



**FOR IMMEDIATE RELEASE**

## **Residents Rights and Wild Earth Guardians Response to City and County of Broomfield and Extraction Oil and Gas Motions to Dismiss**

**Nov. 16, 2018** — Residents Rights and Wild Earth Guardians have responded to the motion to dismiss filed by both City and County of Broomfield, Colo. and Extraction Gas, in a statement released today. The statement reads:

“It is not uncommon that an operator would try to dismiss a suit by residents, as the oil and gas industry has attempted to eradicate residents’ democratic rights for a long period of time. What is unusual is that a municipality, particularly one with a clear statute and city charter put in place to protect and prioritize resident health and safety would try to dismiss its own constituents’ concerns. The city argues that citizens do not have standing to challenge their government’s actions in court or to enforce their own charter — no matter how much risk of harm is posed to residents’ health, safety, and property and their democratic rights from the city’s actions. This is nothing less than an attack on the rights of citizens to self government. The community members represented in the suit, made up of Residents Rights and Wild Earth Guardians supporters in Broomfield, will file a full response to those arguments in due course. We trust the court will take seriously the citizens’ fundamental rights to enforce their own charter and the city’s duty to protect health and safety before it can approve Extraction’s Comprehensive Drilling Plan” said Dan Leftwich, co-counsel for the plaintiffs.

Leftwich added, “Extraction Oil and Gas was not named in the suit, except as an interested party. It is unclear why their motion would be accepted, as the suit challenges the city’s actions. Nevertheless, the Extraction motion shows there is total alignment between the operator and the city in seeking to deny the citizens’ rights.”

Added Broomfield resident, mom and spokesperson for Residents Rights Kim McNaughton, “Resident concerns have fallen on deaf ears for years. While we have little hope in the city’s desire to carry out its Charter to serve and protect residents, we have an unfaltering faith in the constitutional rights afforded to us as citizens and in the court’s ability to look closely at the case and the basis for the suit.”

According to Jeremy Nichols, spokesperson for Wild Earth Guardians, “There is a long legacy of the rights of affected people being ignored and the well-being of our natural resources and environment as well. We will continue to do the work we know is so vital across the Western U.S.”

Residents of Broomfield, Colorado served the City and its City Manager, Charles Ozaki, with a [lawsuit demanding protections for public health and safety from drilling and fracking plans](#) that were recently approved in the suburban Denver community. [Reference DATE FILED: October 8, 2018 10:27 PM FILING ID: 450E88A0F83FD CASE 2018CV30316]

Nonprofit environmental advocacy group, [WildEarth Guardians](#), and [Residents Rights](#), an organization of impacted residents, joined together to file the suit. The suit alleges the City Manager unlawfully approved of a “Comprehensive Drilling Plan” allowing Extraction Oil and Gas to drill and frack 84 new wells in the City and County of Broomfield, despite the Plan’s failure to comply with the requirements of the Broomfield/Extraction Operator Agreement or the City’s own Charter and ordinances.



### **About Resident Rights**

Residents Rights is an organization that empowers communities to protect their health, safety and the environment through education and outreach.

### **About WildEarth Guardians**

WildEarth Guardians protects and restores the wildlife, wild places, wild rivers, and health of the American West.

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### **Broomfield Residents/Volunteer Media Contacts:**

Jennifer Dulles  
Email: [jdulles@dstreetpr.com](mailto:jdulles@dstreetpr.com)  
Cell: 303-956-0001

Becky Early  
[b\\_dearly@yahoo.com](mailto:b_dearly@yahoo.com)