

## Agribusiness & Food

*Lawyers for a Living. Farmers for Life.*

### **Our Story**

The legal landscape for agribusiness is ever-shifting. What may be lauded as innovation one year may be attacked in litigation the next. This is complicated by an ever-changing domestic and international political environment embellished with new rules, regulations and public safety concerns around every bend in the road. As a result, there is always a new issue — and with it, a potential opportunity and risk.

In the face of it all, agribusiness in the United States keeps moving forward. It has to. The world's food supply is at stake.

Lathrop GPM is grounded in agribusiness. Our agribusiness industry group is made up of attorneys that grew up and are still actively involved in production agriculture. That means we know the ground to cover, speak the language and share perspective on the importance of agriculture. Our clients cover the full spectrum of agribusiness — from farm to fork. Because of this, we work tirelessly to protect our client's freedom to operate and to seize opportunities necessary for growth.

### **Our Experience**

Lathrop GPM combines industry perspective with in-depth experience, representing a wide variety of clients in the farming and other agribusiness-related areas. We also pride ourselves on staying on top of the issues that impact the industry most by attending and speaking at key industry conferences, and by keeping up with the ever-changing state and federal legislative environments.

Specifically for our agribusiness clients, we serve as general counsel and provide legal assistance in a variety of key areas:

***Environmental, Health & Safety Regulation, and Compliance***

All aspects of agriculture are under on-going and every-increasing scrutiny from local, state and national regulatory agencies, and none are more important and far-reaching than environmental, health and safety. Our practice in this area covers the entire country and runs the gamut from fertilizer plants to CAFOs to water issues throughout the production chain. Our attorneys have the experience and common sense to quickly identify issues, outline options and work toward solutions either with or against the regulatory bodies involved.

### ***Litigation***

In our experience, the best way to avoid litigation is to always be prepared to litigate. Our attorneys are trained in the courtroom, but know that avenue may not always be the most efficient or effective way of resolving disputes. Our philosophy is to have in place, in advance, efficient and cohesive trial teams that are dedicated to understanding our clients and the industry involved well before a dispute arises or a lawsuit is filed. This approach has helped us build a cadre of long-term clients with whom the firm has continued to evolve and grow along with the agriculture marketplace. The end result is: we know our clients and they know they can rely on us to help them not just survive litigation, but gain from it.

### ***Business Formation, Capitalization, and Transactional Services***

Optimizing your structure, policies and procedures can streamline business operations, allowing you to manage risk. Our attorneys can address your business needs, including the purchase and sale of businesses, financing and operational needs, the issuance and repurchase of equity, investment optimization, governance matters, compliance risk assessments, due diligence investigations, business and capital formation and structure, lending arrangements, securities law compliance, and real estate transactions. We have represented a number of companies in connection with acquisitions and sales of assets. The firm's corporate agribusiness experience ranges from representation of Fortune 500 agriculture-focused companies to not-for-profit agriculture groups to startups focused on agriculture innovation.

### ***Food and Product Safety***

Several Lathrop GPM attorneys have held in-house positions with some of the nation's most prominent food, beverage and franchise companies and have been instrumental in shaping laws and policies governing the industry today. Our attorneys' food and product safety experience with clients includes:

- Advising restaurants and franchisors on menu labeling requirements and risk management strategies
- Advising food producers, manufacturers, restaurants and franchisors on regulatory compliance and labeling requirements (including nutrition facts, ingredient lists, allergens, GMO, organic, health claims)
- Reviewing clients' marketing materials and advertising (covering health claims and truth in advertising), and providing strategies to proactively mitigate their risk
- Advising food, food-ingredient, and consumer-product companies on food safety (including advising on the Food Safety Modernization Act, creating safety plans, planning for and implementing food recalls, and ingredient safety)

### ***Business Succession Planning***

Our attorneys believe that business succession is more than just the reduction of tax exposure, an accumulation of information to encourage a successful transfer of assets, or the proactive and cooperative passage of ownership between generations. It's all of these things, delivered by professionals who understand and care. You know that your family and your business are connected, and you can trust our attorneys to share that understanding.

### ***Cooperatives***

Combining our transactional, financing, regulatory compliance, risk avoidance, and dispute resolution experience with our extensive knowledge of cooperatives, corporations, and limited liability companies, we provide in-depth analysis, advice, and representation to clients on organizational structure, operations, finance, taxation, applicable antitrust, and securities law issues, and reorganization and

dissolution. Our attorneys understand the issues facing agriculture and combine our industry knowledge with broad legal experience to satisfy the business and legal representation needs of the most complicated agribusiness projects and operations, whether large or small.

### ***Real Estate***

We work with clients, clients' outside advisors, and other attorneys to reach our clients' tax, business, and estate planning goals. Our attorneys assist clients with real estate sales and acquisitions, leasing, and construction projects. We also have the expertise to help clients with specialized needs in the areas of real estate tax protests, environmental law, tax-deferred (Section 1031) exchanges, zoning and land use law, and real estate based loans.

In addition to these areas, Lathrop GPM advises clients on:

- Creditors' Rights and Bankruptcy
- Employment and Immigration
- Intellectual Property
- Insurance Coverage
- Food Labeling and Advertising
- Estate and Succession Planning