

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI**

BOOK FARMS, on behalf of themselves and
all others similarly situated,

Plaintiff,

v.

Case No. 4:26-cv-00340-DGK

NUTRIEN LTD.; NUTRIEN AG
SOLUTIONS; THE MOSAIC CO.;
MOSAIC FERTILIZER, LLC; CF
INDUSTRIES HOLDINGS, INC.; KOCH
INDUSTRIES, LLC; KOCH AG &
ENERGY SOLUTIONS, LLC; KOCH
FERTILIZER WEVER, LLC; KOCH
AGRONOMIC SERVICES, LLC; KOCH
FERTILIZER, LLC; YARA
INTERNATIONAL ASA; YARA NORTH
AMERICA, INC.; CANPOTEX LIMITED;
INTERNATIONAL FERTILIZER
ASSOCIATION LIMITED; AND THE
FERTILIZER INSTITUTE,

Defendants.

**JOINT MOTION FOR
EXTENSION OF TIME TO RESPOND TO COMPLAINT**

COME NOW Plaintiff Book Farms (“Plaintiff”) and Defendants Nutrien Ltd.; Nutrien AG Solutions; The Mosaic Co.; Mosaic Fertilizer, LLC; CF Industries Holdings, Inc; Yara International ASA; Yara North America, Inc.; The Fertilizer Institute; Koch Industries, LLC; Koch Ag & Energy Solutions, LLC; Koch Fertilizer Wever, LLC; Koch Agronomic Services, LLC; Koch Fertilizer, LLC; Canpotex Limited; and International Fertilizer Association (collectively, the “Moving Defendants”) and hereby jointly move for an extension of the Moving Defendants’ deadlines to answer, plead, or otherwise respond to the Complaint filed in this action. The grounds for this motion and the length of the requested extension are as follows:

1. On April 22, 2026, Plaintiff filed a Class Action Complaint against Defendants Nutrien Ltd.; Nutrien AG Solutions; The Mosaic Co.; Mosaic Fertilizer, LLC; CF Industries Holdings, Inc.; Koch Industries, LLC; Koch AG & Energy Solutions, LLC; Koch Fertilizer Wever, LLC; Koch Agronomic Services, LLC; Koch Fertilizer, LLC; Yara International ASA; Yara North America, Inc.; Canpotex Limited; International Fertilizer Association; and The Fertilizer Institute (collectively, “Defendants”). The Complaint alleges that Defendants entered into an unlawful agreement to fix the prices of nitrogen, phosphate, and potassium (potash) fertilizers (“NPK Fertilizers”).

2. Each of the Moving Defendants has been served a copy of the Summons and their current deadlines to respond to the Complaint are: June 11, 2026 for Canpotex Limited; June 12, 2026 for International Fertilizer Association; June 26, 2026 for Mosaic Fertilizer, LLC and The Mosaic Company; June 30, 2026 for Nutrien Ltd. and Nutrien AG Solutions; June 30, 2026 for Yara International ASA and Yara North America, Inc.; June 30, 2026 for CF Industries Holdings, Inc.; June 30, 2026 for Koch Industries, LLC, Koch Ag & Energy Solutions, LLC, Koch Fertilizer Wever, LLC, Koch Agronomic Services, LLC, and Koch Fertilizer, LLC; and July 13, 2026 for The Fertilizer Institute.

3. Other putative class actions asserting overlapping allegations against one or more Defendants are pending in this and other federal courts, including: the Northern District of Illinois, No. 1:26-cv-02585, No. 1:26-cv-03051, No. 1:26-cv-03745, No. 1:26-cv-03872, No. 1:26-cv-04070, No. 1:26-cv-04214, No. 1:26-cv-04304, No. 1:26-cv-04582, No. 1:26-cv-04951, No. 1:26-cv-05099, and No. 1:26-cv-05759; the District of Colorado, No. 1:26-cv-01043 and No. 1:26-cv-01494; the District of Kansas, No. 2:26-cv-02146, No. 2:26-cv-02164, No. 2:26-cv-02175, No. 2:26-cv-02179, No. 2:26-cv-02188, No. 2:26-cv-02193, and No. 2:26-cv-02300; the Northern

District of California, No. 5:26-cv-02970; the Eastern District of California, No. 1:26-at-01943 and No. 1:26-cv-03233; the Western District of Wisconsin, No. 3:26-cv-00392; the District of Connecticut, No. 3:26-cv-00554; the District of New Hampshire, No. 1:26-cv-00282; the District of Minnesota, No. 0:26-cv-02334; the Western District of Missouri, No. 4:26-cv-00221, No. 2:26-cv-04063, No. 5:26-cv-06065, No. 4:26-cv-00380, and No. 26-cv-00418; and the Northern District of Iowa, No. 5:26-cv-04040-KEM (each individually—and inclusive with any future action that may also assert overlapping allegations and be considered for consolidation before the Judicial Panel on Multidistrict Litigation (“JPML”), *see infra*—a “Related Action,” and collectively, the “Related Actions”).

4. On March 19, 2026, Plaintiff IIHAB Partnership filed a motion before the JPML, pursuant to 28 U.S.C. § 1407, seeking to transfer and centralize this action and the Related Actions in the United States District Court for the Western District of Missouri for coordinated pretrial proceedings under the caption *In re NPK Fertilizer Antitrust Litigation* (the “JPML Motion”).

5. A hearing before the JPML on the JPML Motion and responses thereto is scheduled for May 28, 2026.

6. The undersigned parties have conferred and agree that judicial economy and the interests of the undersigned parties would be served—and unnecessary and redundant filings and proceedings avoided—by deferring responsive motions and pleadings until after proceedings in front of the JPML are resolved and, assuming the JPML transfers and centralizes this action and the Related Actions for pretrial proceedings, a consolidated amended complaint has been filed (the “MDL Action”).

7. Accordingly, the undersigned parties agree, and Moving Defendants respectfully request an

Order from this Court holding that:

- a. The Moving Defendants, without waiving any defenses otherwise available to them in this or any other action, including (but not limited to) any defenses under Fed. R. Civ. P. 12(b)(1) through 12(b)(7) and any defenses preserved pursuant to Fed. R. Civ. P. 4(d), shall have up to sixty (60) days after the filing of a consolidated amended complaint in the MDL Action to answer, plead, or otherwise respond to Plaintiffs' consolidated amended complaint, unless the court presiding over the MDL Action sets a different schedule. With respect to any Moving Defendant that is a foreign entity, this joint motion further shall not constitute consent to personal jurisdiction or a waiver of any jurisdictional defense, including any objection to service of process under any applicable treaty or law governing international service of process.
- b. Should any Court in any Related Action set an earlier date for responding to a complaint prior to action by the JPML, or should the Moving Defendants agree to an earlier date for responding to a complaint in any Related Action, the Moving Defendants shall respond to the Complaint in this action according to that schedule as well, unless the parties agree otherwise.
- c. If the JPML denies the JPML Motion, the Moving Defendants shall have sixty (60) days from entry of the JPML's order denying the motion to answer or otherwise respond to the Complaint here.

8. No prior extensions of the deadline to respond to the Complaint have been requested or granted.

WHEREFORE, for the reasons set forth above, the parties respectfully pray that the Court grant their Joint Motion for Extension of Time to Respond to Plaintiff's Complaint, adopt the responsive pleading deadlines set forth above, and award such other and further relief as the Court deems just and proper.

Dated: May 27, 2026

/s/ Bryan T. White

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of May 2026, a true and correct copy of the foregoing was electronically filed and served on all counsel of record via the Court's CM/ECF system.

/s/ Oliver H. Thomas