION this date to the email addresses stated in the attached service list.
- by MAIL. I placed on this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am readily familiar with the regular practice of collection and processing of correspondence for mailing of U.S. Mail and for sending of Overnight mail. If mailed by U.S. Mail, these envelopes would be deposited this day in the ordinary course of business with the U.S. Postal Service.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 6, 2019 at Los Angeles, California.

Kaitlyn Gentile

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