# NEWS ADVISORY Luther Strange Alabama Attorney General



### FOR IMMEDIATE RELEASE June 30, 2016

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## Attorneys General Strange and Paxton Dismiss Lawsuit Against Virgin Islands AG

Virgin Islands AG Agrees to Withdraw Unconstitutional Subpoena

(MONTGOMERY) —Alabama Attorney General Luther Strange and Texas Attorney General Ken Paxton dismissed their lawsuit against the Virgin Islands Attorney General Claude Earl Walker, after he agreed to end his improper pursuit of ExxonMobil. Walker, working with a Washington, D.C.-based private law firm on a contingency fee basis, issued an unconstitutional and harassing subpoena for decades of ExxonMobil records.

Attorneys General Strange and Paxton intervened in the dispute between ExxonMobil and Walker because the contingency fee arrangement between Walker and the Washington, D.C.-based private law firm implicated sensitive questions of constitutional due process.

"I join with Texas Attorney General Ken Paxton in welcoming the decision of the Virgin Islands Attorney General to withdraw his subpoena and cease an investigation which conflicted with the First Amendment right of free speech," said Attorney General Strange. "We are all free to advocate our own opinions about climate change, but we don't have the right to do so through subpoenas, litigation, and threats of prosecution against those with whom we disagree. I am pleased the Attorney General of the Virgin Islands has acknowledged that free speech must be protected."

Texas Attorney General Ken Paxton gave this statement on the withdrawal of the subpoena:

"The so-called 'investigation' by Walker was a constitutionally improper attempt to suppress the freedom of speech based only on the content being communicated. In America, we have the freedom to disagree, and we do not legally prosecute people just because their opinion is different from ours. We are glad that the abuse of power by Attorney General Walker, and those that he hired, has come to an end," said Attorney General Ken Paxton. "Attorneys working for the government should be motivated by public interest, not financial gain."

The dismissal filed by General Strange and General Paxton is attached to this release



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#### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

EXXON MOBIL CORPORATION,	§
Plaintiff,	§ 8
r iaiiiiii,	§ §
and	§
	§
STATE of TEXAS and STATE of	§
ALABAMA,	§ CIVIL ACTION NO. 4:16-CV-0364-K
Intervenor – Plaintiffs,	§ 8
intervenor ramenis,	\$ <b>§</b>
v.	§
	§
CLAUDE EARL WALKER, Attorney	§
General of the United States Virgin	§
Islands, in his official capacity, LINDA	§
SINGER, and COHEN, MILSTEIN,	§
SELLERS & TOLL, PLLC,	§
D.C. 1. 4	§
Defendants.	§ 8
	§

## INTERVENOR-PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Intervenor-Plaintiffs, the State of Texas and the State of Alabama, hereby give notice that the above-captioned action is voluntarily dismissed, against the Defendants, CLAUDE EARL WALKER, Attorney General of the United States Virgin Islands, in his official capacity, and LINDA SINGER, and COHEN, MILSTEIN, SELLERS & TOLL, PLLC, without prejudice. Intervenor-Plaintiffs reserve the right to preserve and defend

the sovereign power and investigative and prosecutorial authority of Intervenor-Plaintiff
States and to defend the rule of law against abuse by Defendants.

Dated: June 30, 2016

LUTHER STRANGE Attorney General of Alabama 501 Washington Ave. Montgomery, Alabama 36104 Respectfully submitted,

KEN PAXTON Attorney General of Texas

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/s/ Austin R. Nimocks
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#### **CERTIFICATE OF SERVICE**

I certify that on June 30, 2016, this document was served to counsel of record through the Court's CM/ECF Document Filing System.

/s/ Austin R. Nimocks Austin R. Nimocks