HENRY G. MANNE PROGRAM IN LAW & ECONOMICS STUDIES,
LAW & ECONOMICS CENTER AND ENVIRONMENTAL LAW SOCIETY
GEORGE MASON UNIVERSITY SCHOOL OF LAW
Mock Supreme Court Argument on Climate Change
Tuesday, April 10, 2012

All Sessions: Founders Hall Auditorium 3351 Fairfax Drive, Arlington, VA 22201

This mock argument examines the two critical arguments from *Native Village of Kivalina v ExxonMobil Corporation* (663 F. Supp. 2d 863), namely, (1) whether plaintiffs in cases such as *Kivalina* have standing under Article III of the U.S. Constitution to pursue public nuisance claims under federal common law for damages allegedly caused by certain defendants' "contributions" to global warming, and (2) whether such claims present non-justiciable "political questions" reserved to the Executive or Legislative branches of government.

Agenda

4:00 pm	**Welcome** **Alisha Avril,** *President, Environmental Law Society* **Daniel D. Polsby,** *Dean, George Mason University School of Law* **Henry N. Butler,** *Executive Director, Law & Economics Center and George Mason Foundation Professor of Law, George Mason University School of Law*
4:05 pm	**Introduction of Participants and Case** **Ilya Somin,** *Associate Professor of Law, George Mason University School of Law*
4:10pm	**Petitioner's Argument** **David Axelrad, Esq.,** *Partner, Horvitz & Levy LLP, Los Angeles, CA*
4:30 pm	**Respondent's Argument** **Richard O. Faulk, Esq.,** *Partner and Chair, Litigation, Gardere Wynne Sewell LLP, Houston, TX*
4:50 pm	**Rebuttal**
4:55 pm	**Comments from the Bench** **Panelists:** **Paul D. Clement,** *Partner, Bancroft PLLC, former Solicitor General of the United States (2005-2008)*; **John Cruden,** *President of the Environmental Law Institute*; **Kenneth W. Starr,** *President, Baylor University, former Federal Judge (1983-1989) and Solicitor General of the United States (1989-1993)*
5:10 pm	**Question & Answer Period with the Audience**
5:30 pm	**Adjourn and Reception**