

DISTRICT COURT, DENVER COUNTY, COLORADO		DATE FILED: July 23, 2018 4:57 PM FILING ID: 94A1B31DA7830 CASE NUMBER: 2018CV32713
Court Address: Denver City and County Building 1437 Bannock Street Denver, CO 80202		
Plaintiff:	FARMLAND PARTNERS INC.	▲ COURT USE ONLY ▲
v.	Defendants: ROTA FORTUNAE (WHOSE TRUE NAME IS UNKNOWN), JOHN/JANE DOES 2-10 (WHOSE TRUE NAMES ARE UNKNOWN)	
Attorneys for Plaintiff: Scott F. Llewellyn Email: sllewellyn@mofo.com Atty. Reg. #: 34821 Kyle S. Pietari Email: kpietari@mofo.com Atty. Reg. #: 50157 Morrison & Foerster LLP 4200 Republic Plaza 370 Seventeenth Street Denver, Colorado 80202-5638 Telephone: 303.592.1500 Facsimile: 303.592.1510		Case No.:
COMPLAINT		

Farmland Partners Inc. (“Farmland Partners”) brings this action against “Rota Fortunae” (a pseudonym) and co-conspirators John/Jane Does 2–10 (with all Defendants referred to collectively herein as “Wheel of Fortune”) for its intentional and malicious scheme to manipulate the securities markets to secure a quick and illegal financial windfall by disseminating false and misleading statements about Farmland Partners. These false and misleading statements, which have caused reputational and monetary harm to Farmland Partners, were made as part of a “short and distort” campaign to disparage Farmland Partners and profit from trades with legitimate investors as they digested the falsehoods disseminated by Wheel of Fortune. This insidious scheme took further aim at hardworking farmers, who toil under countless pressures to maintain a noble industry that feeds our families and furthers our national goals. While the SEC, Congress, and state legislatures grapple with how to stop this scourge on our public markets and

protect small businesses, the engine of economic growth, this lawsuit is designed to bring into the light those who attempt to wreak havoc from the shadows, and hold accountable those who seek to undermine our free markets and venerable institutions.

PARTIES

1. Plaintiff Farmland Partners Inc. is a corporation organized and existing under the laws of the State of Maryland, with its headquarters and principal place of business located in Denver, Colorado.

2. Defendant Rota Fortunae, whose true name is unknown, is the anonymous author of an internet posting published on the website Seeking Alpha and comments on Twitter as @RFortunae regarding Farmland Partners. *See* C.R.C.P. 9(a)(2).

3. Defendants John/Jane Does 2–10, whose true names are unknown, are individuals or entities who worked with or for Rota Fortunae in connection with the false and misleading statements about Farmland Partners that Rota Fortunae made publicly in an internet posting and on Twitter, including members, partners, affiliates, employees, consultants, clients, agents, and/or counsel of or for Rota Fortunae. *See* C.R.C.P. 9(a)(2).

JURISDICTION AND VENUE

4. Wheel of Fortune is subject to personal jurisdiction in Colorado under C.R.S. § 13-1-124, because the false and misleading statements about Farmland Partners made in an internet posting and on Twitter were directed at and published in the State of Colorado, which was the focal point of both the posting and the harm suffered. The false and misleading statements concerned Farmland Partners' activities in Colorado, and caused reputational and other harm to Farmland Partners through wide circulation in Colorado. The brunt of the injury suffered by Farmland Partners occurred in Colorado, where it is headquartered and a productive citizen. Wheel of Fortune thus took intentional action expressly aimed at Colorado, out of which the claims asserted in this complaint arise, thereby committing an intentional and tortious act within this state.

5. Venue is proper under C.R.C.P. 98(c)(5), because this Court sits in the county where the relevant statements were published and harm incurred, and under C.R.C.P. 98(c)(1), because, on information and belief, Wheel of Fortune is a non-resident of Colorado.

FACTUAL BACKGROUND

6. Farmland Partners is a publicly traded real estate investment trust (REIT) that manages and seeks to acquire both high-quality farmland and land with agricultural development potential located throughout North America. Farmland Partners takes pride in its heritage in farming, and sees the partnership with its farmer tenants as key to its long term success. Farmland Partners works with its tenant base to lower their input costs and improve its farms, as a result increasing both their profitability and its own.

7. Farmland Partners is publicly traded on the New York Stock Exchange under the symbol FPI.

8. On July 9, 2018, Farmland Partners received a letter by email from Texas attorney Matthew Mitzner of the law firm Mitzner PLLC. (Exhibit A (attached hereto).)

9. Mr. Mitzner's letter stated that he represented a "group of investors" who "have prepared and anticipate publishing an article about the Farmland Partners Inc. ('FPI') Loan Program." (Exhibit A at 1.)

10. Mr. Mitzner's letter stated that, "[p]rior to publishing the prepared article, by this email, we are providing your company the opportunity to respond to the main issues the article addresses, represented by our below-listed questions." (Exhibit A at 1.)

11. Mr. Mitzner's letter listed thirty-one bullet points setting forth even more numerous questions spanning more than two pages. (Exhibit A at 2-4.)

12. The questions in Mr. Mitzner's letter covered a broad range of topics and sought precise details about dollar values, individuals, and timeframes. (Exhibit A at 2-4.)

13. Undermining any notion that Wheel of Fortune was genuinely interested in answers to those questions, Mr. Mitzner's letter provided Farmland Partners with only 24 hours to respond prior to publication of the "prepared article." (Exhibit A at 1.)

14. Without any stated justification or proper purpose for the unreasonable time period provided for a response, or any acknowledgment of regulations governing the selective disclosure of material non-public information, Mr. Mitzner's letter stated that "in light of the deadline and a variety of prior obligations that have me out of the office during this period, we will neither receive nor be responding to any phone calls concerning this matter." (Exhibit A at 1.)

15. Mr. Mitzner's letter did not attach a copy of the "prepared article" or identify the short and distort scheme that was to follow.

16. Farmland Partners did not provide responses to the questions in Mr. Mitzner's letter within the 24-hour deadline, in part given the limited time available to even ascertain whether doing so could have implicated regulations governing the selective disclosure of material non-public information, and also because of Mr. Mitzner's unavailability to discuss the questions during the limited time window he provided for a response.

17. Mr. Mitzner's letter did not provide an explanation for why the questions posed were not raised through appropriate, available investor-relations channels.

18. On July 11, 2018, Wheel of Fortune published an anonymous internet posting about Farmland Partners on the website Seeking Alpha, which identified the posting as an "Editors' Pick."

19. On its website's "About" page, Seeking Alpha states that it has 13 million visitors, which on information and belief include numerous visitors from Colorado. (*See* <https://seekingalpha.com>.)

20. Wheel of Fortune represented that it had significant knowledge about Farmland Partners' business, yet the Wheel of Fortune posting contained numerous false and misleading statements about Farmland Partners purportedly based on information that was already in the public domain, not on new information.

21. The Wheel of Fortune posting falsely and misleadingly asserted that Farmland Partners "faces a significant risk of insolvency." Not surprisingly, the posting did not refer to the actual definitions of insolvency or how those well-accepted concepts could apply to Farmland Partners' financial condition (they do not apply).

22. The Wheel of Fortune posting falsely and misleadingly asserted that Farmland Partners "ignores very real expenses when it promotes adjusted funds from operations (AFFO). Excluded expenses include the dividend on FPI's preferred 'B' shares."

23. The Wheel of Fortune posting falsely and misleadingly asserted that Farmland Partners "is artificially increasing revenues by making loans to related-party tenants."

24. The Wheel of Fortune posting falsely and misleadingly asserted that Farmland Partners failed to properly disclose the financial impact of its Loan Program.

25. The Wheel of Fortune posting falsely and misleadingly asserted that directors and an officer of Farmland Partners have left the company, and a Farmland Partners auditor was dismissed due to disputes with the company, based on issues raised in the posting. The posting stated that "it appears that we are not the only concerned party. Since making its first loan to [a non-party] . . . four board members and FPI's president have resigned. And in March, FPI dismissed PWC."

26. The Wheel of Fortune posting falsely and misleadingly asserted that Paul Pittman, Farmland Partners' Chairman and CEO, pledged some of his shares.

27. The Wheel of Fortune posting also took aim at Paul Pittman, Farmland Partners' Chairman and CEO, personally, by repeatedly attacking his public statements regarding Farmland Partners' valuations and financial health and his business dealings with Farmland Partners. Among other things, in the context of the posting's false and misleading assertions, Wheel of Fortune displayed malice by attacking Mr. Pittman's defense of Farmland Partners with respect to short sellers, evincing an intent to punish Mr. Pittman for stating that "the roughly 10% short in our stock are going to get killed, and I'll be cheering the day it happens."

28. The Wheel of Fortune posting displayed further malice by stating that Rota Fortuna "think[s] the shares [of Farmland Partners' stock] are uninvestible."

29. On information and belief, Wheel of Fortune's statement that the company's stock is "uninvestible," like the posting's unsupportable statement that Farmland Partners "faces a significant risk of insolvency" (and many other statements described herein), was included in the posting specifically to drive the price of Farmland Partners' stock down so that Wheel of Fortune could profit quickly before the falsity of its statements could be revealed.

30. The Wheel of Fortune posting stated that readers “should assume” that Rota Fortunae’s “members, partners, affiliates, employees, and/or consultants” and “clients” had short positions in Farmland Partners’ stock as of the date of the posting’s publication.

31. On information and belief, at the time Wheel of Fortune published its internet posting, there were investors with substantial short positions and/or put options in Farmland Partners’ stock that were soon going to expire.

32. Short selling can be a legitimate investment strategy, if done appropriately and in compliance with applicable laws, and can in some circumstances improve market efficiency and liquidity.

33. But there is a cottage industry of illegitimate short sellers who, through coordinated campaigns, anonymously publish intentionally false and misleading information about publicly traded companies, frame it as a well-researched and legitimate report, and spread that information online to cause panic selling for the purpose of lowering stock prices so that illegitimate short sellers can make a profit by closing their short position while the price is low. This type of “short and distort” scheme violates numerous securities laws and permits traders engaging in deceptive practices to profit at the expense of legitimate investors and to undermine confidence in our public markets. The scourge of “short and distort” online posting market manipulation schemes not only hurts investors, but also typically involves leveling unfair, egregious allegations about a company that can smear its reputation and those of individuals associated with the company, causing various types of monetary harm and lost business opportunities.

34. Wheel of Fortune achieved its nefarious goal because soon after Wheel of Fortune published its internet posting, Farmland Partners’ stock price dropped by approximately 39%.

35. On information and belief, Wheel of Fortune profited from any related short positions it held when Farmland Partners’ stock price dropped.

36. Later on July 11, 2018, Farmland Partners issued a press release denying several of the more spurious allegations in the Wheel of Fortune internet posting. (Exhibit B.)

37. Also on July 11, 2018, based on statements made in the Wheel of Fortune internet posting and repeated by Wheel of Fortune and other individuals who further disseminated the same falsehoods, a class action lawsuit was filed against Farmland Partners in the United States District Court for the District of Colorado, alleging violation of federal securities laws. That suit, which essentially regurgitates Wheel of Fortune’s posting, is without merit and will be vigorously defended.

38. On July 11 and 12, 2018, Rota Fortunae posted more false and misleading statements on Twitter regarding Farmland Partners, using the Twitter handle @RFortunae, repeatedly characterizing the false information in the Wheel of Fortune internet posting as “facts.”

39. On July 16, 2018, the Twitter handle @RFortunae posted further false and misleading statements on Twitter about Farmland Partners, again characterizing the false information in the Wheel of Fortune internet posting as “facts.”

40. @RFortunae’s false and misleading statements on Twitter also took aim at Paul Pittman, Farmland Partners’ Chairman and CEO, personally, by, among other things, attacking his public statements regarding Farmland Partners’ Loan Program and responding to Farmland Partners’ July 11, 2018, press release by threatening additional postings that would focus specifically on Mr. Pittman.

41. On information and belief, Wheel of Fortune intended for its internet posting and related Twitter statements to be read by members of the public, including current and prospective shareholders and business partners of Farmland Partners, and members of the public did so.

42. On July 17, 2018, Farmland Partners issued a second statement (“July 17 Statement”) further rebutting the false and misleading statements in the Wheel of Fortune internet posting. (Exhibit C.)

43. Farmland Partners’ July 17 Statement responded to specific false and misleading statements in the Wheel of Fortune internet posting, including the following:

- a) Farmland Partners faces no material risk of insolvency;
- b) Farmland Partners did not exclude dividends on the Company’s Series B Participating Preferred Stock from Adjusted Funds From Operations (“AFFO”), as the inclusion of such dividends in the AFFO calculation is clearly explained in Farmland Partners’ disclosures;
- c) Farmland Partners did not make undisclosed loans to related parties;
- d) Farmland Partners did not fail to properly disclose the financial impact of the Loan Program;
- e) No director or officer has left Farmland Partners due to a dispute with the company;
- f) No auditor has been dismissed due to a dispute with the company; and
- g) Farmland Partners’ Chairman and CEO has never pledged any of his shares. (Exhibit C.)

44. Farmland Partners notified Seeking Alpha regarding the false and misleading statements in the Wheel of Fortune internet posting through Seeking Alpha’s “dispute an article” process, but Seeking Alpha refused to withdraw Wheel of Fortune’s internet posting, based in part on Wheel of Fortune’s “correction” published on July 19, 2018.

45. Wheel of Fortune’s July 19 “correction” was published that day without changing the original July 11, 2018, date and continued to identify the posting as a “Jul[y] 11” “Editors’ Pick.”

46. Wheel of Fortune’s July 19 “correction” conceded that Wheel of Fortune made material misstatements on July 11 and attempted to change portions of its original posting, but it did not correct all the false and misleading statements Farmland Partners specifically identified in its press release, and the “correction” was published long after the decline in Farmland Partners’ stock price resulting from Wheel of Fortune’s original posting on July 11, 2018.

47. The Wheel of Fortune posting falsely stated that Farmland Partners had not contacted Seeking Alpha or Rota Fortunae. The former statement is false. Farmland Partners disputed the posting on Seeking Alpha. The latter is misleading. Rota Fortunae is represented by counsel, Mr. Mitzner. Farmland Partners, through counsel, contacted Mr. Mitzner. Mr. Mitzner retained counsel who replied to Farmland Partners’ counsel.

CLAIMS FOR RELIEF

48. Based on the preceding paragraphs, Farmland Partners brings the following claims for relief, reserving the right to add claims against Rota Fortunae, John/Jane Does 2–10, and/or other individuals or entities working with or for Rota Fortunae, including members, partners, affiliates, employees, consultants, clients, agents, and/or counsel of or for Rota Fortunae, as new information is discovered related to the events giving rise to the claims below:

FIRST CLAIM FOR RELIEF

(Defamation/Defamation by Libel Per Se)

49. Farmland Partners incorporates by reference the preceding paragraphs of this Complaint.

50. Wheel of Fortune maliciously published false and defamatory written statements about Farmland Partners that held Farmland Partners up to contempt or ridicule.

51. On information and belief, Wheel of Fortune knew that its written statements about Farmland Partners were false, or made those statements with reckless disregard as to their veracity, by, for example, personal attacks on Paul Pittman, Farmland Partners’ Chairman and CEO, among other things.

52. On information and belief, Wheel of Fortune knew that its written statements about Farmland Partners would hold Farmland Partners up to contempt or ridicule.

53. Wheel of Fortune’s false and defamatory written statements published about Farmland Partners were read by members of the public, including holders of Farmland Partners’ stock, and current and prospective business partners of Farmland Partners.

54. Wheel of Fortune’s false and defamatory written statements published about Farmland Partners implied the existence of undisclosed defamatory factual predicates.

55. Wheel of Fortune's false and defamatory written statements on Twitter implied that both the internet posting and statements made on Twitter about Farmland Partners were based on undisclosed defamatory factual predicates.

56. On information and belief, Wheel of Fortune's false and defamatory written statements about Farmland Partners were understood to be assertions of fact or based on undisclosed factual predicates by members of the public, including holders of Farmland Partners' stock, and current and prospective business partners of Farmland Partners.

57. Farmland Partners suffered harm to its reputation, loss of business, and other monetary harm as a result of Wheel of Fortune's publication of false and defamatory written statements.

58. Wheel of Fortune's false and defamatory written statements are defamation per se, because they wrongly impute professional misconduct by Farmland Partners that is incompatible with Farmland Partners' business.

SECOND CLAIM FOR RELIEF
(Disparagement)

59. Farmland Partners incorporates by reference the preceding paragraphs of this Complaint.

60. Wheel of Fortune published false and disparaging statements about Farmland Partners.

61. Wheel of Fortune published false and disparaging statements about Farmland Partners in a manner that ensured third parties would read them.

62. Wheel of Fortune's false and disparaging statements published about Farmland Partners were read by members of the public, including holders of Farmland Partners' stock and current and prospective business partners of Farmland Partners.

63. On information and belief, Wheel of Fortune understood and intended that its false and disparaging statements about Farmland Partners would have the effect of preventing others from doing business with Farmland Partners and interfering with and disrupting Farmland Partners' business relationships.

64. Wheel of Fortune's false and disparaging statements about Farmland Partners were and are derogatory to Farmland Partners' business.

65. Wheel of Fortune published false and disparaging statements about Farmland Partners intending to obtain financial gain by causing harm to Farmland Partners' pecuniary interest.

66. On information and belief, Wheel of Fortune published false and disparaging statements about Farmland Partners with malice, with knowledge of the statements' falsity or reckless disregard for their truth, intending to cause financial harm to Farmland Partners, by, for

example, personal attacks on Paul Pittman, Farmland Partners' Chairman and CEO, among other things.

67. Farmland Partners suffered substantial damages, including a drop in its stock price, lost business opportunities, and defense costs, as a direct and proximate result of Wheel of Fortune publishing false and disparaging statements about Farmland Partners.

THIRD CLAIM FOR RELIEF

(Intentional Interference with Prospective Business Relations)

68. Farmland Partners incorporates by reference the preceding paragraphs of this Complaint.

69. Farmland Partners is a publicly traded company whose stock is purchased and owned by various shareholders, with whom Farmland Partners has business relations.

70. The purchase and holding of Farmland Partners' stock by shareholders confers a benefit upon Farmland Partners that was expected to continue prospectively.

71. Farmland Partners had prospective business relations with many third parties, including, but not limited to, current and potential investors, lenders, property owners, and farmers.

72. Having represented that it had significant knowledge about Farmland Partners' business, Wheel of Fortune knew or should have known about Farmland Partners' prospective business relations with many third parties, including, but not limited to, current and potential investors, lenders, property owners, and farmers.

73. Wheel of Fortune intentionally induced Farmland Partners shareholders to sell their shares by making false, misleading, defamatory, and/or disparaging statements about Farmland Partners, thus interfering with prospective business relations that Farmland Partners anticipated would confer benefits upon it in the future.

74. On information and belief, Wheel of Fortune intentionally induced potential Farmland Partners shareholders and other potential business partners to decide not to purchase Farmland Partners shares or engage in other business activities with Farmland Partners by making false, misleading, defamatory, and/or disparaging statements about Farmland Partners, thus interfering with prospective business relations that Farmland Partners anticipated would confer benefits upon it in the future.

75. On information and belief, Wheel of Fortune intentionally and improperly prevented the formation of contracts between Farmland Partners and current and/or potential shareholders and/or other business partners.

76. Farmland Partners suffered direct harm from Wheel of Fortune's intentional interference with Farmland Partners' prospective business relations, including a drop in its stock price and the loss of business opportunities.

FOURTH CLAIM FOR RELIEF
(Unjust Enrichment)

77. Farmland Partners incorporates by reference the preceding paragraphs of this Complaint.

78. On information and belief, Wheel of Fortune realized a benefit at Farmland Partners' expense.

79. On information and belief, Wheel of Fortune caused Farmland Partners' stock price to decline through the deceitful, misleading act of publishing false, misleading, defamatory, and/or disparaging information about Farmland Partners.

80. On information and belief, Wheel of Fortune had a short position in Farmland Partners, and thus realized gains when the price of Farmland Partners' stock declined following Wheel of Fortune's publication of its false, misleading, defamatory, and/or disparaging information about Farmland Partners.

81. Wheel of Fortune's gains were at Farmland Partners' expense, because they were realized as a result of Farmland Partners being harmed by false, misleading, defamatory, and/or disparaging information in multiple ways, including a decline in its stock price, harm to its reputation, and the loss of business opportunities.

82. It would be unjust under the circumstances for Wheel of Fortune to retain the gains it realized at Farmland Partners' expense without just compensation to Farmland Partners.

FIFTH CLAIM FOR RELIEF
(Deceptive Trade Practice in Violation of the Colorado Consumer Protection Act)

83. Farmland Partners incorporates by reference the preceding paragraphs of this Complaint.

84. Wheel of Fortune engaged in a deceptive trade practice by publishing false and misleading representations of fact that disparaged the services, property, and business of Farmland Partners.

85. On information and belief, Wheel of Fortune works in the field of securities trading as part of its business, vocation, or occupation.

86. Wheel of Fortune makes public statements about financial markets in the course of its business, vocation, or occupation.

87. Wheel of Fortune made false and misleading representations of fact about Farmland Partners in the course of its business, vocation, or occupation.

88. Wheel of Fortune's false and misleading representations of fact about Farmland Partners did and do significantly impact the public as actual or potential consumers of published information about financial markets.

89. Wheel of Fortune's false and misleading representations of fact about Farmland Partners did and do significantly impact the public by harming purchasers, prospective purchasers, and shareholders of Farmland Partners' stock.

90. Wheel of Fortune's false and misleading representations of fact about Farmland Partners did and do significantly impact the public by harming consumers of Farmland Partners' services who have past, present, or future business relationships with Farmland Partners, including its current or potential tenant farmers and business partners.

91. Farmland Partners, in the course of its business, suffered an injury in fact to its legally protected interests, including the right not to have its stock price wrongly manipulated by unethical short sellers through disparagement and defamation.

92. Farmland Partners' injury in the course of its business was a result of Wheel of Fortune's deceptive trade practice.

SIXTH CLAIM FOR RELIEF
(Civil Conspiracy)

93. Farmland Partners incorporates by reference the preceding paragraphs of this Complaint.

94. On information and belief, John/Jane Does 2–10 are individuals or entities who worked with or for Rota Fortunae in connection with the false and misleading statements about Farmland Partners that Rota Fortunae made publicly in an internet posting and on Twitter, including members, partners, affiliates, employees, consultants, clients, agents, and/or counsel of or for Rota Fortunae.

95. Mr. Mitzner's letter to Farmland Partners stated that there is "a group of investors" behind the "prepared article," rather than an individual.

96. The Wheel of Fortune internet posting repeatedly indicated that there were multiple individuals involved in creating the posting, by repeated use of the word "we" and references to Rota Fortunae's "members, partners, affiliates, employees, and/or consultants" and "clients."

97. On information and belief, Rota Fortunae and John/Jane Does 2–10 shared the object to be accomplished of improperly profiting from short positions by causing Farmland Partners' stock price to decline.

98. On information and belief, Rota Fortunae and John/Jane Does 2–10 had a meeting of the minds on the object to be accomplished, agreeing to cause Farmland Partners' stock price to decline so they would profit illegally from short positions through a "short and distort" scheme involving the publication of Wheel of Fortune's internet posting and related Twitter comments regarding Farmland Partners.

99. On information and belief, Rota Fortunae and/or John/Jane Does 2–10 undertook the unlawful overt act of publishing a false, misleading, defamatory, and/or

disparaging internet posting about Farmland Partners and related comments on Twitter, for purposes of causing a decline in Farmland Partners' stock price.

100. Farmland Partners was proximately harmed by the publication of the Wheel of Fortune internet posting and the @RFortunae statements on Twitter.

PRAYER FOR RELIEF

WHEREFORE, Farmland Partners requests that the Court grant the following relief:

1. Enter Judgment in favor of Farmland Partners, and against Defendants, on all Claims for Relief Farmland Partners asserts in this Complaint;
2. Award Farmland Partners damages incurred as a result of Wheel of Fortune's false, defamatory, and derogatory statements about Farmland Partners;
3. Award Farmland Partners attorney fees and costs, as available;
4. Award Farmland Partners injunctive relief to prevent further, irreparable harm from Rota Fortunae's false, defamatory, disparaging, and derogatory statements about Farmland Partners;
5. Award Farmland Partners prejudgment and post-judgment interest;
6. Award Farmland Partners all other relief to which it may be entitled.

Farmland Partners reserves the right to make amendments to this Complaint as it discovers new information, including but not limited to (a) amending the Complaint to reflect the true identity of Rota Fortunae and/or John/Jane Does 2–10, (b) adding new claims, (c) adding a claim for exemplary damages following appropriate disclosures and further proceedings, and/or (d) adding new defendants, including those working with or for Rota Fortunae, such as members, partners, affiliates, employees, consultants, clients, agents, and/or counsel of or for Rota Fortunae.

Plaintiff demands a trial by jury for all issues so triable.

Dated: July 23, 2018

Respectfully submitted,

S/ Scott F. Llewellyn

Scott F. Llewellyn (Reg. No. 34821)
Kyle S. Pietari (Reg. No. 50157)

Morrison & Foerster LLP

Attorneys for Plaintiff
Farmland Partners Inc.

Address of Plaintiff:

Farmland Partners Inc.
4600 South Syracuse Street
Suite 1450
Denver, Colorado 80237