

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

Association of Equipment Manufacturers, AGCO Corporation, CNH Industrial America LLC, Deere & Company, and Kubota Tractor Corporation, Plaintiffs, v. The Hon. Doug Burgum, Governor of the State of North Dakota, in his Official Capacity, and The Hon. Wayne Stenehjem, Attorney General of the State of North Dakota, in his Official Capacity, Defendants.

Case No. 1:17-cv-151

CONSENT ORDER EXTENDING TIME FOR DEFENDANTS' RESPONSES TO BOTH COMPLAINT AND PRELIMINARY INJUNCTION MOTION

This matter came before this Court pursuant to the unopposed motion for an extension of time for Defendants, The Honorable Doug Burgum, in his official capacity as Governor of the State of North Dakota ("Governor Burgum"), and the Honorable Wayne Stenehjem, in his official capacity as Attorney General of the State of North Dakota (the "Attorney General") (collectively, the "State"), to respond to the Complaint (Dkt. # 1) and Motion for Preliminary Injunction (Dkt. # 9) filed by Plaintiffs, the Association of Equipment Manufacturers ("AEM"), AGCO Corporation ("AGCO"), CNH Industrial America LLC ("CNH"), Deere & Company ("John Deere"), and Kubota Tractor Corporation ("Kubota") (collectively, the "Manufacturers").

By agreement of the parties, and for good cause shown, it is hereby ORDERED as follows:

1. The time for the State to respond to both the Complaint and the Manufacturers' Motion for a Preliminary Injunction is hereby extended until September 30, 2017 (the "Extension Period").
2. During the Extension Period, and without prejudice to any arguments that the State might later assert in response to the Complaint or in opposition to the Manufacturers' Motion for a Preliminary Injunction, the Attorney General shall not seek to enforce or institute an action for any alleged violation of any of the provisions of Senate Bill 2289 until the Court has ruled on the merits of the Motion for Preliminary Injunction.

SO ORDERED

This 16th day of August, 2017

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court

We respectfully ask for this:

/s/ J. P. Bialke
J.P. Bialke
Matthew A. Sagsveen
Office of the Attorney General for the State of North Dakota
500 North 9th Street
Bismarck, North Dakota 58501-4509

Counsel for Defendants, The Honorable Doug Burgum and the Honorable Wayne Stenehjem

Seen and agreed to:

/s/ Timothy Q. Purdon
Timothy Q. Purdon (ND Bar # 05392)
ROBINS KAPLAN LLP
1207 West Divide Avenue, Suite 200
Bismarck, North Dakota 58503
(701) 255-3000

Katherine S. Barrett Wiik
ROBINS KAPLAN LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, Minneapolis 55402
(612) 349-8500

Michael J. Lockerby (admitted *pro hac vice*)
Benjamin R. Dryden (admitted *pro hac vice*)
Lauren A. Champaign (admitted *pro hac vice*)
Jarren N. Ginsburg (admitted *pro hac vice*)
FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, NW, Sixth Floor
Washington, D.C. 20007
(202) 672-5300

Roberta F. Howell (admitted *pro hac vice*)
Connor A. Sabatino (admitted *pro hac vice*)
FOLEY & LARDNER LLP
Verex Plaza, 150 East Gilman Street
Madison, Wisconsin 53703-1481
(608) 258-4273

Counsel for Plaintiffs, Association of Equipment Manufacturers, AGCO Corporation, CNH Industrial America LLC, Deere & Company, and Kubota Tractor Corporatio