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Automakers Get Third Strike in California Car Litigation

WASHINGTON (November 25, 2008) -- A federal judge in Rhode Island today ruled that General Motors, Chrysler, and the Association of Automobile Manufacturers cannot challenge that state's adoption of California's landmark clean car standards, which will cut global warming pollution 30 percent by 2016. The standard will help solve the global warming crisis while saving consumers billions of dollars at the pump. Thirteen other states have already copied California's standards, and at least another four states are planning to do so.

Following is a statement from David Doniger, policy director for the Climate Center at the Natural Resources Defense Council (NRDC) and an attorney in the clean car cases:

"This is the car makers' third strike. They've sued over and over to block California and 13 other states from adopting the Golden State's clean car standards. Last year they lost in federal courts in California and Vermont. Today the federal court in Rhode Island told them they've had their fair shot and can't keep re-trying the same case."

"All that's needed for the states to enforce their standards is for EPA to issue California a normally-routine waiver under the Clean Air Act. President-elect Obama has pledged to reverse the Bush administration and give California and the other states the green light they need.

"It's time for the automakers to read the handwriting on the wall. Lock up your lawyers and unleash your engineers.

"American auto companies cannot be competitive, or even survive, if they make cars only marginally better than they are building today. They have to make dramatically cleaner, higher mileage cars. We are ready to support taxpayer assistance to the American car companies, if it is linked to retooling to make the dramatically cleaner, higher mileage cars they need to be competitive again."

The case is *Lincoln-Dodge, Inc. v. Sullivan*, No. 06-70T (D.C.R.I.) and the opinion was issued November 24, 2008. A copy is available on request.