







Our Food and Agribusiness attorneys offer soup-to-nuts legal solutions to businesses throughout this multi-level industry, including producers, vendors, cooperatives, lenders, investors and business professionals.

## **FINANCE**

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Our attorneys advise and structure debt and equity financing of all types, including senior debt, subordinated debt, corporate bond financing and equity offerings. Also counsel on state incentive programs and grant applications, along with local government development agreements.

## **MERGERS & ACQUISITIONS**

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We advise, structure and negotiate the purchase and sale of businesses, buyouts, reorganizations and financings, and assist with associated due diligence in areas such as antitrust, environmental compliance, labor contracts, commercial contracting, tax, real estate, employee benefits and intellectual property.

## **ANTITRUST**

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We counsel clients on compliance with federal and state antitrust laws and laws governing unfair competition, including laws relating to agreements among competitors, laws governing the relationship between manufacturers and their distributors, antitrust regulation of mergers and acquisitions, rules governing below-cost pricing and exclusionary practices by dominant firms and a variety of other competition-related regulations.

## **LABOR & EMPLOYMENT**

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Our labor and employment attorneys counsel agribusiness clients to ensure they comply with a vast array of local, state and federal laws and regulations. Counsel and advice ranges from the basics of developing and drafting handbooks and policies to complex disputes.

## INTELLECTUAL PROPERTY

### **Northstar Bioenergy**

We assisted the client in a variety of project-related matters, including trademark, food regulatory compliance, balance of plant agreements, grain contracts, property and sales tax issues and labor and employment.

### **Confidential Client**

We represented an orchard property seller in connection with plant patent and trademark claims relating to its apple variety on the property.

### **Confidential Client**

Manage the global trademark portfolio of one of the nation's most prominent dairy cooperatives.

### **Syngenta Seeds, Inc.**

We successfully defended this client in a commercial arbitration in California that raised complex and financially significant issues of trademark ownership and infringement, business valuation and fiduciary duties. All of the claimant's arguments were rejected by the arbitration panel, and Syngenta Seeds was awarded all its attorneys' fees and costs.

## ENVIRONMENTAL

### **Threemile Canyon Farms**

We serve as environmental legal counsel to a 90,000-acre eastern Oregon agricultural operation on permitting and compliance matters for what is one of the largest dairy and organic farms in the United States. The representation includes creating a habitat conservation agreement under the ESA, overseeing ESA consultations around water withdrawals and dredging activities, acquiring and trading water rights to achieve mitigation credit for salmon habitat impacts associated with irrigation activities, overseeing dairy (CAFO) permitting, and strategizing on issues related to the development of the farm's unprecedented sustainable, closed loop operations and digester construction and operation.

### **Confidential Client**

We represent an agribusiness firm on EPA Clean Air Act matters, including response to requests for information. We also advise the client on permit strategy requirements, implementation of permits and regulations, and regulatory development.

### **Confidential Client**

We provide national environmental counsel representation for a Fortune 500 food processing company. Our role includes compliance counseling, enforcement response, permitting, and contaminated site management for 80+ locations nationwide.

## LITIGATION

### **SunOpta Fruit Group, Inc.**

We successfully represented this client in breach of contract litigation and other claims brought by a grower of strawberry plants. We won an across-the-board victory for our client. The court awarded SunOpta all attorneys' fees and costs, and the plaintiff withdrew its pending appeal.

### **Northwest Dairy Association**

We successfully represented this client in litigation brought by former cooperative members alleging fraud, breach of fiduciary duty, unjust enrichment, mistake and breach of contract in connection with multimillion-dollar milk purchase contracts.

### **Monsanto Company**

Served as lead counsel in multiple class actions filed in numerous states arising out of the discovery of genetically modified wheat on a single Oregon farm. These cases have been consolidated as MDL No. 2473 in the United States District Court for the District of Kansas. The cases sound in negligence and contend that the release of genetically modified wheat into commercial wheat channels has damaged the worldwide market for U.S. wheat and harmed U.S. farmers. Similar cases against other agribusiness companies have resulted in nine figure settlements



