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Form 990

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

The organization may have to use a copy of this return to satisfy state reporting requirements

OMB No 1545-0047

2011

Open to Public Inspection

A For the 2011 calendar year, or tax year beginning 07-01-2011 and ending 06-30-2012

B Check if applicable

☐ Address change

☐ Name change

☐ Initial return

☐ Terminated

☐ Amended return

☐ Application pending

C Name of organization

EARTHJUSTICE

Doing Business As

Number and street (or P O box if mail is not delivered to street address)

Room/suite

50 CALIFORNIA STREET SUITE 500

City or town, state or country, and ZIP + 4

SAN FRANCISCO, CA 94111

F Name and address of principal officer

DONNELL VAN NOPPEN

50 CALIFORNIA STREET SUITE 500

SAN FRANCISCO,CA 94111

D Employer identification number

94-1730465

E Telephone number

(415) 217-2000

G Gross receipts \$ 56,201,245

I Tax-exempt status

☒ 501(c)(3)

☐ 501(c) ()

☐ (insert no)

☐ 4947(a)(1) or

☐ 527

J Website: WWW.EARTHJUSTICE.ORG

K Form of organization

☒ Corporation

☐ Trust

☐ Association

☐ Other

L Year of formation 1970

M State of legal domicile CA

Part I Summary

Activities & Governance	1	Briefly describe the organization's mission or most significant activities WE USE THE LAW TO PROTECT THE NATURAL HERITAGE, SAFEGUARD HEALTH, AND PROMOTE CLEAN ENERGY		
	2	Check this box ☐ if the organization discontinued its operations or disposed of more than 25% of its net assets		
	3	Number of voting members of the governing body (Part VI, line 1a)	3	26
	4	Number of independent voting members of the governing body (Part VI, line 1b)	4	26
	5	Total number of individuals employed in calendar year 2011 (Part V, line 2a)	5	251
	6	Total number of volunteers (estimate if necessary)	6	10
	7a	Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
Revenue	b	Net unrelated business taxable income from Form 990-T, line 34	7b	0
	8	Contributions and grants (Part VIII, line 1h)	Prior Year	Current Year
	9	Program service revenue (Part VIII, line 2g)	29,629,520	32,386,669
	10	Investment income (Part VIII, column (A), lines 3, 4, and 7d)	3,974,499	5,079,648
	11	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	832,925	763,901
	12	Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	109,281	113,742
	12		34,546,225	38,343,960
Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1–3)	74,400	54,650
	14	Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	18,822,863	21,571,574
	16a	Professional fundraising fees (Part IX, column (A), line 11e)	586,783	252,529
	b	Total fundraising expenses (Part IX, column (D), line 25) 4,702,955		
	17	Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	9,885,719	11,338,032
	18	Total expenses Add lines 13–17 (must equal Part IX, column (A), line 25)	29,369,765	33,216,785
Net Assets or Fund Balances	19	Revenue less expenses Subtract line 18 from line 12	5,176,460	5,127,175
	20	Total assets (Part X, line 16)	Beginning of Current Year	End of Year
	21	Total liabilities (Part X, line 26)	48,383,883	53,908,481
	22	Net assets or fund balances Subtract line 21 from line 20	7,127,033	7,791,128
	22		41,256,850	46,117,353

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer

BRUCE M NEIGHBOR VP FINANCE

Date

2013-02-16

Paid Preparer's Use Only

Preparer's signature

TRACY S PAGLIA

Firm's name (or yours if self-employed), address, and ZIP + 4

MOSS ADAMS LLP

3121 WEST MARCH LANE SUITE 100

STOCKTON, CA 95219

Date

Check if self-employed

Preparer's taxpayer identification number (see instructions)

P00366884

EIN

91-0189318

Phone no

(209) 955-6100

May the IRS discuss this return with the preparer shown above? (see instructions)

For Paperwork Reduction Act Notice, see the separate instructions.

Cat No 11282Y

Form 990 (2011)

Part III

Statement of Program Service Accomplishments

Check if Schedule O contains a response to any question in this Part III

1

Briefly describe the organization's mission

EARTHJUSTICE IS A NON-PROFIT PUBLIC INTEREST LAW FIRM DEDICATED TO PROTECTING THE MAGNIFICENT PLACES, NATURAL RESOURCES, AND WILDLIFE OF THIS EARTH AND TO DEFENDING THE RIGHT OF ALL PEOPLE TO A HEALTHY ENVIRONMENT WE BRING ABOUT FAR-REACHING CHANGE BY ENFORCING AND STRENGTHENING ENVIRONMENTAL LAWS ON BEHALF OF HUNDREDS OF ORGANIZATIONS AND COMMUNITIES

2

Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?

Yes

No

If "Yes," describe these new services on Schedule O

3

Did the organization cease conducting, or make significant changes in how it conducts, any program services?

Yes

No

If "Yes," describe these changes on Schedule O

4

Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations and section 4947(a)(1) trusts are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a

(Code) (Expenses \$ 17,806,653 including grants of \$ 54,650) (Revenue \$ 5,079,648)

PROVIDE FREE LEGAL REPRESENTATION, WORKING THROUGH THE COURTS ON BEHALF OF CITIZEN GROUPS, SCIENTISTS, ENVIRONMENTAL AND OTHER ORGANIZATIONS TO ENSURE THAT GOVERNMENT AGENCIES AND PRIVATE INTERESTS FOLLOW THE LAW

4b

(Code) (Expenses \$ 6,863,051 including grants of \$) (Revenue \$)

PROVIDE INCREASED PUBLIC, MEDIA AND POLICY MAKER AWARENESS OF ENVIRONMENTAL ISSUES AND THE ROLE OF LAW IN RESOLVING THEM

4c

(Code) (Expenses \$ including grants of \$) (Revenue \$)

4d

Other program services (Describe in Schedule O)

(Expenses \$ including grants of \$) (Revenue \$)

4e

Total program service expenses \$ 24,669,704

Form 990 (2011)

Part IV Checklist of Required Schedules

		Yes	No
1	Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A 	1	Yes
2	Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)? 	2	Yes
3	Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I 	3	No
4	Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II 	4	Yes
5	Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III 	5	No
6	Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I 	6	No
7	Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas or historic structures? If "Yes," complete Schedule D, Part II 	7	No
8	Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III 	8	No
9	Did the organization report an amount in Part X, line 21, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV 	9	No
10	Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If "Yes," complete Schedule D, Part V 	10	Yes
11	If the organization's answer to any of the following questions is 'Yes,' then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable		
a	Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI. 	11a	Yes
b	Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII. 	11b	No
c	Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII. 	11c	No
d	Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX. 	11d	No
e	Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X. 	11e	Yes
f	Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D, Part X. 	11f	Yes
12a	Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI, XII, and XIII 	12a	Yes
b	Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered 'No' to line 12a, then completing Schedule D, Parts XI, XII, and XIII is optional 	12b	No
13	Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	13	No
14a	Did the organization maintain an office, employees, or agents outside of the United States?	14a	Yes
b	Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If "Yes," complete Schedule F, Part I 	14b	Yes
15	Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or assistance to any organization or entity located outside the U S ? If "Yes," complete Schedule F, Part II and IV 	15	No
16	Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or assistance to individuals located outside the U S ? If "Yes," complete Schedule F, Part III and IV 	16	No
17	Did the organization report a total of more than \$15,000, of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I 	17	Yes
18	Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II 	18	No
19	Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III 	19	No
20a	Did the organization operate one or more hospitals? If "Yes," complete Schedule H	20a	No
b	If "Yes" to line 20a, did the organization attach its audited financial statement to this return? Note. All Form 990 filers that operated one or more hospitals must attach audited financial statements	20b	

Part IV

Checklist of Required Schedules (continued)

21	Did the organization report more than \$5,000 of grants and other assistance to governments and organizations in the United States on Part IX, column (A), line 1? <i>If "Yes," complete Schedule I, Parts I and II</i>	21	Yes	
22	Did the organization report more than \$5,000 of grants and other assistance to individuals in the United States on Part IX, column (A), line 2? <i>If "Yes," complete Schedule I, Parts I and III</i>	22		No
23	Did the organization answer "Yes" to Part VII, Section A, questions 3, 4, or 5, about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J</i>	23	Yes	
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer questions 24b–24d and complete Schedule K. If "No," go to line 25</i>	24a		No
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b		
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c		
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d		
25a	Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I</i>	25a		No
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I</i>	25b		No
26	Was a loan to or by a current or former officer, director, trustee, key employee, highly compensated employee, or disqualified person outstanding as of the end of the organization's tax year? <i>If "Yes," complete Schedule L, Part II</i>	26		No
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor, or a grant selection committee member, or to a person related to such an individual? <i>If "Yes," complete Schedule L, Part III</i>	27		No
28	Was the organization a party to a business transaction with one of the following parties? (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions)			
a	A current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>	28a		No
b	A family member of a current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>	28b		No
c	An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or owner? <i>If "Yes," complete Schedule L, Part IV</i>	28c		No
29	Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M</i>	29	Yes	
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If "Yes," complete Schedule M</i>	30		No
31	Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I</i>	31		No
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II</i>	32		No
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If "Yes," complete Schedule R, Part I</i>	33		No
34	Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Parts II, III, IV, and V, line 1</i>	34	Yes	
35a	Is any related organization a controlled entity of the filing organization within the meaning of section 512(b)(13)?	35a	Yes	
b	Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2</i>	35b		No
36	Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2</i>	36		No
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI</i>	37		No
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11 and 19? Note. All Form 990 filers are required to complete Schedule O	38	Yes	

Part V Statements Regarding Other IRS Filings and Tax Compliance						
Check if Schedule O contains a response to any question in this Part V ☐						
		Yes	No			
1a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable. .	1a	330			
b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable.	1b	0			
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	1c	Yes			
2a	Enter the number of employees reported on Form W-3, <i>Transmittal of Wage and Tax Statements</i> filed for the calendar year ending with or within the year covered by this return. .	2a	251			
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions).	2b	Yes			
3a	Did the organization have unrelated business gross income of \$1,000 or more during the year?	3a				No
b	If "Yes," has it filed a Form 990-T for this year? If "No," provide an explanation in Schedule O.	3b				
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account or securities account)?	4a				No
b	If "Yes," enter the name of the foreign country: _____ See instructions for filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.					
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?	5a				No
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?	5b				No
c	If "Yes" to line 5a or 5b, did the organization file Form 8886-T?	5c				
6a	Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible?	6a				No
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?	6b				
7	Organizations that may receive deductible contributions under section 170(c).					
a	Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?	7a				No
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?	7b				
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?	7c				No
d	If "Yes," indicate the number of Forms 8282 filed during the year.	7d				
e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	7e				No
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?	7f				No
g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?	7g				
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?	7h				
8	Sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations. Did the supporting organization, or a donor advised fund maintained by a sponsoring organization, have excess business holdings at any time during the year?	8				
9	Sponsoring organizations maintaining donor advised funds.					
a	Did the organization make any taxable distributions under section 4966?	9a				
b	Did the organization make a distribution to a donor, donor advisor, or related person?	9b				
10	Section 501(c)(7) organizations. Enter					
a	Initiation fees and capital contributions included on Part VIII, line 12.	10a				
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities.	10b				
11	Section 501(c)(12) organizations. Enter					
a	Gross income from members or shareholders.	11a				
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them).	11b				
12a	Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?	12a				
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year.	12b				
13	Section 501(c)(29) qualified nonprofit health insurance issuers.					
a	Is the organization licensed to issue qualified health plans in more than one state? Note. All 501(c)(29) organizations must list in Schedule O each state in which they are licensed to issue qualified health plans, the amount of reserves required by each state, and the amount of reserves the organization allocated to each state.	13a				
b	Enter the aggregate amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans.	13b				
c	Enter the aggregate amount of reserves on hand.	13c				
14a	Did the organization receive any payments for indoor tanning services during the tax year?	14a				No
b	If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O.	14b				

Part VI

Governance, Management, and Disclosure

For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.
Check if Schedule O contains a response to any question in this Part VI

Section A. Governing Body and Management

		Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year		
1b	Enter the number of voting members included in line 1a, above, who are independent		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?		No
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?		No
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	Yes	
5	Did the organization become aware during the year of a significant diversion of the organization's assets?		No
6	Did the organization have members or stockholders?		No
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?		No
7b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?		No
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following		
8a	The governing body?	Yes	
8b	Each committee with authority to act on behalf of the governing body?	Yes	
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O		No

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

	Yes	No	
10a	Did the organization have local chapters, branches, or affiliates?	Yes	
10b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	Yes	
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	Yes	
11b	Describe in Schedule O the process, if any, used by the organization to review the Form 990		
12a	Did the organization have a written conflict of interest policy? If "No," go to line 13	Yes	
12b	Were officers, directors or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	Yes	
12c	Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done	Yes	
13	Did the organization have a written whistleblower policy?	Yes	
14	Did the organization have a written document retention and destruction policy?	Yes	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
15a	The organization's CEO, Executive Director, or top management official	Yes	
15b	Other officers or key employees of the organization	Yes	
	If "Yes," to line 15a or 15b, describe the process in Schedule O (see instructions)		
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?		No
16b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?		

Section C. Disclosure

17	List the States with which a copy of this Form 990 is required to be filed	AL, AK, AZ, AR, CA, CT, FL, GA, IL, KS, KY, LA, MD, MA, MI, MN, MS, NH, NJ, NM, NY, NC, OH, OK, OR, PA, RI, SC, TN, UT, VA, WA, WV, WI, HI, MO, ND
18	Section 6104 requires an organization to make its Form 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply. ☒ Own website ☐ Another's website ☒ Upon request	
19	Describe in Schedule O whether (and if so, how), the organization made its governing documents, conflict of interest policy, and financial statements available to the public. See Additional Data Table.	
20	State the name, physical address, and telephone number of the person who possesses the books and records of the organization.	BRUCE M NEIGHBOR VP FINANCE 50 CALIFORNIA STREET SUITE 500 SAN FRANCISCO, CA 94111 (415) 217-2000

Check if Schedule O contains a response to any question in this Part VII

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons

☐ Check this box if neither the organization nor any related organizations compensated any current or former officer, director, or trustee

[illegible]

Part VIII

Statement of Revenue

			(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512, 513, or 514	
Contributions, gifts, grants and other similar amounts	1a	Federated campaigns 1a					
	b	Membership dues 1b					
	c	Fundraising events 1c					
	d	Related organizations 1d					
	e	Government grants (contributions) 1e					
	f	All other contributions, gifts, grants, and similar amounts not included above 1f	32,386,669				
	g	Noncash contributions included in lines 1a-1f \$ 1,121,447					
	h	Total. Add lines 1a-1f	32,386,669				
Program Service Revenue			Business Code				
	2a	COURT AWARDS	541100	4,868,344	4,868,344		
	b	CLIENT COST RECOVERIES	541100	208,765	208,765		
	c	PRODUCT SALES	900099	2,539	2,539		
	d						
	e						
	f	All other program service revenue					
	g	Total. Add lines 2a-2f	5,079,648				
Other Revenue	3	Investment income (including dividends, interest and other similar amounts)		682,413		682,413	
	4	Income from investment of tax-exempt bond proceeds					
	5	Royalties					
	6a	(i) Real					
		(ii) Personal					
	b	Gross rents					
	b	Less rental expenses					
	c	Rental income or (loss)					
	d	Net rental income or (loss)					
	7a	(i) Securities					
		(ii) Other					
	b	Gross amount from sales of assets other than inventory	17,938,773				
	b	Less cost or other basis and sales expenses	17,857,285				
	c	Gain or (loss)	81,488				
	d	Net gain or (loss)	81,488			81,488	
	8a	Gross income from fundraising events (not including \$ of contributions reported on line 1c) See Part IV, line 18	a				
	b	Less direct expenses	b				
	c	Net income or (loss) from fundraising events					
	9a	Gross income from gaming activities See Part IV, line 19	a				
b	Less direct expenses	b					
c	Net income or (loss) from gaming activities						
10a	Gross sales of inventory, less returns and allowances	a					
b	Less cost of goods sold	b					
c	Net income or (loss) from sales of inventory						
Miscellaneous Revenue		Business Code					
11a	MAILING LIST RENTAL	900099	99,964			99,964	
b	OTHER MISC INCOME	900099	13,778			13,778	
c							
d	All other revenue						
e	Total. Add lines 11a-11d		113,742				
12	Total revenue. See Instructions		38,343,960	5,079,648	0	877,643	

Part IX

Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns

All other organizations must complete column (A) but are not required to complete columns (B), (C), and (D)

Check if Schedule O contains a response to any question in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.		(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1	Grants and other assistance to governments and organizations in the United States See Part IV, line 21	54,650	54,650		
2	Grants and other assistance to individuals in the United States See Part IV, line 22				
3	Grants and other assistance to governments, organizations, and individuals outside the United States See Part IV, lines 15 and 16				
4	Benefits paid to or for members				
5	Compensation of current officers, directors, trustees, and key employees	1,853,508	1,153,492	523,797	176,219
6	Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7	Other salaries and wages	14,872,065	12,386,147	1,503,702	982,216
8	Pension plan contributions (include section 401(k) and section 403(b) employer contributions)	1,034,892	878,253	92,652	63,987
9	Other employee benefits	2,634,640	2,163,588	282,147	188,905
10	Payroll taxes	1,176,469	969,062	128,916	78,491
11	Fees for services (non-employees)				
a	Management				
b	Legal	25,947		25,947	
c	Accounting	147,480		147,480	
d	Lobbying				
e	Professional fundraising See Part IV, line 17	252,529			252,529
f	Investment management fees	37,667		37,667	
g	Other	1,070,482	797,739	120,928	151,815
12	Advertising and promotion	814,684	607,115	92,032	115,537
13	Office expenses	3,101,660	1,251,180	277,814	1,572,666
14	Information technology	410,967	306,259	46,425	58,283
15	Royalties				
16	Occupancy	2,187,658	1,762,786	266,514	158,358
17	Travel	349,401	248,506	61,505	39,390
18	Payments of travel or entertainment expenses for any federal, state, or local public officials				
19	Conferences, conventions, and meetings	308,847	219,662	54,366	34,819
20	Interest				
21	Payments to affiliates				
22	Depreciation, depletion, and amortization	608,319	424,522	109,928	73,869
23	Insurance	76,582	56,070	18,843	1,669
24	Other expenses Itemize expenses not covered above (List miscellaneous expenses in line 24f If line 24f amount exceeds 10% of line 25, column (A) amount, list line 24f expenses on Schedule O)				
a	DIRECT CASE COSTS	1,078,127	1,078,127		
b	OTHER CONTRACTED SVCS	879,504	109,344	26,263	743,897
c	RESEARCH	69,371	64,256	3,437	1,678
d					
e					
f	All other expenses	171,336	138,946	23,763	8,627
25	Total functional expenses. Add lines 1 through 24f	33,216,785	24,669,704	3,844,126	4,702,955
26	Joint costs. Check here ☒ if following SOP 98-2 (ASC 958-720) Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation	1,080,488	384,840	0	695,648

Part X

Balance Sheet

					(A)		(B)
					Beginning of year		End of year
Assets	1	Cash—non-interest-bearing			164,278	1	967,094
	2	Savings and temporary cash investments			9,956,866	2	8,550,556
	3	Pledges and grants receivable, net			5,303,451	3	8,769,526
	4	Accounts receivable, net			38,388	4	573,672
	5	Receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L				5	
	6	Receivables from other disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B). Complete Part II of Schedule L				6	
	7	Notes and loans receivable, net				7	
	8	Inventories for sale or use				8	
	9	Prepaid expenses and deferred charges			749,488	9	796,040
	10a	Land, buildings, and equipment, cost or other basis. Complete Part VI of Schedule D	10a	5,783,135			
	b	Less: accumulated depreciation	10b	3,223,395	1,637,046	10c	2,559,740
	11	Investments—publicly traded securities			30,179,915	11	31,253,240
	12	Investments—other securities. See Part IV, line 11				12	
	13	Investments—program-related. See Part IV, line 11				13	
	14	Intangible assets				14	
	15	Other assets. See Part IV, line 11			354,451	15	438,613
	16	Total assets. Add lines 1 through 15 (must equal line 34)			48,383,883	16	53,908,481
Liabilities	17	Accounts payable and accrued expenses			2,138,553	17	2,390,177
	18	Grants payable				18	
	19	Deferred revenue				19	
	20	Tax-exempt bond liabilities				20	
	21	Escrow or custodial account liability. Complete Part IV of Schedule D				21	
	22	Payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L				22	
	23	Secured mortgages and notes payable to unrelated third parties				23	
	24	Unsecured notes and loans payable to unrelated third parties				24	
	25	Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D			4,988,480	25	5,400,951
	26	Total liabilities. Add lines 17 through 25			7,127,033	26	7,791,128
Net Assets or Fund Balances	Organizations that follow SFAS 117, check here ☒ and complete lines 27 through 29, and lines 33 and 34.						
	27	Unrestricted net assets			25,527,950	27	25,918,484
	28	Temporarily restricted net assets			14,281,067	28	18,751,036
	29	Permanently restricted net assets			1,447,833	29	1,447,833
	Organizations that do not follow SFAS 117, check here ☐ and complete lines 30 through 34.						
	30	Capital stock or trust principal, or current funds				30	
	31	Paid-in or capital surplus, or land, building or equipment fund				31	
	32	Retained earnings, endowment, accumulated income, or other funds				32	
	33	Total net assets or fund balances			41,256,850	33	46,117,353
	34	Total liabilities and net assets/fund balances			48,383,883	34	53,908,481

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response to any question in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	1	38,343,960
2	Total expenses (must equal Part IX, column (A), line 25)	2	33,216,785
3	Revenue less expenses Subtract line 2 from line 1	3	5,127,175
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	41,256,850
5	Other changes in net assets or fund balances (explain in Schedule O)	5	-266,672
6	Net assets or fund balances at end of year Combine lines 3, 4, and 5 (must equal Part X, line 33, column (B))	6	46,117,353

Part XII Financial Statements and Reporting

Check if Schedule O contains a response to any question in this Part XII

		Yes	No
1	Accounting method used to prepare the Form 990 ☐ Cash ☒ Accrual ☐ Other If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O		
2a	Were the organization's financial statements compiled or reviewed by an independent accountant?		No
b	Were the organization's financial statements audited by an independent accountant?	Yes	
c	If "Yes," to 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O	Yes	
d	If "Yes" to line 2a or 2b, check a box below to indicate whether the financial statements for the year were issued on a separate basis, consolidated basis, or both ☒ Separate basis ☐ Consolidated basis ☐ Both consolidated and separated basis		
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?		No
b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits		

SCHEDULE A

(Form 990 or 990EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No 1545-0047

2011

Open to Public
Inspection

Name of the organization EARTHJUSTICE	Employer identification number 94-1730465
--	--

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions

The organization is not a private foundation because it is (For lines 1 through 11, check only one box)

1

☐

A church, convention of churches, or association of churches **section 170(b)(1)(A)(i).**

2

☐

A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E)

3

☐

A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**

4

☐

A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state

5

☐

An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II)

6

☐

A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**

7

☒

An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)** (Complete Part II)

8

☐

A community trust described in **section 170(b)(1)(A)(vi)** (Complete Part II)

9

☐

An organization that normally receives (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975 See **section 509(a)(2).** (Complete Part III)

10

☐

An organization organized and operated exclusively to test for public safety Se**section 509(a)(4).**

11

☐

An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2) See **section 509(a)(3).** Check the box that describes the type of supporting organization and complete lines 11e through 11h

a

☐

Type I

b

☐

Type II

c

☐

Type III - Functionally integrated

d

☐

Type III - Other

e

☐

By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2)

f

☐

If the organization received a written determination from the IRS that it is a Type I, Type II or Type III supporting organization, check this box

g

☐

Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?

(i)

a person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the the supported organization?

(ii)

a family member of a person described in (i) above?

(iii)

a 35% controlled entity of a person described in (i) or (ii) above?

h

☐

Provide the following information about the supported organization(s)

	Yes	No
11g(i)		
11g(ii)		
11g(iii)		

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1- 9 above or IRC section (see instructions))	(iv) Is the organization in col (i) listed in your governing document?		(v) Did you notify the organization in col (i) of your support?		(vi) Is the organization in col (i) organized in the U S ?		(vii) Amount of support?
			Yes	No	Yes	No	Yes	No	
Total									

Part II

Support Schedule for Organizations Described in IRC 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in)	(a) 2007	(b) 2008	(c) 2009	(d) 2010	(e) 2011	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.")	24,969,338	25,712,988	21,101,486	29,629,520	32,386,669	133,800,001
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 Total. Add lines 1 through 3	24,969,338	25,712,988	21,101,486	29,629,520	32,386,669	133,800,001
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						14,884,059
6 Public Support. Subtract line 5 from line 4						118,915,942

Section B. Total Support

Calendar year (or fiscal year beginning in)	(a) 2007	(b) 2008	(c) 2009	(d) 2010	(e) 2011	(f) Total
7 Amounts from line 4	24,969,338	25,712,988	21,101,486	29,629,520	32,386,669	133,800,001
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	861,808	744,412	606,200	810,261	682,413	3,705,094
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income (Explain in Part IV) Do not include gain or loss from the sale of capital assets	53,862	64,343	114,453	105,821	113,742	452,221
11 Total support (Add lines 7 through 10)						137,957,316

12 Gross receipts from related activities, etc (See instructions)

1217,859,761

13 First Five Years If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a 501(c)(3) organization, check this box and stop here

Section C. Computation of Public Support Percentage

14 Public Support Percentage for 2011 (line 6 column (f) divided by line 11 column (f))	14	86 200 %
15 Public Support Percentage for 2010 Schedule A, Part II, line 14	15	86 880 %

16a 33 1/3% support test—2011. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization

b 33 1/3% support test—2010. If the organization did not check the box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization

17a 10%-facts-and-circumstances test—2011. If the organization did not check a box on line 13, 16a, or 16b and line 14 is 10% or more, and if the organization meets the "facts and circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts and circumstances" test The organization qualifies as a publicly supported organization

b 10%-facts-and-circumstances test—2010. If the organization did not check a box on line 13, 16a, 16b, or 17a and line 15 is 10% or more, and if the organization meets the "facts and circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts and circumstances" test The organization qualifies as a publicly supported organization

18 Private Foundation If the organization did not check a box on line 13, 16a, 16b, 17a or 17b, check this box and see instructions

Part IIIPart III

Support Schedule for Organizations Described in IRC 509(a)(2)
(Complete only if you checked the box on line 9 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support						
Calendar year (or fiscal year beginning in)	(a) 2007	(b) 2008	(c) 2009	(d) 2010	(e) 2011	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.")						
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
3 Gross receipts from activities that are not an unrelated trade or business under section 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 Total. Add lines 1 through 5						
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 Public Support (Subtract line 7c from line 6)						

Section B. Total Support						
Calendar year (or fiscal year beginning in)	(a) 2007	(b) 2008	(c) 2009	(d) 2010	(e) 2011	(f) Total
9 Amounts from line 6						
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)						
13 Total support (Add lines 9, 10c, 11 and 12.)						
14 First Five Years If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a 501(c)(3) organization, check this box and stop here						

Section C. Computation of Public Support Percentage			
15 Public Support Percentage for 2011 (line 8 column (f) divided by line 13 column (f))	15		
16 Public support percentage from 2010 Schedule A, Part III, line 15	16		

Section D. Computation of Investment Income Percentage			
17 Investment income percentage for 2011 (line 10c column (f) divided by line 13 column (f))	17		
18 Investment income percentage from 2010 Schedule A, Part III, line 17	18		
19a 33 1/3% support tests—2011. If the organization did not check the box on line 14, and line 15 is more than 33 1/3% and line 17 is not more than 33 1/3%, check this box and stop here . The organization qualifies as a publicly supported organization			
b 33 1/3% support tests—2010. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3% and line 18 is not more than 33 1/3%, check this box and stop here . The organization qualifies as a publicly supported organization			
20 Private Foundation If the organization did not check a box on line 14, 19a or 19b, check this box and see instructions			

Part IV **Supplemental Information.** Supplemental Information. Complete this part to provide the explanation required by Part II, line 10; Part II, line 17a or 17b; or Part III, line 12. Also complete this part for any additional information. (See instructions).

Facts And Circumstances Test

Explanation
SCHEDULE A, PART II, LINE 10, EXPLANATION OF OTHER INCOME MISCELLANEOUS MAILING LIST RENTAL

SCHEDULE C

(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

▶ **Complete if the organization is described below.**

▶ **Attach to Form 990 or Form 990-EZ.** ▶ **See separate instructions.**

OMB No 1545-0047

2011

Open to Public
Inspection

If the organization answered “Yes,” to Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations Complete Parts I-A and B Do not complete Part I-C
- Section 501(c) (other than section 501(c)(3)) organizations Complete Parts I-A and C below Do not complete Part I-B
- Section 527 organizations Complete Part I-A only

If the organization answered “Yes,” to Form 990, Part IV, Line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)) Complete Part II-A Do not complete Part II-B
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)) Complete Part II-B Do not complete Part II-A

If the organization answered “Yes,” to Form 990, Part IV, Line 5 (Proxy Tax) or Form 990-EZ, line 35c (Proxy Tax), then

- Section 501(c)(4), (5), or (6) organizations Complete Part III

Name of the organization EARTHJUSTICE	Employer identification number 94-1730465
--	--

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

- 1

Provide a description of the organization's direct and indirect political campaign activities on behalf of or in opposition to candidates for public office in Part IV
- 2

Political expenditures ▶ \$
- 3

Volunteer hours

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1

Enter the amount of any excise tax incurred by the organization under section 4955 ▶ \$
- 2

Enter the amount of any excise tax incurred by organization managers under section 4955 ▶ \$
- 3

If the organization incurred a section 4955 tax, did it file Form 4720 for this year?

☐ Yes ☐ No
- 4a

Was a correction made?

☐ Yes ☐ No
- b

If "Yes," describe in Part IV

Part I-C Complete if the organization is exempt under section 501(c) except section 501(c)(3).

- 1

Enter the amount directly expended by the filing organization for section 527 exempt function activities ▶ \$
- 2

Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt funtion activities ▶ \$
- 3

Total exempt function expenditures Add lines 1 and 2 Enter here and on Form 1120-POL, line 17b ▶ \$
- 4

Did the filing organization file **Form 1120-POL** for this year?

☐ Yes ☐ No
- 5

Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments For each organization listed, enter the amount paid from the filing organization's funds Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC) If additional space is needed, provide information in Part IV

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds If none, enter -0-	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization If none, enter -0-

Part II-A

Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A

Check

☐

if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures)
- B

Check

☐

if the filing organization checked box A and "limited control" provisions apply

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)		(a) Filing Organization's Totals	(b) Affiliated Group Totals												
1a	Total lobbying expenditures to influence public opinion (grass roots lobbying)	92,887													
b	Total lobbying expenditures to influence a legislative body (direct lobbying)	650,831													
c	Total lobbying expenditures (add lines 1a and 1b)	743,718													
d	Other exempt purpose expenditures	32,473,067													
e	Total exempt purpose expenditures (add lines 1c and 1d)	33,216,785													
f	Lobbying nontaxable amount Enter the amount from the following table in both columns	1,000,000													
<table><tr><td>If the amount on line 1e, column (a) or (b) is:</td><td>The lobbying nontaxable amount is:</td></tr><tr><td>Not over \$500,000</td><td>20% of the amount on line 1e</td></tr><tr><td>Over \$500,000 but not over \$1,000,000</td><td>\$100,000 plus 15% of the excess over \$500,000</td></tr><tr><td>Over \$1,000,000 but not over \$1,500,000</td><td>\$175,000 plus 10% of the excess over \$1,000,000</td></tr><tr><td>Over \$1,500,000 but not over \$17,000,000</td><td>\$225,000 plus 5% of the excess over \$1,500,000</td></tr><tr><td>Over \$17,000,000</td><td>\$1,000,000</td></tr></table>		If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:	Not over \$500,000	20% of the amount on line 1e	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000	Over \$17,000,000	\$1,000,000		
If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:														
Not over \$500,000	20% of the amount on line 1e														
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000														
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000														
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000														
Over \$17,000,000	\$1,000,000														
g	Grassroots nontaxable amount (enter 25% of line 1f)	250,000													
h	Subtract line 1g from line 1a If zero or less, enter -0-	0													
i	Subtract line 1f from line 1c If zero or less, enter -0-	0													
j	If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?	☐ Yes ☐ No													

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the instructions for lines 2a through 2f on page 4.)

Lobbying Expenditures During 4-Year Averaging Period					
Calendar year (or fiscal year beginning in)	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) Total
2a Lobbying non-taxable amount	1,000,000	1,000,000	1,000,000	1,000,000	4,000,000
b Lobbying ceiling amount (150% of line 2a, column(e))					6,000,000
c Total lobbying expenditures	386,418	287,776	606,708	743,718	2,024,620
d Grassroots non-taxable amount	250,000	250,000	250,000	250,000	1,000,000
e Grassroots ceiling amount (150% of line 2d, column (e))					1,500,000
f Grassroots lobbying expenditures	138,528	52,422	188,709	92,887	472,546

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

		(a)		(b)
		Yes	No	Amount
1	During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of			
a	Volunteers?			
b	Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c	Media advertisements?			
d	Mailings to members, legislators, or the public?			
e	Publications, or published or broadcast statements?			
f	Grants to other organizations for lobbying purposes?			
g	Direct contact with legislators, their staffs, government officials, or a legislative body?			
h	Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i	Other activities? If "Yes," describe in Part IV			
j	Total lines 1c through 1i			
2a	Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b	If "Yes," enter the amount of any tax incurred under section 4912			
c	If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d	If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

			Yes	No
1	Were substantially all (90% or more) dues received nondeductible by members?	1		
2	Did the organization make only in-house lobbying expenditures of \$2,000 or less?	2		
3	Did the organization agree to carryover lobbying and political expenditures from the prior year?	3		

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) if BOTH Part III-A, lines 1 and 2 are answered "No" OR if Part III-A, line 3 is answered "Yes".

1	Dues, assessments and similar amounts from members	1	
2	Section 162(e) non-deductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid).		
a	Current year	2a	
b	Carryover from last year	2b	
c	Total	2c	
3	Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	
4	If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5	Taxable amount of lobbying and political expenditures (see instructions)	5	

Part IV Supplemental Information

Complete this part to provide the descriptions required for Part I-A, line 1, Part I-B, line 4, Part I-C, line 5, and Part II-B, line 1i. Also, complete this part for any additional information.

Identifier	Return Reference	Explanation
------------	------------------	-------------

SCHEDULE D
(Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Financial Statements

OMB No 1545-0047

2011

Open to Public Inspection

► Complete if the organization answered "Yes," to Form 990, Part IV, line 6, 7, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b
► Attach to Form 990. ► See separate instructions.

Name of the organization
EARTHJUSTICE

Employer identification number
94-1730465

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts. Complete if the organization answered "Yes" to Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1	Total number at end of year	
2	Aggregate contributions to (during year)	
3	Aggregate grants from (during year)	
4	Aggregate value at end of year	
5	Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? ☐ Yes ☐ No	
6	Did the organization inform all grantees, donors, and donor advisors in writing that grant funds may be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit ☐ Yes ☐ No	

Part II Conservation Easements. Complete if the organization answered "Yes" to Form 990, Part IV, line 7.

1

Purpose(s) of conservation easements held by the organization (check all that apply)

☐ Preservation of land for public use (e g , recreation or pleasure)☐ Preservation of an historically importantly land area
☐ Protection of natural habitat☐ Preservation of a certified historic structure
☐ Preservation of open space

2

Complete lines 2a–2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

	Held at the End of the Year
a	Total number of conservation easements
b	Total acreage restricted by conservation easements
c	Number of conservation easements on a certified historic structure included in (a)
d	Number of conservation easements included in (c) acquired after 8/17/06

3

Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the taxable year ► _____

4

Number of states where property subject to conservation easement is located ► _____

5

Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?

☐ Yes ☐ No

6

Staff and volunteer hours devoted to monitoring, inspecting and enforcing conservation easements during the year ► _____

7

Amount of expenses incurred in monitoring, inspecting, and enforcing conservation easements during the year
► \$ _____

8

Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and 170(h)(4)(B)(ii)?

☐ Yes ☐ No

9

In Part XIV, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets. Complete if the organization answered "Yes" to Form 990, Part IV, line 8.

1a

If the organization elected, as permitted under SFAS 116, not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education or research in furtherance of public service, provide, in Part XIV, the text of the footnote to its financial statements that describes these items

b

If the organization elected, as permitted under SFAS 116, to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items

(i) Revenues included in Form 990, Part VIII, line 1

► \$ _____

(ii) Assets included in Form 990, Part X

► \$ _____

2

If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 relating to these items

a

Revenues included in Form 990, Part VIII, line 1

► \$ _____

b

Assets included in Form 990, Part X

► \$ _____

For Privacy Act and Paperwork Reduction Act Notice, see the Intructions for Form 990

Cat No 52283D

Schedule D (Form 990) 2011

Part III

Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

3

Using the organization's accession and other records, check any of the following that are a significant use of its collection items (check all that apply)

a

☐ Public exhibition

b

☐ Scholarly research

c

☐ Preservation for future generations

d

☐ Loan or exchange programs

e

☐ Other

4

Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIV

5

During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection?

☐ Yes

☐ No

Part IV

Escrow and Custodial Arrangements. Complete if the organization answered "Yes" to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a

Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X?

☐ Yes

☐ No

b

If "Yes," explain the arrangement in Part XIV and complete the following table

	Amount
1c	
1d	
1e	
1f	

2a

Did the organization include an amount on Form 990, Part X, line 21?

☐ Yes

☐ No

b

If "Yes," explain the arrangement in Part XIV

Part V

Endowment Funds. Complete if the organization answered "Yes" to Form 990, Part IV, line 10.

	(a)Current Year	(b)Prior Year	(c)Two Years Back	(d)Three Years Back	(e)Four Years Back
1a	Beginning of year balance	1,544,635	1,367,639	1,273,350	1,447,835
b	Contributions				
c	Investment earnings or losses	12,384	251,288	173,131	-174,485
d	Grants or scholarships				
e	Other expenditures for facilities and programs	70,068	74,292	78,842	
f	Administrative expenses				
g	End of year balance	1,486,951	1,544,635	1,367,639	1,273,350

2

Provide the estimated percentage of the year end balance held as

a

Board designated or quasi-endowment ▶

b

Permanent endowment ▶ 100 000 %

c

Term endowment ▶

3a

Are there endowment funds not in the possession of the organization that are held and administered for the organization by

(i)

unrelated organizations

3a(i)

☐ Yes

☐ No

(ii)

related organizations

3a(ii)

☐ Yes

☐ No

b

If "Yes" to 3a(ii), are the related organizations listed as required on Schedule R?

3b

☐ Yes

☐ No

4

Describe in Part XIV the intended uses of the organization's endowment funds

Part VI

Land, Buildings, and Equipment. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land		232,880		232,880
b Buildings		135,174	94,579	40,595
c Leasehold improvements		1,443,820	591,750	852,070
d Equipment		3,377,836	2,012,252	1,365,584
e Other		593,425	524,814	68,611
Total. Add lines 1a-1e (Column (d) should equal Form 990, Part X, column (B), line 10(c).)				2,559,740

Part XI Reconciliation of Change in Net Assets from Form 990 to Financial Statements		
1	Total revenue (Form 990, Part VIII, column (A), line 12)	138,343,960
2	Total expenses (Form 990, Part IX, column (A), line 25)	233,216,785
3	Excess or (deficit) for the year Subtract line 2 from line 1	35,127,175
4	Net unrealized gains (losses) on investments	4-362,206
5	Donated services and use of facilities	5
6	Investment expenses	6
7	Prior period adjustments	7
8	Other (Describe in Part XIV)	895,534
9	Total adjustments (net) Add lines 4 - 8	9-266,672
10	Excess or (deficit) for the year per financial statements Combine lines 3 and 9	104,860,503

Part XII Reconciliation of Revenue per Audited Financial Statements With Revenue per Return		
1	Total revenue, gains, and other support per audited financial statements	144,041,981
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12	
a	Net unrealized gains on investments2a	-362,206
b	Donated services and use of facilities2b	5,964,693
c	Recoveries of prior year grants2c	
d	Other (Describe in Part XIV)2d	95,534
e	Add lines 2a through 2d2e	5,698,021
3	Subtract line 2e from line 13	38,343,960
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1	
a	Investment expenses not included on Form 990, Part VIII, line 7b4a	
b	Other (Describe in Part XIV)4b	
c	Add lines 4a and 4b4c	0
5	Total Revenue Add lines 3 and 4c. (This should equal Form 990, Part I, line 12)5	38,343,960

Part XIII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return		
1	Total expenses and losses per audited financial statements	139,181,478
2	Amounts included on line 1 but not on Form 990, Part IX, line 25	
a	Donated services and use of facilities2a	5,964,693
b	Prior year adjustments2b	
c	Other losses2c	
d	Other (Describe in Part XIV)2d	
e	Add lines 2a through 2d2e	5,964,693
3	Subtract line 2e from line 13	33,216,785
4	Amounts included on Form 990, Part IX, line 25, but not on line 1:	
a	Investment expenses not included on Form 990, Part VIII, line 7b4a	
b	Other (Describe in Part XIV)4b	
c	Add lines 4a and 4b4c	0
5	Total expenses Add lines 3 and 4c. (This should equal Form 990, Part I, line 18)5	33,216,785

Part XIV Supplemental Information		
Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9, Part III, lines 1a and 4, Part IV, lines 1b and 2b, Part V, line 4, Part X, Part XI, line 8, Part XII, lines 2d and 4b, and Part XIII, lines 2d and 4b. Also complete this part to provide any additional information.		
IDENTIFIER	RETURN REFERENCE	EXPLANATION
DESCRIPTION OF INTENDED USE OF ENDOWMENT FUNDS	PART V, LINE 4	THE ENDOWMENT FUNDS ARE SEPARATED INTO FOUR CATEGORIES, EACH BASED ON A DIFFERENT SPENDING RESTRICTION AS STIPULATED BY THE DONOR. UP TO 4% OF THE ENDOWMENT FUNDS ARE USED EACH YEAR TO SUPPORT LITIGATION PROGRAMS IN ACCORDANCE WITH THE SPENDING RESTRICTIONS ASSOCIATED WITH EACH OF THE FOUR CATEGORIES.
DESCRIPTION OF UNCERTAIN TAX POSITIONS UNDER FIN 48	PART X	EARTHJUSTICE ADOPTED THE PROVISIONS OF ACCOUNTING FOR UNCERTAIN TAX POSITIONS ON JULY 1, 2009. EARTHJUSTICE HAD NO UNRECOGNIZED TAX BENEFITS AT JUNE 30, 2012 OR 2011. EARTHJUSTICE FILES EXEMPT ORGANIZATION RETURNS AND, IF APPLICABLE, UNRELATED BUSINESS INCOME TAX RETURNS IN THE U.S. FEDERAL AND CALIFORNIA JURISDICTIONS.
PART XI, LINE 8 - OTHER ADJUSTMENTS		CHANGE IN SPLIT INTEREST AGREEMENTS 95,534
PART XII, LINE 2D - OTHER ADJUSTMENTS		CHANGE IN SPLIT INTEREST AGREEMENTS 95,534

Part II **Grants and Other Assistance to Organizations or Entities Outside the United States.** Complete if the organization answered "Yes" to Form 990, Part IV, line 15, for any recipient who received more than \$5,000. Check this box if no one recipient received more than \$5,000 ☐ ☐
Use Part V if additional space is needed.

[illegible]

2 Enter total number of recipient organizations listed above that are recognized as charities by the foreign country, recognized as tax-exempt by the IRS, or for which the grantee or counsel has provided a section 501(c)(3) equivalency letter _____

3 Enter total number of other organizations or entities ►

Part III

[illegible]

Part IV Foreign Forms

- 1

Was the organization a U S transferor of property to a foreign corporation during the tax year? *If "Yes," the organization may be required to file Form 926 (see instructions for Form 926)*

☐

Yes

☒

No
- 2

Did the organization have an interest in a foreign trust during the tax year? *If " Yes," the organization may be required to file Form 3520 and/or Form 3520-A. (see instructions for Forms 3520 and 3520-A)*

☐

Yes

☒

No
- 3

Did the organization have an ownership interest in a foreign corporation during the tax year? *If "Yes," the organization may be required to file Form 5471, Information Return of U.S. Persons with respect to Certain Foreign Corporations. (see instructions for Form 5471)*

☐

Yes

☒

No
- 4

Was the organization a direct or indirect shareholder of a passive foreign investment company or a qualified electing fund during the tax year? *If "Yes," the organization may be required to file Form 8621, Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund. (see instructions for Form 8621)*

☐

Yes

☒

No
- 5

Did the organization have an ownership interest in a foreign partnership during the tax year? *If "Yes," the organization may be required to file Form 8865, Return of U.S. Persons with respect to Certain Foreign Partnerships. (see instructions for Form 8865)*

☐

Yes

☒

No
- 6

Did the organization have any operations in or related to any boycotting countries during the tax year? *If "Yes," the organization may be required to file Form 5713, International Boycott Report (see instructions for Form 5713).*

☐

Yes

☒

No

Additional Data

Software ID:
Software Version:
EIN: 94-1730465
Name: EARTHJUSTICE

Part V **Supplemental Information**
Complete this part to provide the information (see instructions) required in Part I, line 2, and any additional information.

SCHEDULE G
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information Regarding
Fundraising or Gaming Activities

Complete if the organization answered "Yes" to Form 990, Part IV, lines 17, 18, or 19,
or if the organization entered more than \$15,000 on Form 990-EZ, line 6a.
▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No 1545-0047

2011

Open to Public
Inspection

Name of the organization
EARTHJUSTICE

Employer identification number
94-1730465

Part I Fundraising Activities. Complete if the organization answered "Yes" to Form 990, Part IV, line 17.

1

Indicate whether the organization raised funds through any of the following activities. Check all that apply.

a

☒

Mail solicitations

e

☒

Solicitation of non-government grants

b

☒

Internet and e-mail solicitations

f

☐

Solicitation of government grants

c

☒

Phone solicitations

g

☒

Special fundraising events

d

☒

In-person solicitations

2a

Did the organization have a written or oral agreement with any individual (including officers, directors, trustees or key employees listed in Form 990, Part VII) or entity in connection with professional fundraising services?

☒ Yes ☐ No

b

If "Yes," list the ten highest paid individuals or entities (fundraisers) pursuant to agreements under which the fundraiser is to be compensated at least \$5,000 by the organization. Form 990-EZ filers are not required to complete this table.

(i) Name and address of individual or entity (fundraiser)	(ii) Activity	(iii) Did fundraiser have custody or control of contributions?		(iv) Gross receipts from activity	(v) Amount paid to (or retained by) fundraiser listed in col (i)	(vi) Amount paid to (or retained by) organization
		Yes	No			
CHAPMAN CUBINE ADAMS & HUSSEY 1600 WILSON BLVD SUITE 300 ALEXANDRIA, VA 22209	DIRECT MAIL CONSULTANT		No	2,443,703	174,151	2,269,552
MAL WARWICK ASSOCIATES 2550 NINTH STREET SUITE 103 BERKELEY, CA 94710	DIRECT MAIL CONSULTANT		No	891,696	86,000	805,696
DONOR SERVICES GROUP LLC 11500 WOLYMPIC BLVD SUITE 540 LOS ANGELES, CA 90064	TELEMARKETING		No	251,458	144,449	107,009
GORDON & SCHWENKMEYER INC 360 NORTH SEPULVEDA BLVD SUITE 105 EL SEGUNDO, CA 90245	TELEMARKETING		No	47,197	67,243	-20,046
Total ▶				3,634,054	471,843	3,162,211

3

List all states in which the organization is registered or licensed to solicit funds or has been notified it is exempt from registration or licensing.

AL, AK, AZ, AR, CA, CT, FL, GA, HI, IL, KS, KY, LA, MD, MA, ME, MI, MN, MS, NH, NJ, NM, NY, NC, OH, OK, OR, PA, RI, SC, TN, UT, VA, WA, WI, MO, CO, DE, ID, IN, IA, MT, NE, NV, ND, SD, TX, VT

Part II Fundraising Events. Complete if the organization answered "Yes" to Form 990, Part IV, line 18, or reported more than \$15,000 on Form 990-EZ, line 6a. List events with gross receipts greater than \$5,000.

		(a) Event #1	(b) Event #2	(c) Other Events	(d) Total Events (Add col (a) through col (c))
		(event type)	(event type)	(total number)	
Revenue	1	Gross receipts			
	2	Less Charitable contributions			
	3	Gross income (line 1 minus line 2)			
Direct Expenses	4	Cash prizes			
	5	Non-cash prizes			
	6	Rent/facility costs			
	7	Food and beverages			
	8	Entertainment			
	9	Other direct expenses			
	10	Direct expense summary Add lines 4 through 9 in column (d) ▶			()
	11	Net income summary Combine lines 3 and 10 in column (d). ▶			

Part III Gaming. Complete if the organization answered "Yes" to Form 990, Part IV, line 19, or reported more than \$15,000 on Form 990-EZ, line 6a.

		(a) Bingo	(b) Pull tabs/Instant bingo/progressive bingo	(c) Other gaming	(d) Total gaming (Add col (a) through col (c))
Revenue	1	Gross revenue			
	2	Cash prizes			
Direct Expenses	3	Non-cash prizes			
	4	Rent/facility costs			
	5	Other direct expenses			
	6	Volunteer labor ☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
	7	Direct expense summary Add lines 2 through 5 in column (d) ▶			()
	8	Net gaming income summary Combine lines 1 and 7 in column (d) ▶			

9 Enter the state(s) in which the organization operates gaming activities _____

a Is the organization licensed to operate gaming activities in each of these states? ☐ Yes ☐ No

b If "No," Explain _____

10a Were any of the organization's gaming licenses revoked, suspended or terminated during the tax year? ☐ Yes ☐ No

b If "Yes," Explain _____

- 11

Does the organization operate gaming activities with nonmembers?

Yes

No
- 12

Is the organization a grantor, beneficiary or trustee of a trust or a member of a partnership or other entity formed to administer charitable gaming?

Yes

No

13

Indicate the percentage of gaming activity operated in

a	The organization's facility	13a
b	An outside facility	13b

14

Provide the name and address of the person who prepares the organization's gaming/special events books and records

Name

Address

15a

Does the organization have a contract with a third party from whom the organization receives gaming revenue?

Yes

No

b

If "Yes," enter the amount of gaming revenue received by the organization \$ and the amount of gaming revenue retained by the third party \$

c

If "Yes," enter name and address

Name

Address

16

Gaming manager information

Name

Gaming manager compensation

\$

Description of services provided

Director/officer

Employee

Independent contractor

17

Mandatory distributions

a

Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license?

Yes

No

b

Enter the amount of distributions required under state law distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year \$

Part IV

Complete this part to provide additional information for responses to question on Schedule G (see instructions.)

Identifier	ReturnReference	Explanation
------------	-----------------	-------------

Schedule I
(Form 990)

Department of the Treasury
Internal Revenue Service

Name of the organization
EARTHJUSTICE

Grants and Other Assistance to Organizations,
Governments and Individuals in the United States

Complete if the organization answered "Yes," to Form 990, Part IV, line 21 or 22.
▶ Attach to Form 990

OMB No 1545-0047

2011

Open to Public
Inspection

Employer identification number
94-1730465

Part I General Information on Grants and Assistance

1

Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance?

☒ Yes ☐ No

2

Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States

Part II Grants and Other Assistance to Governments and Organizations in the United States. Complete if the organization answered "Yes" to Form 990, Part IV, line 21 for any recipient that received more than \$5,000. Check this box if no one recipient received more than \$5,000. Use Part IV and Schedule I-1 (Form 990) if additional space is needed ☐

(a) Name and address of organization or government	(b) EIN	(c) IRC Code section if applicable	(d) Amount of cash grant	(e) Amount of non-cash assistance	(f) Method of valuation (book, FMV, appraisal, other)	(g) Description of non-cash assistance	(h) Purpose of grant or assistance
(1) ENVIRONMENTAL DEFENSE FUND257 PARK AVENUE SOUTH NEW YORK,NY 10010	52-1379661	501(C)(3)	6,000				MEMBERSHIP DUES

2

Enter total number of section 501(c)(3) and government organizations listed in the line 1 table

1

3

Enter total number of other organizations listed in the line 1 table

Part III

Grants and Other Assistance to Individuals in the United States. Complete if the organization answered "Yes" to Form 990, Part IV, line 22.
Use Schedule I-1 (Form 990) if additional space is needed.

(a)Type of grant or assistance	(b)Number of recipients	(c)Amount of cash grant	(d)Amount of non-cash assistance	(e)Method of valuation (book, FMV, appraisal, other)	(f)Description of non-cash assistance

Part IV

Supplemental Information. Complete this part to provide the information required in Part I, line 2, and any other additional information.

Identifier	Return Reference	Explanation
PROCEDURE FOR MONITORING GRANTS IN THE U S	PART I, LINE 2	SCHEDULE I, PART I, LINE 2 GRANTS AND/OR ASSISTANCE ARE USUALLY PROVIDED TO OTHER ORGANIZATIONS WITH WHICH EARTHJUSTICE WORKS CLOSELY AND IS FAMILIAR, FOR PURPOSES RELATED TO COMMON INTERESTS AND ENDEAVORS ON PARTICULAR ENVIRONMENTAL ISSUES THOSE PURPOSES ARE CONSISTENT WITH THE MISSION OF EARTHJUSTICE AND THE RESTRICTIONS ON 501(C)(3) ORGANIZATIONS, WHETHER OR NOT THE RECIPIENT IS A 501(C)(3) ORGANIZATION THE RECIPIENTS' USE OF FUNDS IS MONITORED AS PART OF EARTHJUSTICE'S INVOLVEMENT IN THE ISSUES OF SHARED INTEREST

Schedule J
(Form 990)

Compensation Information

OMB No 1545-0047

2011

Open to Public Inspection

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

▶ Complete if the organization answered "Yes" to Form 990, Part IV, question 23.

▶ Attach to Form 990. ▶ See separate instructions.

Name of the organization
EARTHJUSTICE

Employer identification number
94-1730465

Part I

Questions Regarding Compensation

		Yes	No
1a	Check the appropriate box(es) if the organization provided any of the following to or for a person listed in Form 990, Part VII, Section A, line 1a Complete Part III to provide any relevant information regarding these items		
	☐ First-class or charter travel ☐ Housing allowance or residence for personal use ☐ Travel for companions ☐ Payments for business use of personal residence ☐ Tax idemnification and gross-up payments ☐ Health or social club dues or initiation fees ☐ Discretionary spending account ☐ Personal services (e g , maid, chauffeur, chef)		
b	If any of the boxes in line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all the expenses described above? If "No," complete Part III to explain	1b	
2	Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all officers, directors, trustees, and the CEO/Executive Director, regarding the items checked in line 1a?	2	
3	Indicate which, if any, of the following the organization uses to establish the compensation of the organization's CEO/Executive Director Check all that apply		
	☐ Compensation committee ☐ Written employment contract ☒ Independent compensation consultant ☒ Compensation survey or study ☐ Form 990 of other organizations ☒ Approval by the board or compensation committee		
4	During the year, did any person listed in Form 990, Part VII, Section A, line 1a with respect to the filing organization or a related organization		
a	Receive a severance payment or change-of-control payment?	4a	Yes
b	Participate in, or receive payment from, a supplemental nonqualified retirement plan?	4b	No
c	Participate in, or receive payment from, an equity-based compensation arrangement?	4c	No
	If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III		
	Only 501(c)(3) and 501(c)(4) organizations only must complete lines 5-9.		
5	For persons listed in form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of		
a	The organization?	5a	No
b	Any related organization?	5b	No
	If "Yes," to line 5a or 5b, describe in Part III		
6	For persons listed in form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of		
a	The organization?	6a	No
b	Any related organization?	6b	No
	If "Yes," to line 6a or 6b, describe in Part III		
7	For persons listed in Form 990, Part VII, Section A, line 1a, did the organization provide any non-fixed payments not described in lines 5 and 6? If "Yes," describe in Part III	7	Yes
8	Were any amounts reported in Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regs section 53 4958-4(a)(3)? If "Yes," describe in Part III	8	No
9	If "Yes" to line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53 4958-6(c)?	9	

Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees. Use Schedule J-1 if additional space needed.

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions on row (ii) Do not list any individuals that are not listed on Form 990, Part VII

Note. The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, columns (D) and (E) for that individual

(A) Name		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported in prior Form 990 or Form 990-EZ
		(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
(1) DONNELL VAN NOPPEN	(i) (ii)	309,606 0	25,000 0	0 0	28,382 0	15,663 0	378,651 0	0 0
(2) BRUCE NEIGHBOR	(i) (ii)	152,531 0	0 0	0 0	18,832 0	29,942 0	201,305 0	0 0
(3) PATTI GOLDMAN	(i) (ii)	203,342 0	0 0	0 0	26,683 0	29,747 0	259,772 0	0 0
(4) MELINDA CARMACK	(i) (ii)	193,230 0	10,000 0	0 0	24,756 0	21,767 0	249,753 0	0 0
(5) MARTIN HAYDEN	(i) (ii)	169,779 0	5,000 0	0 0	22,207 0	29,642 0	226,628 0	0 0
(6) GEORGIA MCINTOSH	(i) (ii)	163,197 0	0 0	0 0	20,668 0	30,014 0	213,879 0	0 0
(7) WILLIAM CURTISS	(i) (ii)	160,800 0	0 0	0 0	20,562 0	40,603 0	221,965 0	0 0
(8) BARBARA DRAGO	(i) (ii)	63,648 0	0 0	91,875 0	9,561 0	10,978 0	176,062 0	0 0
(9) PAUL ACHITOFF	(i) (ii)	146,161 0	0 0	0 0	16,946 0	12,828 0	175,935 0	0 0
(10) DOUG HONNOLD	(i) (ii)	145,048 0	0 0	0 0	16,392 0	10,164 0	171,604 0	0 0
(11) DAVID GUEST	(i) (ii)	144,613 0	0 0	0 0	16,857 0	10,827 0	172,297 0	0 0
(12) DAVID BARON	(i) (ii)	141,967 0	0 0	0 0	15,880 0	23,746 0	181,593 0	0 0
(13) TODD TRUE	(i) (ii)	141,754 0	0 0	0 0	15,796 0	23,740 0	181,290 0	0 0

Part III **Supplemental Information**

Complete this part to provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 4c, 5a, 5b, 6a, 6b, 7, and 8. Also complete this part for any additional information.

Identifier	Return Reference	Explanation
	PART I, LINE 4A	THE OTHER REPORTABLE COMPENSATION PAYMENT REPORTED IN COLUMN B(III) WAS FINAL COMPENSATION PAYMENT TO FORMER VICE PRESIDENT, HUMAN RESOURCES
	PART I, LINE 7	ONE-TIME PERFORMANCE BONUSES IN THE AMOUNTS SHOWN IN PART II, COLUMN B(II) WERE PAID IN CALENDAR YEAR 2011. THE AMOUNT PAID TO THE PRESIDENT WAS APPROVED BY THE BOARD, THE AMOUNTS PAID TO THE OTHERS WERE APPROVED BY THE PRESIDENT. NONE WERE DETERMINED BY A FORMULA.

SCHEDULE M
(Form 990)

NonCash Contributions

OMB No 1545-0047

2011

Open to Public Inspection

►Complete if the organization answered "Yes" on Form 990, Part IV, lines 29 or 30.
► Attach to Form 990.

Name of the organization
EARTHJUSTICE

Employer identification number
94-1730465

Part I

Types of Property

	(a) Check if applicable	(b) Number of Contributions or items contributed	(c) Contribution amounts reported on Form 990, Part VIII, line 1g	(d) Method of determining contribution amounts
1 Art—Works of art				
2 Art—Historical treasures				
3 Art—Fractional interests				
4 Books and publications				
5 Clothing and household goods				
6 Cars and other vehicles				
7 Boats and planes				
8 Intellectual property				
9 Securities—Publicly traded	X	77	1,121,447	FMV AT DONATION DATE
10 Securities—Closely held stock				
11 Securities—Partnership, LLC, or trust interests				
12 Securities—Miscellaneous				
13 Qualified conservation contribution—Historic structures				
14 Qualified conservation contribution—Other				
15 Real estate—Residential				
16 Real estate—Commercial				
17 Real estate—Other				
18 Collectibles				
19 Food inventory				
20 Drugs and medical supplies				
21 Taxidermy				
22 Historical artifacts				
23 Scientific specimens				
24 Archeological artifacts				
25 Other ► ()				
26 Other ►()				
27 Other ►()				
28 Other ► ()				
29 Number of Forms 8283 received by the organization during the tax year for contributions for which the organization completed Form 8283, Part IV, Donee Acknowledgement			29	0
30a During the year, did the organization receive by contribution any property reported in Part I, lines 1-28 that it must hold for at least three years from the date of the initial contribution, and which is not required to be used for exempt purposes for the entire holding period?				Yes No
b If "Yes," describe the arrangement in Part II				
31 Does the organization have a gift acceptance policy that requires the review of any non-standard contributions?			31	Yes
32a Does the organization hire or use third parties or related organizations to solicit, process, or sell non-cash contributions?			32a	Yes
b If "Yes," describe in Part II				
33 If the organization did not report revenues in column (c) for a type of property for which column (a) is checked, describe in Part II				

Part II

Supplemental Information. Complete this part to provide the information required by Part I, lines 30b, 32b, and 33. Also complete this part for any additional information.

Identifier	Return Reference	Explanation
THIRD PARTY USE	PART I, LINE 32B	SECURITIES BROKERS WILL SELL STOCK GIFTS ON BEHALF OF EARTHJUSTICE, FROM TIME TO TIME, DONORS HAVE CONTRIBUTED REAL PROPERTY, USUALLY INTO A CHARITABLE REMAINDER TRUST WHEN THIS HAPPENS, A REAL ESTATE AGENT WILL BE HIRED TO ASSIST IN SELLING THE PROPERTY

SCHEDULE O

(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on
Form 990 or to provide any additional information.
▶ Attach to Form 990 or 990-EZ.

OMB No 1545-0047

2011

Open to Public
Inspection

Name of the organization EARTHJUSTICE	Employer identification number 94-1730465
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Identifier	Return Reference	Explanation
	FORM 990, PART VI, SECTION A, LINE 4	THE BY LAWS WERE CHANGED SO AS TO REQUIRE THE COMPOSITION OF THE LITIGATION APPROVAL COMMITTEE BE STRICTLY LAWYER MEMBERS OF THE BOARD OF TRUSTEES

Identifier	Return Reference	Explanation
	FORM 990, PART VI, SECTION B, LINE 11	A FULL COPY OF FORM 990 IS POSTED ON A SECURE WEB PORTAL ACCESSSSIBLE BY THE TRUSTEES AT LEAST ONE WEEK PRIOR TO FILING THE TRUSTEES ARE NOTIFIED OF THE FORM 990 POSTING AND ENCOURAGED TO REVIEW AND COMMENT ON IT PRIOR TO FILING

Identifier	Return Reference	Explanation
	FORM 990, PART VI, SECTION B, LINE 12C	THE CONFLICT OF INTEREST PREVENTION POLICY REQUIRES AN ANNUAL DISCLOSURE BY TRUSTEES AND SENIOR STAFF OF ENTITIES IN WHICH THEY HAVE PERSONAL, FINANCIAL OR PROFESSIONAL INTERESTS THE RESULTS OF THOSE DISCLOSURES ARE COMPILED INTO A SCREENING LIST OF ENTITIES USED BY THE BOARD CHAIR, CHIEF EXECUTIVE OFFICER AND GENERAL COUNSEL WHEN REVIEWING POTENTIAL TRANSACTIONS BETWEEN EARTHJUSTICE AND OUTSIDE ENTITIES THE SCREENING LIST IS USED TO CHECK TO ASSURE THAT INDIVIDUAL DECISION-MAKERS RECUSE THEMSELVES FROM ANY PARTICIPATION IN DECISIONS AFFECTING THE ENTITIES IN WHICH THEY HAVE INTERESTS

Identifier	Return Reference	Explanation
	FORM 990, PART VI, SECTION B, LINE 15	WE GET COMPETITIVE DATA FROM AN OUTSIDE COMPENSATION CONSULTANT FOR OUR CEO. IN ADDITION OUR VP-HR COLLECTS SALARIES OF CEOS FROM OTHER NON-PROFIT ENVIRONMENTAL ORGANIZATIONS TO OBTAIN ADDITIONAL DATA FOR THE KEY NATIONAL NON-PROFIT ENVIRONMENTAL ORGANIZATIONS. THIS INFORMATION IS PASSED ALONG TO THE EXECUTIVE COMMITTEE OF OUR BOARD OF DIRECTORS WHO REVIEWS THE DATA AND MAKES THE APPROPRIATE RECOMMENDATION FOR OUR CEO SALARY. WE DO A BI-ANNUAL REVIEW OF ALL POSITIONS IN THE ORGANIZATION INCLUDING THE CEO AND ALL STAFF. WE UPDATE ALL POSITION DESCRIPTIONS AND USE AN OUTSIDE COMPENSATION CONSULTANT TO DETERMINE SALARIES THAT MATCH THE JOB RESPONSIBILITIES IN THE NON-PROFIT SECTOR IN THE SPECIFIC GEOGRAPHIC AREAS IN WHICH OUR JOBS ARE LOCATED. OUR VP-HR ALSO CONTACTS OTHER ENVIRONMENTAL NON-PROFIT COMPANIES TO OBTAIN ADDITIONAL COMPETITIVE INFORMATION. FOR NON-ATTORNEY JOBS, EACH JOB IS ASSIGNED A GRADE. EACH GRADE HAS A MINIMUM, MIDPOINT, AND MAXIMUM SALARY. WE CONSIDER MID-POINT OF THE GRADE THE APPROPRIATE SALARY TO BE AN EMPLOYEE FULLY COMPETENT IN THE JOB. OUR VP-HR THEN WORKS WITH MANAGERS, BASED ON PERFORMANCE TO DETERMINE WHAT THE APPROPRIATE SALARY SHOULD BE WITHIN THIS RANGE. SINCE THIS PROCESS IS QUITE TIME INTENSIVE, WE DO THIS EVERY OTHER YEAR. IN THE YEAR WE DON'T GO THROUGH THIS PROCESS, WE GET COMPETITIVE DATA ABOUT WHAT THE AVERAGE RAISE WILL BE AND USE THIS AS A GUIDELINE FOR OUR BUDGETING PROCESS. OUR ATTORNEYS' PAY IS BASED ON YEAR OF GRADUATION FROM LAW SCHOOL TO WHICH WE ADD A GEOGRAPHIC ADJUSTMENT BASED ON THE OFFICE LOCATION, E.G. BOZEMAN, MONTANA VS. NEW YORK, NY. WE CONTACT OTHER CONSERVATION ORGANIZATIONS LIKE THE SIERRA CLUB AND ALSO GOVERNMENT ENTITIES LIKE THE DEPARTMENT OF JUSTICE TO DETERMINE THE APPROPRIATE PAY FOR OUR ATTORNEYS.

Identifier	Return Reference	Explanation
	FORM 990, PART VI, SECTION C, LINE 19	THE AUDITED FINANCIAL STATEMENTS, THE GOVERNING/ORGANIZING DOCUMENTS AND THE CONFLICT OF INTEREST POLICY ARE MADE AVAILABLE TO THE PUBLIC BY EMAIL REQUEST EAJUS@EARTHJUSTICE.ORG THE ORGANIZATION'S AUDITED FINANCIAL STATEMENTS ARE ALSO AVAILABLE ON THE ORGANIZATION'S WEBSITE.

Identifier	Return Reference	Explanation
CHANGES IN NET ASSETS OR FUND BALANCES	FORM 990, PART XI, LINE 5	NET UNREALIZED LOSSES ON INVESTMENTS -362,206 CHANGE IN SPLIT INTEREST AGREEMENTS 95,534 TOTAL TO FORM 990, PART XI, LINE 5 -266,672

Identifier	Return Reference	Explanation
AUDIT COMMITTEE AND OVERSIGHT	990, PART XII, LINE 2C	THERE HAVE BEEN NO CHANGES TO THIS PROCESS FROM PRIOR YEAR

Identifier	Return Reference	Explanation
	FORM 990, PART III	EARTHJUSTICE IS A NON-PROFIT PUBLIC INTEREST LAW FIRM DEDICATED TO PROTECTING THE MAGNIFICENT PLACES, NATURAL RESOURCES, AND WILDLIFE OF THIS EARTH, AND TO DEFENDING THE RIGHT OF ALL PEOPLE TO A HEALTHY ENVIRONMENT. A PASSION FOR PRESERVING THE NATURAL WORLD AND A BELIEF IN THE POWER OF JUSTICE HAS GUIDED THE COURSE OF OUR WORK FOR MORE THAN FOUR DECADES. WE HAVE FOUGHT TO ESTABLISH MEANINGFUL ENVIRONMENTAL PROTECTIONS AND PUT FORTH A VISION FOR RESTORING THE EARTH TO ECOLOGICAL BALANCE. THE FULFILLMENT OF THIS VISION DOES NOT REST IN SOME UNNAMED, DISTANT FUTURE -- WE ARE MAKING PROGRESS RIGHT NOW. BECAUSE OF THE WORK WE DO EVERY DAY, THE EARTH'S SPECIAL PLACES ARE BETTER PROTECTED, COMMUNITIES ARE SAFEGUARDED FROM TOXIC POLLUTION, AND SOCIETY IS MOVING TOWARD A CLEAN ENERGY FUTURE. IN PARTNERSHIP WITH OUR HUNDREDS OF CLIENTS, ALLIES, FOUNDATIONS, SCIENTISTS, AND OUR STEADFAST SUPPORTERS, WE CONTINUE TO PURSUE FAR-REACHING, BIG-IMPACT LITIGATION. OUR UNMATCHED LEGAL EXPERTISE AND OUR LONG-TERM COMMITMENT TO ADDRESSING CRITICAL ENVIRONMENTAL ISSUES CONSISTENTLY YIELD SUCCESS. THIS PAST YEAR WE HAVE WON AMAZING VICTORIES THAT SERVE AS TESTAMENTS TO EARTHJUSTICE'S ROLE AS THE WORLD'S PREMIER ENVIRONMENTAL LAW FIRM AND PROVIDE REAL HOPE THAT A CLEANER, HEALTHIER PLANET IS POSSIBLE.

Identifier	Return Reference	Explanation
CASE SUMMARIES	FORM 990, PART III	PROMOTING A CLEAN ENERGY FUTURE. REDUCING CLIMATE POLLUTION. IN THE ABSENCE OF CLIMATE LEGISLATION AND TREATIES, THE CLEAN AIR ACT HAS BECOME THE PRINCIPAL TOOL FOR REINING IN CLIMATE POLLUTION. FOUR YEARS AFTER THE SUPREME COURT UPHELD THE EPA'S AUTHORITY TO REGULATE CLIMATE POLLUTION, EPA FINALIZED THE FIRST REGULATIONS LIMITING CLIMATE EMISSIONS FROM CARS AND LIGHT TRUCKS AND BRINGING FACTORIES AND POWER PLANTS INTO THE PERMITTING SCHEME. MORE THAN 100 INDUSTRY GROUPS AND ALLIED STATES MOUNTED A VOCIFEROUS CHALLENGE, BUT IN JUNE 2012, THE D.C. CIRCUIT UNANIMOUSLY TURNED BACK THE CHALLENGES. THE DECISION PAVES THE WAY FOR FURTHER REGULATION OF CLIMATE POLLUTION, SUCH AS THE PROPOSED STANDARDS FOR EMISSIONS FROM POWER PLANTS AND STANDARDS FOR REFINERIES, CEMENT KILNS, AND AIRCRAFT, WHICH ARE IN THE REGULATORY PIPELINE DUE TO EARTHJUSTICE LITIGATION. BUTTRESSING OUR FEDERAL CLEAN AIR ACT STRATEGIES, WE OBTAINED A DISTRICT COURT RULING THAT WASHINGTON STATE REGULATORS MUST REGULATE CLIMATE EMISSIONS FROM REFINERIES. AT THE INTERNATIONAL LEVEL, WE INTERVENED TO DEFEND THE EXTENSION OF A EUROPEAN UNION (EU) CARBON TRADING SCHEME TO INTERNATIONAL AIRPLANE FLIGHTS INTO AND OUT OF EU AIRPORTS IN THE FACE OF A CHALLENGE FROM THE AIR TRANSPORT ASSOCIATION OF AMERICA AND TWO U.S. AIRLINES. IN OCTOBER 2011, THE EUROPEAN COURT OF JUSTICE UPHOLD THE DIRECTIVE, FINDING THAT IT COMPORTS WITH ALL PERTINENT INTERNATIONAL TREATIES AND OBLIGATIONS. REDUCING RELIANCE ON COAL FOR ENERGY GENERATION AND THE HARM TO PEOPLE AND COMMUNITIES FROM BURNING COAL. EARTHJUSTICE IS LEADING THE LITIGATION TO OBTAIN STRONG NATIONAL STANDARDS TO LIMIT THE TOXIC POLLUTION FROM COAL-FIRED POWER PLANTS, TO STOP TRANSMISSION LINES THAT PERPETUATE RELIANCE ON DIRTY COAL PLANTS, AND TO PREVENT COAL EXPORTS FROM THE WEST COAST. THIS YEAR, WE MADE GREAT STRIDES ON ALL FRONTS, AS WELL AS IN OUR BATTLES TO CLEAN UP OR FORCE THE SHUTDOWN OF PARTICULAR COAL PLANTS. OBTAINING STRONG NATIONAL STANDARDS TO LIMIT POLLUTION FROM COAL-FIRED POWER PLANTS. SEVENTEEN YEARS AFTER WE FILED THE FIRST LAWSUIT, EPA ISSUED A FINAL RULE LIMITING MERCURY AND OTHER TOXIC AIR POLLUTION FROM COAL-FIRED POWER PLANTS FOR THE FIRST TIME. THE RULE WILL SAVE UP TO 11,000 LIVES EACH YEAR AND PREVENT THOUSANDS OF HEART AND ASTHMA ATTACKS AND RESPIRATORY ILLNESSES EVERY YEAR. AFTER THOUSANDS OF HOURS OF LITIGATION THIS HAZARDOUS AIR POLLUTION, ALSO THE NUMBER ONE SOURCE OF MERCURY CONTAMINATION TO OUR RIVERS AND LAKES, WILL NOW BE REDUCED. NUMEROUS INDUSTRIES ARE CHALLENGING THE RULE, AND WE HAVE INTERVENED TO DEFEND IT. OUR LITIGATION IS ALSO LEADING TO UPGRADED STANDARDS THAT WILL LIMIT SOOT, SULFUR DIOXIDE, AND NITROGEN DIOXIDE EMISSIONS FROM COAL PLANTS AND HAS PRODUCED A PROPOSED CARBON STANDARD FOR POWER PLANTS. OUR LITIGATION IS FORCING THE STATES AND EPA TO CRACK DOWN ON HAZE POLLUTION THAT DIRTIES THE AIR IN OUR NATIONAL PARKS AND WILDERNESS AREAS. CLEAN UP PLANS ARE NOW REQUIRED IN 40 STATES. OUR EFFORTS ARE LEADING TO STRINGENT AIR POLLUTION CONTROLS ON COAL PLANTS LIKE THOSE BEING IMPOSED ON THE AGING, HIGHLY POLLUTING SAN JUAN GENERATING STATION IN NEW MEXICO. THESE LIMITS WILL SAVE LIVES AND REDUCE HAZE THAT OBSTRUCTS VIEWS IN NATIONAL PARKS. NOT SURPRISINGLY, THE COMPANY IS CHALLENGING THE POLLUTION LIMITS, AND WE HAVE INTERVENED TO DEFEND THEM. OUR ADVOCACY HAS PUT EPA ON TRACK TO DEVELOP THE FIRST-EVER NATIONAL LIMITS ON TOXIC WASTEWATER DISCHARGES FROM COAL PLANTS AND SPURRED EPA TO PROPOSE FOR THE FIRST TIME REGULATING COAL ASH DUMPS AND IMPOUNDMENTS, WHICH ARE LEACHING TOXIC METALS AND OTHER CONTAMINANTS INTO WATER SUPPLIES AROUND THE COUNTRY. STOPPING NEW TRANSMISSION LINES THAT WOULD PERPETUATE RELIANCE ON AGING DIRTY COAL PLANTS. A FEDERAL COURT APPROVED A SETTLEMENT AGREEMENT THAT REQUIRES FEDERAL AGENCIES TO REVISE A BUSH ADMINISTRATION TRANSMISSION PLAN THAT WOULD HAVE PERPETUATED THE USE OF COAL-FIRED POWER IN THE WEST. IN RE-ASSESSING AND REVISING THE PLAN, THE SETTLEMENT OBLIGATES THE AGENCIES TO ENSURE THAT WESTERN ENERGY CORRIDORS WILL FACILITATE RENEWABLE ENERGY AND AVOID ENVIRONMENTALLY SENSITIVE AREAS. OUR TENACIOUS ADVOCACY LED TO THE ABANDONMENT OF A NEW POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE ("PATH"), AN EXTRA-HIGH VOLTAGE TRANSMISSION LINE THAT IS DESIGNED TO OPEN UP NEW MARKETS FOR COAL-FIRED POWER IN THE NORTHEAST. OUR EXPERTS AND THE ASSESSMENT OF THE GRID OPERATOR CALLED INTO QUESTION THE ASSERTIONS OF THE PATH BACKERS THAT THE LINE IS NEEDED TO MEET FUTURE DEMAND FOR ELECTRICITY, FORCING THEM TO WITHDRAW THEIR APPLICATIONS FOR APPROVAL IN VIRGINIA, WEST VIRGINIA, AND MARYLAND. FORCING COAL PLANTS TO CLEAN UP OR SHUT DOWN. BUILDING ON OUR SUCCESS IN OBTAINING A SHUTDOWN COMMITMENT FOR THE LAST COAL PLANT IN WASHINGTON STATE, WE ARE ENGAGED WITH OUR CLIENTS IN A WIDE ARRAY OF PERMITTING, RATE-SETTING, AND PLANNING PROCESSES IN KENTUCKY, MICHIGAN, MISSOURI, PENNSYLVANIA, TEXAS, NEW MEXICO, AND FLORIDA TO FORCE COAL PLANTS TO COME INTO COM

Identifier	Return Reference	Explanation
CASE SUMMARIES	FORM 990, PART III	PLIANCE WITH NEW REGULATORY STANDARDS OR SHUT DOWN THE BIGGEST NEWS CAME FROM KENTUCKY, WHEN KENTUCKY POWER COMPANY WITHDREW ITS REQUEST FOR THE RATEPAYERS TO PAY NEARLY \$1 BILLION TO PUT SCRUBBERS ON THE BIG SANDY COAL PLANT TO COMPLY WITH NEW AIR POLLUTION CONTROLS. INITIALLY, KENTUCKY POWER ASKED THE PUBLIC SERVICE COMMISSION TO SIGN OFF ON A PLAN FOR THE RATEPAYERS TO FOOT THE BILL FOR THE PROPOSED NATURAL GAS RETROFIT. IN OFFERING EVIDENCE THAT ENERGY DEMANDS COULD BE MET AT LOWER COST THROUGH EFFICIENCY, REDUCING DEMAND, AND NATURAL GAS, WE WERE JOINED BY THE STATE ATTORNEY GENERAL AND NUMEROUS INDUSTRIES THAT FEARED THE RETROFIT WOULD RAISE THEIR ENERGY BILLS. THE SAME DAY AN EXPOSE RAN IN THE NEW YORK TIMES AND ONE WEEK BEFORE THE COMMISSION WAS DUE TO RULE ON THE RATE INCREASE, KENTUCKY POWER WITHDREW ITS REQUEST. PURSUING THE SAME STRATEGY WITH RESPECT TO CONSUMERS ENERGY'S MICHIGAN COAL PLANT FLEET, THE MICHIGAN PUBLIC SERVICE COMMISSION DENIED A PORTION OF THE RATE INCREASE SOUGHT BY CONSUMERS ENERGY TO INSTALL POLLUTION CONTROLS AND KEEP COAL PLANTS OPERATING IN MICHIGAN. OUR LITIGATION AGAINST SUNFLOWER IS CONTINUING, AS THE UTILITY PLANS TO BUILD A NEW COAL-FIRED POWER PLANT IN KANSAS. IN JANUARY 2012, A FEDERAL DISTRICT COURT ENJOINED THE RURAL UTILITIES SERVICE, WHICH HAS OUTSTANDING LOAN BALANCES FOR SUNFLOWER OF OVER \$200 MILLION, FROM ISSUING ANY APPROVALS OF CONSTRUCTION OF THE SUNFLOWER PLANT UNTIL IT PREPARES AN ENVIRONMENTAL IMPACT STATEMENT, CREATING A SUBSTANTIAL OBSTACLE TO MOVING FORWARD WITH THIS PLANT. PREVENTING COAL EXPORTS FROM THE WEST COAST WE ARE THE LEGAL ARM OF A BROAD-BASED CAMPAIGN TO PREVENT NEW TERMINAL FACILITIES ON THE WEST COAST THAT WOULD EXPORT COAL TO ASIA. OUR SUITS BEGAN WHEN THE FIRST WEST COAST COAL EXPORT FACILITY WAS STAGING THE PROCESS IN ORDER TO AVOID ENVIRONMENTAL REVIEW. IT WAS CONCEALING THE FACT THAT THE EXPORTS WOULD BE FIVE TIMES AS LARGE AS THE REPRESENTATIONS MADE TO THE REGULATORS. THE COMPANY WITHDREW THE PERMIT APPLICATION SHORTLY BEFORE THE TRIAL WAS SCHEDULED TO BEGIN, ALTHOUGH IT PLANS TO SEEK APPROVAL FOR THE WHOLE PROJECT IN THE FUTURE. WE ARE GEARING UP FOR THAT FIGHT AS WELL AS CHALLENGES TO NUMEROUS OTHER COAL EXPORT PROPOSALS THAT ARE ON THE HORIZON. DAYLIGHTING INDUSTRY ACCESS TO TAR SANDS DECISION-MAKERS. THE KEYSTONE XL PIPELINE HAS BEEN ONE OF THE HIGHEST PROFILE ENVIRONMENTAL ISSUES IN 2012. WE PROSECUTED A FREEDOM OF INFORMATION ACT LAWSUIT THAT EXPOSED THE RELATIONSHIP BETWEEN STATE DEPARTMENT OFFICIALS AND PIPELINE COMPANY TRANSCANADA'S LEAD LOBBYIST PAUL ELLIOTT, WHO HAD BEEN A TOP CAMPAIGN AIDE TO PRESIDENTIAL CANDIDATE HILLARY CLINTON, LEADING TO AN EXPOSE IN THE WASHINGTON POST OF A PRO-PIPELINE BIAS AT THE STATE DEPARTMENT. PROMOTING ENERGY EFFICIENCY AND CLEAN ENERGY. IN AUGUST 2011, THE FOURTH CIRCUIT COURT OF APPEALS UPHELD A DEPARTMENT OF ENERGY REGULATION SETTING EFFICIENCY STANDARDS FOR SMALL ELECTRICAL MOTORS THAT WE HAD SUPPORTED BOTH BEFORE THE AGENCY AND IN THE COURT CHALLENGE. THE STANDARD WILL SAVE APPROXIMATELY 2% OF ANNUAL ENERGY CONSUMPTION OVER THE NEXT 30 YEARS AND WILL ELIMINATE THE NEED TO BUILD EIGHT NEW POWER PLANTS. IN JUNE 2012, THE NINTH CIRCUIT REJECTED A FEDERAL PREEMPTION CHALLENGE TO WASHINGTON STATE'S BUILDING CODE, WHICH SETS MINIMUM ENERGY EFFICIENCY STANDARDS FOR NEW HOMES THROUGHOUT THE STATE AND WHICH WE DEFENDED IN THE LITIGATION.

Identifier	Return Reference	Explanation
CASE SUMMARIES CONTINUED	FORM 990, PART III	WE ALSO SET THE STAGE FOR PROGRESS ON CLEAN ENERGY IN CALIFORNIA AND HAWAII. THE CALIFORNIA PUBLIC UTILITIES COMMISSION, IN TWO PARALLEL PROCEEDINGS, COMMITTED TO EMPLOY ENERGY EFFICIENCY AND CONSERVATION FIRST, FOLLOWED BY RENEWABLE ENERGY TO MEET CONSUMER DEMANDS FOR ELECTRICITY, AND AGREED NOT TO APPROVE THE CONSTRUCTION OF NEW POWER PLANTS THROUGH 2020 UPON FINDING THAT NEW FOSSIL FUEL GENERATION WILL NOT BE NEEDED. THE HAWAII PUBLIC UTILITIES COMMISSION REJECTED CONTROVERSIAL UTILITY PROPOSALS THAT WOULD HAVE ERECTED EXPENSIVE AND BURDENSOME OBSTACLES TO NEW ROOFTOP SOLAR INSTALLATIONS. PROTECTING PEOPLE, COMMUNITIES, AND WILDLANDS FROM THE IMPACTS OF NATURAL GAS DEVELOPMENT. EARTHJUSTICE HAS LONG BEEN WORKING TO PROTECT WILD PLACES IN THE ROCKIES FROM RAMPANT OIL AND GAS DEVELOPMENT, AND OUR NORTHEAST OFFICE HAS MADE FRACKING ITS SIGNATURE ISSUE. THIS YEAR, WE HAD A VICTORY IN OUR LONGSTANDING LAWSUIT CHALLENGING THE BUSH ADMINISTRATION'S OIL AND GAS LEASING OF THE ROAN PLATEAU, ONE OF THE MOST BIOLOGICALLY RICH AREAS IN COLORADO. THE COURT SENT THE LEASING PLAN BACK AND DIRECTED THE BUREAU OF LAND MANAGEMENT TO CONSIDER RESTRICTING DESTRUCTIVE DRILLING ON THE TOP OF THE PLATEAU. WE MADE PROGRESS IN UPGRADING AIR POLLUTION CONTROLS FOR NATURAL GAS DEVELOPMENT, IN SETTING AN IMPORTANT PRECEDENT FOR WASTEWATER DISCHARGES, IN PROMOTING THE PUBLIC'S RIGHT TO KNOW ABOUT FRACKING HAZARDS, AND IN SECURING LOCAL AUTHORITY TO BAN FRACKING IN NEW YORK STATE. IN APRIL 2012, OUR LITIGATION PRODUCED NEW NATIONAL AIR POLLUTION STANDARDS FOR OIL AND GAS PRODUCTION AFTER YEARS OF DELAY. EPA'S RULE IS THE FIRST TO CURB AIR POLLUTION FROM FRACKING AND WILL CURB TOXIC AIR POLLUTION AND POLLUTANTS THAT CONTRIBUTE TO CLIMATE CHANGE. IN JUNE 2012, SPURRED BY OUR PERMIT CHALLENGE, THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION ISSUED A NEW PERMIT WITH STRINGENT LIMITS ON WASTEWATER DISCHARGES FROM GAS PRODUCTION INTO THE MONONGAHELA RIVER. THIS WILL SERVE AS A MODEL FOR ANY NEW INDUSTRIAL WASTEWATER TREATMENT PLANTS IN PENNSYLVANIA AND NEW YORK. IN LATE 2011, EPA GRANTED OUR PETITION AND AGREED TO ESTABLISH BETTER REPORTING OF INFORMATION ABOUT CHEMICALS USED IN FRACKING, AND COLORADO ADOPTED THE STRONGEST DISCLOSURE REQUIREMENTS IN THE NATION FOR FRACKING CHEMICALS AND CLOSED A LOOPHOLE THAT WOULD HAVE ALLOWED UNSUBSTANTIATED TRADE SECRETS CLAIMS TO PREVENT DISCLOSURE. TWO SEPARATE NEW YORK STATE JUDGES UPHELD LOCAL ORDINANCES THAT PROHIBIT FRACKING. BOTH JUDGES RULED THAT LOCAL GOVERNMENTS REMAIN FREE TO DETERMINE WHERE GAS DEVELOPMENT CAN OCCUR WITHIN THEIR TOWNSHIPS. WE ARE REPRESENTING THE TOWN OF DRYDEN IN THE INDUSTRY APPEAL AND ARE SUPPORTING THE TOWN OF MIDDLEFIELD. SAFEGUARDING PUBLIC HEALTH. REDUCING AIR POLLUTION THAT HARMS PUBLIC HEALTH. EARTHJUSTICE IS A LEADER IN OBTAINING AND STRENGTHENING STRONG NATIONAL STANDARDS TO LIMIT AIR POLLUTION, FOR THE CAUSE OF TENS OF THOUSANDS OF PREMATURE DEATHS, HOSPITALIZATIONS, EMERGENCY ROOM VISITS, AND ASTHMA ATTACKS EVERY YEAR. THIS YEAR, WE MADE STRIDES TO UPGRADE STANDARDS TO REDUCE SOOT POLLUTION THAT MAKES THE AIR UNSAFE TO BREATHE, PARTICULARLY FOR CHILDREN, SENIORS, AND PEOPLE WITH HEART OR LUNG DISEASE OR DIABETES. IN 2009, THE D.C. CIRCUIT HELD THAT EPA ACTED ILLEGALLY WHEN IT ADOPTED NATIONAL POLLUTION STANDARDS FOR AIRBORNE SOOT THAT WERE SUBSTANTIALLY WEAKER THAN WHAT THE SCIENTIFIC ADVISORY PANEL RECOMMENDED. IN 2012, WE OBTAINED A DECEMBER DEADLINE FOR EPA TO LOWER SOOT EMISSIONS TO LEVELS THAT WOULD SAVE TENS OF THOUSANDS OF LIVES PER YEAR. WE ARE ALSO NATIONAL LEADERS IN HOLDING EPA TO THE CLEAN AIR ACT'S MANDATES TO PROTECT PEOPLE FROM HAZARDOUS AIR POLLUTION LIKE MERCURY, LEAD, AND BENZENE. OUR LITIGATION COMPELLED EPA TO ADOPT STANDARDS RESTRICTING TOXIC AIR POLLUTION NOT ONLY FROM COAL-FIRED POWER PLANTS, BUT ALSO FROM ON-SITE POWER PLANTS, CEMENT KILNS, AND POLYVINYL CHLORIDE (PVC) PLANTS. THESE STANDARDS WILL SAVE THOUSANDS OF LIVES AND PREVENT THOUSANDS OF SERIOUS ILLNESSES EVERY YEAR. FOR OVER A DECADE, WE HAVE MADE PROGRESS IN CLEANING UP THE AIR IN CALIFORNIA'S CENTRAL VALLEY, WHERE THE AIR IS SO POLLUTED OFFICIALS TELL CHILDREN TO STAY INSIDE ON DIRTY AIR DAYS. IN JANUARY 2012, THE NINTH CIRCUIT THREW OUT EPA'S APPROVAL OF A FLAWED PLAN TO CLEAN UP SMOG POLLUTION IN CALIFORNIA'S HEAVILY POLLUTED CENTRAL VALLEY, SENDING THE LOCAL REGULATORS BACK TO THE DRAWING BOARD. IN OCTOBER 2011, ANOTHER NINTH CIRCUIT VICTORY WAS SECURED WHEN THE SUPREME COURT DENIED REVIEW. THAT DECISION UPHELD A RULE THAT REQUIRES LARGE NEW DEVELOPMENTS TO MITIGATE EMISSIONS BOTH FROM CONSTRUCTION AND TRAFFIC. PROTECTING PEOPLE FROM TOXIC CHEMICALS AND PESTICIDES. IN OUR LONGSTANDING PROGRAM TO PROTECT PEOPLE FROM TOXIC PESTICIDES, WE HAD A VICTORY IN MARCH WHEN ARYSTA LIFESCIENCE PULLED THE TOXIC, CANCER-CAUSING PESTICIDE METHYL IODIDE OFF THE U.S. MARKET. OUR CHALLENGE TO THE CALIFORNIA APPROVAL OF METHYL IODIDE'S USE TO FUMIGATE STRAWBERRY FIELDS REVEALED CONCE

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CASE SUMMARIES CONTINUED	FORM 990, PART III	RNS BY AGENCY SCIENTISTS OVER THE PESTICIDE'S HEALTH EFFECTS THAT HAD BEEN SUPPRESSED AT A COURT HEARING, THE JUDGE REVEALED THAT HE WAS WRITING A DECISION IN OUR FAVOR. ARYSTA THEN PULLED METHYL IODIDE OFF THE MARKET, SPARING PEOPLE IN RURAL CALIFORNIA AND FLORIDA POISONINGS, CANCER, AND POSSIBLY EVEN BIRTH DEFECTS FROM METHYL IODIDE SPRAYING. WE PROMOTE THE PUBLIC'S RIGHT TO KNOW ABOUT CHEMICALS TO WHICH THEY AND THEIR FAMILIES ARE EXPOSED. EPA IS CRACKING DOWN ON INDUSTRY SECRECY CLAIMS THAT HAVE BLOCKED PUBLIC ACCESS TO THE NAMES OF CHEMICAL INGREDIENTS, AND HAS RELEASED DOZENS OF PREVIOUSLY SECRET HEALTH STUDIES SHOWING ADVERSE EFFECTS. IN ADDITION, ONE OF OUR LAWSUITS PRODUCED THE IDENTITIES OF INGREDIENTS IN THE DISPERSANTS ALLOWED TO BE USED TO RESPOND TO OIL SPILLS, AS WELL AS 80 HEALTH AND SAFETY STUDIES RELATED TO THE DISPERSANTS. OUR LITIGATION HAS ADVANCED THE CLEANUP OF TWO HEAVILY CONTAMINATED PLACES. IN SEPTEMBER 2011, A COURT BLOCKED THE TRANSFER OF CONTAMINATED SHIPYARD SITES FROM THE U.S. NAVY TO A DEVELOPER BEFORE THE NAVY CLEANS UP THE CONTAMINATION AT THE FORMER HUNTERS POINT NAVAL SHIPYARD, SAN FRANCISCO'S ONLY SUPERFUND SITE. SECOND, OUR LITIGATION HAS SPURRED THE ARMY TO ABANDON LIVE-FIRE TRAINING AT THE MAKUA MILITARY RANGE ON OAHU. A COURT-ORDERED SETTLEMENT ALSO REQUIRED THE ARMY TO TEST FOOD GATHERED AT MAKUA FOR CONTAMINATION FROM THE TRAINING ACTIVITIES. IN OCTOBER 2011, A DISTRICT JUDGE ORDERED THE ARMY TO TEST LIMU (SEAWEED) AND OTHER MARINE RESOURCES EATEN BY RESIDENTS TO DETERMINE WHETHER THEY POSE HUMAN HEALTH RISKS. PRESERVING OUR NATURAL HERITAGE. SAFEGUARDING OUR PUBLIC LANDS AND BIODIVERSITY FOR FUTURE GENERATIONS. A MONUMENTAL VICTORY. PRESERVED ROADLESS AREAS IN OUR NATIONAL FORESTS FOR FUTURE GENERATIONS. IN OCTOBER 2011, THE TENTH CIRCUIT UNANIMOUSLY UPHELD NATIONWIDE PROTECTION FOR NEARLY 50 MILLION ACRES OF ROADLESS AREAS IN OUR NATIONAL FORESTS. FOR A DOZEN YEARS, EARTHJUSTICE HAS BEEN THE LAW FIRM FOR THE CONSERVATION COMMUNITY IN EVERY LAWSUIT (MORE THAN A DOZEN, INCLUDING FOUR APPEALS) TO DEFEND THIS PROTECTION. IT TOOK MORE THAN TWO DOZEN LAWYERS AND OVER TEN THOUSAND HOURS TO CRAFT THE WINNING ARGUMENTS THAT SAVED THE NATIONWIDE PROTECTIONS. FIFTY MILLION ACRES OF WILD LANDSCAPES WAS WORTH IT. THE VICTORY WAS SECURED WHEN THE FULL TENTH CIRCUIT REFUSED TO HEAR THE CASE IN FEBRUARY. AND THE SUPREME COURT FOLLOWED SUIT IN OCTOBER 2012. VICTORY FOR THE TONGASS NATIONAL FOREST. WE SUCCEEDED IN EXTENDING ROADLESS PROTECTIONS TO THE TONGASS NATIONAL FOREST, THE NATION'S LARGEST TEMPERATE RAIN FOREST. IN MARCH 2011, AN ALASKA DISTRICT COURT VACATED THE BUSH ADMINISTRATION'S "TEMPORARY" EXEMPTION OF THE TONGASS FROM THE 2001 NATIONWIDE ROADLESS PROTECTION RULE, PLACING THE 9.3 MILLION ACRES OF ROADLESS AREAS IN THE TONGASS OFF LIMITS TO ROAD BUILDING AND LOGGING. VICTORY FOR YELLOWSTONE'S GRIZZLY BEARS. IN NOVEMBER 2011, WE HAD A VICTORY IN RESTORING ENDANGERED SPECIES PROTECTIONS FOR YELLOWSTONE'S GRIZZLY BEARS. WE DOCUMENTED A NEW CLIMATE CHANGE INDUCED THREAT POSED TO GRIZZLY BEARS FROM A NUISANCE SPECIES, THE MOUNTAIN PINE BEETLE, WHICH IS FACING FEWER KILLER FROSTS WITH WARMING TEMPERATURES AND IS WIPING OUT WHITEBARK PINE STANDS. YELLOWSTONE GRIZZLIES, PARTICULARLY THE FEMALES, RELY ON WHITEBARK PINE SEEDS TO ADD WEIGHT BEFORE THE WINTER HIBERNATION, AND DWINDLING PINE CONE SUPPLIES HAVE LED TO FEWER BEAR CUBS IN THE SPRING. WE CONVINCED BOTH THE DISTRICT COURT AND THE NINTH CIRCUIT THAT THE FISH AND WILDLIFE SERVICE ERRED IN DELISTING YELLOWSTONE GRIZZLY BEARS WITHOUT CONFRONTING THE PLIGHT OF WHITEBARK PINES.

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IN JUNE 2012, A DISTRICT COURT REJECTED A CALIFORNIA COUNTY'S ATTEMPT TO CLAIM TITLE AND THE RIGHT TO ALLOW DESTRUCTIVE USES IN A LITTLE-USED WASH BOTTOM IN DESIGNATED WILDERNESS IN DEATH VALLEY NATIONAL PARK THE GREATER YELLOWSTONE ECOSYSTEM - IN JUNE 2012, A FEDERAL COURT REJECTED A MOTORIZED-RECREATION GROUP'S EFFORTS TO ALLOW SNOWMOBILE TRAFFIC IN SENSITIVE WILDLIFE HABITAT IN THE GALLATIN MOUNTAIN RANGE NEXT TO YELLOWSTONE NATIONAL PARK THAT HAD BEEN CLOSED TO SNOWMOBILES IN RESPONSE TO OUR PRIOR LAWSUIT THE NINTH CIRCUIT'S DECISION HELD THAT WILDERNESS CHARACTER INCLUDES SOLITUDE OF THE WILDERNESS EXPERIENCE AND THAT OFF-ROAD VEHICLE TRAFFIC IS APPROPRIATELY BANNED IN PROSPECTIVE WILDERNESS BECAUSE IT INTERFERES WITH THAT EXPERIENCE LAKE TAHOE - IN FEBRUARY 2012, THE NINTH CIRCUIT AFFIRMED A DISTRICT COURT DECISION INVALIDATING A ZONING PLAN THAT WOULD ALLOW SIGNIFICANT NEW DEVELOPMENT AND DEGRADATION OF WATER QUALITY IN LAKE TAHOE THE EVERGLADES - TO REDUCE WATER POLLUTION RUNNING INTO THE LOXAHATCHEE NATIONAL WILDLIFE REFUGE, A DISTRICT JUDGE DIRECTED FLORIDA TO SET MORE PROTECTIVE LIMITS ON THE AMOUNT OF PHOSPHOROUS THAT CAN ENTER THE WILDLIFE REFUGE THE RULING GREW OUT OF THE HISTORIC 1992 CONSENT DECREE TO RESTORE THE EVERGLADES BETWEEN FLORIDA, THE FEDERAL GOVERNMENT, AND CONSERVATIONISTS REPRESENTED BY EARTHJUSTICE SLOWING THE GRAB OF SCARCE WATER IN THE WEST WITH CLIMATE-INDUCED DROUGHTS AND GROWING DEMANDS, WE ARE WORKING TO RESIST IRRESPONSIBLE GRABS FOR SCARCE WATER IN THE WEST AND MAKING PROGRESS FLAMING GORGE AND THE GREEN RIVER - WE WON THE INITIAL ROUNDS AGAINST A PRIVATE DEVELOPER'S MOVE TO BUILD A 501-MILE-LONG PIPELINE THAT WOULD BRING WATER TO THE DENVER AREA FROM THE FLAMING GORGE RESERVOIR AND THE GREEN RIVER IN WYOMING, ONE OF THE WEST'S LAST GREAT RIVERS AND A SANCTUARY FOR NATIVE FISH AND WILDLIFE TO GAIN A FOOTHOLD FOR THIS MEGA-WATER GRAB, THE DEVELOPER SOUGHT PRELIMINARY APPROVAL FOR THE HYDROPOWER COMPONENTS OF THE PROJECT FROM THE FEDERAL ENERGY REGULATORY COMMISSION, BUT THE COMMISSION REJECTED THIS PLOY NOT ONLY WOULD THIS PROJECT TURN WATER INTO PRIVATE PROFITS, BUT IT WOULD ALSO CONSUME MORE ENERGY TO PUMP THE WATER ACROSS WYOMING AND OVER THE CONTINENTAL DIVIDE THAN IT WOULD GENERATE THROUGH HYDROPOWER GIVING TEETH TO REQUIREMENTS IN WASHINGTON STATE THAT WATER BE AVAILABLE BEFORE DEVELOPMENTS CAN OCCUR - AS PART OF OUR EFFORTS TO GUARD AGAINST OVER-APPROPRIATION AND DEPLETION OF WATER IN WASHINGTON STATE, WE PARTICIPATED IN A WASHINGTON SUPREME COURT CASE IN WHICH THE COURT HELD THAT COUNTIES MUST ASSURE THAT WATER IS BOTH FACTUALLY AND LEGALLY AVAILABLE WHEN APPROVING DEVELOPMENT PLANS PROGRESS IN LIMITING WATER POLLUTION WE MADE PROGRESS I

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Identifier	Return Reference	Explanation
SCHEDULE OF COURT AWARDED ATTORNEY FEES & COSTS	FORM 990, PART III	000145 HD MTS ROADLESS CBM DEV 901 34 001108 GALLATIN TRAVEL PLAN II 134662 88 001122 SMO KY CANYON MINE EXPANSION 552 86 001134 YELLOWSTONE GB DELISTING 174546 24 001163 INYO COUN TY, CA 2477 CASE 3264 45 001164 JARBIDGE RS 2477 INTERVENTION 2096 73 001167 MISSOURI BREA KS NM 3402 56 001176 OTERO MESA EIS 256338 5 001206 WYOMING ROADLESS 2 112 72 001219 KAUA' I SEABIRDS ESA TAKE 2815 05 001221 MAKUA EIS 750 001307 CHUKCHI OCS LEASE SALE 193 547 38 001316 JUNEAU ACCESS PROJECT 639 02 001346 TONGASS ROADLESS EXEMPTION 1840 84 001367 KEEP TAHOE BLUE 315 9 001388 SIERRA FRAMEWORK CHALLENGE 95 97 001404 1999 HYDRO ESA 781779 01 0 01406 BLM PLANS 663 26 001440 MUNICIPAL STORMWATER 2091 54 001473 EVERGLADES 11445 33 0014 75 FLATFORD SWAMP TRESPASS 3469 14 001488 SLUDGE TRESPASS 3652 1 001494 2000 MACT DEADLINE 1134 9 001506 CEMENT KILNS III 4 54 001554 SSM PLANS & RECONSIDERATION 174646 96 001605 A Z STRIP PLAN 898 95 001633 OWL RECOVERY PLAN 43769 26 001654 GRAHAM'S PENSTEMON 142585 88 001668 SAN PEDRO FORT HUACHUCA BO 158706 77 001672 ISR INTERVENTION 121 07 001693 NATIONAL ELK REFUGE 3694 05 001703 SUNFLOWER RUS NEPA 125000 001711 WEST ELK COAL METHANE DRILLING 487 06 001712 DC TSS TMDLS 17898 16 001715 GLEN CANYON FLOWS 2795 09 001721 GRAY WOLF 10(J) 59 32 001739 ROCK CREEK II 1078 7 001761 JARBIDGE - 2005 ROD 1356 32 001768 HAZARDOUS W ASTE GASIFICATION 29 48 001776 APPLE MOTH 1257 88 001780 OZONE STANDARDS 719 75 001789 KAU A'I SEABIRDS ESA TAKE COK 58 49 001802 01CHEVRON EXPANSION 1791253 001810 CARLSBAD CEC INT ERVENTION 2010 5 001819 PETROLEUM REFINERY NSPS 138 77 001837 DEFINITION OF SOLID WASTE 12 72 79 001850 WOLF DELISTING II 153 88 001854 2008 DEADLINES 131142 41 001859 IDAHO ROADLES S RULE 370 18 001866 CENTRALIA COAL PLANT 115 96 001883 HATFIELD'S FERRY NPDES PERMIT 1635 0 69 001908 MONTGOMERY COUNTY MS4 1299 8 001916 GHG REPORTING RULE 314 85 001918 COHO ITP 453775 02 001921 DELTA SMELT INTERVENTION 949 45 001927 GROUNDWATER PERMITTING STOCK-W 164 35 001933 SWORDFISH LONGLINES 79 28 001936 UTAH WILDERNESS LEASE INTERVENTION 608 001938 SON OF FEMA 48 61 001939 SHELL OCS EXPLORATION PLN 2010 600 001944 SUNFLOWER AIR PERMIT 28 87 09 001955 IDAHO NPDES RENEWAL 14892 72 001959 LYNX CRITICAL HABITAT INTERVENTION 914 9 001962 SALMON BIOP INTERVENTION 3329 47 001973 NAVAL UNDERSEA WARFARE TRAINING 66 08 00197 8 ELK CREEK EAST TRACT COAL MINE 1155 79 001979 TURTLE BAY AMICUS BRIEF 57 88 001985 PIKA CESA II 170 64 001989 AMICUS BRIEF IN COGCC STANDING 99 5 001993 SALMON-CHALLIS TRAVEL PLA N 2302 59 001994 SIERRA MIS APPEAL 438 28 001999 LAHAINA INJECTION WELL 1188 88 002002 GUL F LONGLINES & SEA TURTLES 2 978 99 002005 HAWAII FEED-IN TARIFFS 426 15 002007 WA TDG WAIV ER STANDARD 600 39 002008 OTTER CREEK COAL LEASE 1334 02 002014 COAL PLANT ELGS 1934 19 00 2019 SHELL CHUKCHI SEA 2010 CLEAN A 2732 44 002026 CLARK COUNTY AGREED ORDER 180 28 002027 GHOST SHIPS 1195 75 002031 CLARK COUNTY ENFORCEMENT ACTION 716 16 002032 GRID INTERCONNEC TION RULE AMEN 5548 83 002033 GHG ENDANGERMENT FINDING 620 09 002034 PRINCEVILLE RESORT ES A TAKE 2 26 002035 185 FEE GUIDANCE 101667 28 002038 FISHER WARRANTED BUT PRECLUDED 47325 12 002039 METHYL IODIDE DPR 10044 68 002042 24EU AIRCRAFT GHG EMISSIONS 1935 4 002044 FOUR CORNERS PSD 956 61 002046 24NON-ROAD & AIRCRAFT GHGS CAA 696 15 002054 WV COAL MINES 402 ENFORCEMENT 4725 002065 PIKE SAN ISABEL MOTOR VEHICLE 121 04 002067 STANISLAUS TMP 181 65 002071 STELLER SEA LION CONSULTATION 128 8 002073 CHLORPYRIFOS UNREASONABLE DELAY 59 24 00 2076 OIL DISPERSANTS 35289 33 002077 SALMON PESTICIDE BIOP DEFENSE 366 3 002078 SALMON PES TICIDE BIOP ENFORCEMENT 359 56 002079 WA BUILDING CODE PREEMPTION 480 97 002081 HUNTERS PO INT SHIPYARD EIR 172847 22 002083 DIRECT HEATING EQUIPMENT 34 54 002087 6TH POWER PLAN 186 1 002088 GALLATIN WINTER USE 905 25 002091 COHO INTERVENTION 726 38 002095 LANDFILLS NSPS 952 87 002099 GULF OF MEXICO SEISMIC 104 88 002100 FEMA FOIA 559 69 002101 PSD RULE DEFEN SE 2010 8 76 002104 CRUISE SHIP DISCHARGE 34039 02 002105 WA REGIONAL HAZE SIP 18 86 00210 8 TIERING TO ROAN EIS 414 69 002109 PET FOR RULEMAKING DISPERSANT 2312 75 002112 SO2 NAAQ S 179 84 002113 GE SUGAR BEETS II 9175 63 002115 MTR NMA INTERVENTION 693 42 002122 NO MOR E WILDERNESS INTERVENTION 104 28 002125 RUSSIAN RIVER GRAVEL MINING 137 81 002126 CEMENT K ILNS IV 3347 85 002128 LONGVIEW COAL EXPORT 1081 79 002131 WESTERN ENERGY ALLIANCE PROTEST 553 41 002135 KEMPER NEPA 2047 83 002137 TVA BULL RUN PERMIT APPEAL 14521 2 002138 MARC I 5200 57 002141 NEW GULF EXPLORATION PLANS 1429 53 002144 TRANSALTA COAL PLANT DEADLINE 19 66 002148 EPA NUMERIC NUTRIENTS RULE CHA 644 76 002151 O&C LANDS INTERVENTION 642 21 0021 57 PM2 5 INCREMENTS 220 81 002165 FOUR CORNERS GRC 2682 77 002168 WASHINGTON REFINERIES' G HG RAC 3794 17 002170 SAN JOAQUIN VALLEY OZONE CONTROL 32390 002172 SUSQUEHANNA-ROSELAND 4 75 8 002178 OIL & GAS GHG REPORTING DEFENSE 77 43 002179 BEAVERHEAD-DEER LODGE FOREST P 19 1 28 002181 SUGAR BEETS III 353 89 002182 GE ALFAL

Identifier	Return Reference	Explanation
SCHEDULE OF COURT AWARDED ATTORNEY FEES & COSTS	FORM 990, PART III	FA 2626 24 002187 NM CLIMATE REGULATIONS INTERVENTION 2500 002188 GOLD MINES 240 74 002192 WASHINGTON SIP CHANGE 77 94 002194 WASHINGTON WOLF STATUS REVIEW/25 49 002207 WOOD BOILER EMERGENCY RULE 785 48 002209 COLORADO RES DEFENSE 187 28 002212 24 KEYSTONE XL FOIA 31000 002219 MTR SPRUCE VETO DEFENSE 233 34 002220 INDUSTRIAL BOILERS II 515 81 002222 NORTH BOUNDARY BISON INTERVENTION 2027 66 002223 INDUSTRIAL BOILERS (AREA SOURCE) 482 74 002224 (C ISWI 504 36 002225 PERSISTENT BIOACCUMULATIVE TOXINS 493 9 002226 SEWAGE SLUDGE INCINERATORS 553 7 002228 WISCONSIN NSR REFORM RULE 958 9 002232 MONTANA REGIONAL HAZE 307 002237 DEFINITION OF NONHAZARDOUS SOL 484 56 002240 PETROLEUM REFINERY ICR 42 34 002255 PROGRESS ENERGY CRYSTAL RIVER 16040 29 002259 FLAMING GORGE WATER PIPELINE 232 65 002267 AVISTA DECOUPLING 1153 64 002268 PSE DECOUPLING 2732 24 002272 ELK CREEK TRACT 5 COAL MINE EX 44 78 00 2277 NATIONAL OZONE DESIGNATIONS 502 77 002281 COASTAL PELAGIC SPECIES AMENDMENT 350 002 286 KEMPER MINE 4393 75 002301 FERN HARDY HFRA TIMBER SALE 920 72 002304 GRAND CANYON URANIUM WITHDRAWAL 294 72 002305 TAHOE HOMEWOOD 2198 58 002308 MN REGIONAL HAZE SIP/FIP 77 29

SCHEDULE R
(Form 990)

Department of the Treasury
Internal Revenue Service

Related Organizations and Unrelated Partnerships

▶ Complete if the organization answered "Yes" to Form 990, Part IV, line 33, 34, 35, 36, or 37.
▶ Attach to Form 990. ▶ See separate instructions.

OMB No 1545-0047

2011

Open to Public Inspection

Name of the organization
EARTHJUSTICE

Employer identification number
94-1730465

Part I Identification of Disregarded Entities (Complete if the organization answered "Yes" on Form 990, Part IV, line 33.)

(a) Name, address, and EIN of disregarded entity	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Total income	(e) End-of-year assets	(f) Direct controlling entity

Part II Identification of Related Tax-Exempt Organizations (Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related tax-exempt organizations during the tax year.)

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Exempt Code section	(e) Public charity status (if section 501(c)(3))	(f) Direct controlling entity	(g) Section 512(b)(13) controlled organization	
						Yes	No
(1) WASHINGTON FOREST LAW CENTER 615 SECOND STREET SUITE 360 SEATTLE, WA 98104 91-1803140	PUBLIC INTEREST LAW FIRM	CA	501(C)(3)	11-I	EARTHJUSTICE	Yes	

Part III

Identification of Related Organizations Taxable as a Partnership (Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related organizations treated as a partnership during the tax year.)

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Predominant income (related, unrelated, excluded from tax under sections 512- 514)	(f) Share of total income	(g) Share of end-of- year assets	(h) Disproportionate allocations?		(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	(j) General or managing partner?		(k) Percentage ownership
							Yes	No		Yes	No	

Part IV

Identification of Related Organizations Taxable as a Corporation or Trust (Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related organizations treated as a corporation or trust during the tax year.)

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Type of entity (C corp, S corp, or trust)	(f) Share of total income	(g) Share of end-of-year assets	(h) Percentage ownership

Part V

Transactions With Related Organizations (Complete if the organization answered "Yes" on Form 990, Part IV, line 34, 35, 35A, or 36.)

Note. Complete line 1 if any entity is listed in Parts II, III or IV

1

During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II-IV?

a

Receipt of (i) interest (ii) annuities (iii) royalties (iv) rent from a controlled entity

b

Gift, grant, or capital contribution to related organization(s)

c

Gift, grant, or capital contribution from related organization(s)

d

Loans or loan guarantees to or for related organization(s)

e

Loans or loan guarantees by related organization(s)

f

Sale of assets to related organization(s)

g

Purchase of assets from related organization(s)

h

Exchange of assets with related organization(s)

i

Lease of facilities, equipment, or other assets to related organization(s)

j

Lease of facilities, equipment, or other assets from related organization(s)

k

Performance of services or membership or fundraising solicitations for related organization(s)

l

Performance of services or membership or fundraising solicitations by related organization(s)

m

Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)

n

Sharing of paid employees with related organization(s)

o

Reimbursement paid to related organization(s) for expenses

p

Reimbursement paid by related organization(s) for expenses

q

Other transfer of cash or property to related organization(s)

r

Other transfer of cash or property from related organization(s)

Yes

No

1a

1b

1c

1d

1e

1f

1g

1h

1i

1j

1k

1l

1m

1n

1o

1p

1q

1r

No

No

No

No

No

No

No

No

No

No

No

No

No

No

No

No

No

No

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds

(a) Name of other organization	(b) Transaction type(a-r)	(c) Amount involved	(d) Method of determining amount involved
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			

Schedule R (Form 990) 2011

Part VII

Supplemental Information

Complete this part to provide additional information for responses to questions on Schedule R (see instructions)

Identifier	Return Reference	Explanation	
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Additional Data

Software ID:

Software Version:

EIN: 94-1730465

Name: EARTHJUSTICE

Form 990, Special Condition Description:

Special Condition Description

Form 990, Part VII - Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

(A) Name and Title	(B) Average hours per week	(C) Position (check all that apply)						(D) Reportable compensation from the organization (W- 2/1099-MISC)	(E) Reportable compensation from related organizations (W- 2/1099- MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional Trustee	Officer	Key employee	Highest compensated employee	Former			
REGINALD BRACK TRUSTEE	1 00	X						0	0	0
SUSAN BRITTON TRUSTEE, SECRETARY	1 00	X		X				0	0	0
PETER CARSON TRUSTEE, CHAIR	1 00	X		X				0	0	0
DAVID COX TRUSTEE	1 00	X						0	0	0
STEVE DAETZ TRUSTEE	1 00	X						0	0	0
RUSSELL DAGGATT TRUSTEE	1 00	X						0	0	0
TONY DEFALCO TRUSTEE	1 00	X						0	0	0
SUSAN FISHER TRUSTEE	1 00	X						0	0	0
CARMEN G GONZALEZ TRUSTEE	1 00	X						0	0	0
LOUISE GUND TRUSTEE	1 00	X						0	0	0
BARBARA HAAS TRUSTEE	1 00	X						0	0	0
M CHRIS KILLINGSWORTH TRUSTEE	1 00	X						0	0	0
DAVID KLIPSTEIN TRUSTEE	1 00	X						0	0	0
ED LEWIS TRUSTEE	1 00	X						0	0	0
LISA LITVIN TRUSTEE	1 00	X						0	0	0
GEORGE MARTIN TRUSTEE	1 00	X						0	0	0
WILLIAM NEWSOM TRUSTEE	1 00	X						0	0	0
DAN OLINCY TRUSTEE	1 00	X						0	0	0
LISA RENSTROM TRUSTEE	1 00	X						0	0	0
BRADLEY PARKER TRUSTEE	1 00	X						0	0	0
MARCIA RIKLIS TRUSTEE	1 00	X						0	0	0
BETTY SCHAFER TRUSTEE	1 00	X						0	0	0
FERN SHEPARD TRUSTEE	1 00	X						0	0	0
PATRICE SIMMS TRUSTEE	1 00	X						0	0	0
THEODORE M SMITH TRUSTEE	1 00	X						0	0	0

Form 990, Part VII - Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

(A) Name and Title	(B) Average hours per week	(C) Position (check all that apply)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional Trustee	Officer	Key employee	Highest compensated employee	Former			
MICHAEL SONNENFELDT TRUSTEE	1 00	X						0	0	0
DIANNE STERN TRUSTEE	1 00	X						0	0	0
ELIZABETH SUTHERLAND RINEY TRUSTEE	1 00	X						0	0	0
KEVIN TONER TRUSTEE	1 00	X						0	0	0
STEPHEN M UNFRIED TRUSTEE, TREASURER	1 00	X		X				0	0	0
G MARC WHITEHEAD TRUSTEE	1 00	X						0	0	0
DONNELL VAN NOPPEN PRESIDENT	40 00			X				334,606	0	44,045
BRUCE NEIGHBOR VICE PRESIDENT, FINANCE	40 00			X				152,531	0	48,774
PATTI GOLDMAN VICE PRESIDENT	40 00				X			203,342	0	56,430
MELINDA CARMACK VICE PRESIDENT	40 00				X			203,230	0	46,523
MARTIN HAYDEN VICE PRESIDENT	40 00				X			174,779	0	51,849
GEORGIA MCINTOSH VICE PRESIDENT	40 00				X			163,197	0	50,682
WILLIAM CURTISS GENERAL COUNSEL	40 00				X			160,800	0	61,165
BARBARA DRAGO VICE PRESIDENT	40 00				X			155,523	0	20,539
PAUL ACHITOFF MANAGING ATTORNEY	40 00					X		146,161	0	29,774
DOUG HONNOLD MANAGING ATTORNEY	40 00					X		145,048	0	26,556
DAVID GUEST MANAGING ATTORNEY	40 00					X		144,613	0	27,684
DAVID BARON MANAGING ATTORNEY	40 00					X		141,967	0	39,626
TODD TRUE MANAGING ATTORNEY	40 00					X		141,754	0	39,536