

Food & Agribusiness

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Litigation

Our attorneys are focused on one main objective for our clients—getting the best business outcome for our food and agribusiness clients, ranging from grain and livestock producers to leading multi-national commodity processors in the food, feed, fiber, and fuel industries. Members of our team have held or currently hold senior advisory roles in food and agribusiness enterprises and regularly give presentations on issues affecting key industry market segments. That background allows our attorneys to serve not just as legal counsel, but as business advisors with unique insight and thought leadership. We serve as legal counsel to some of the Midwest's leading agribusiness companies in a wide range of business and litigation matters.

Our team provides a full-service industry approach to help clients navigate legal, organizational, and business matters, whether the client is a farmer or livestock producer, a grain company, a meat packer, an equipment manufacturer, a commodity processor, a food manufacturer, or an industry trade association. In highly complex matters, we can draw on the firm's many disciplines and broader resources to handle virtually any issue facing today's food and agribusiness organizations.

Experience

Administrative Law

We provide legal counsel for licenses, permits, certificates, or rule-making.

Ag Tech & Food Tech

Our attorneys advise enterprises in the rapidly expanding ag tech and food tech sectors on formation, corporate structure, finance, technology licenses and intellectual property protection, governance, and regulatory matters. We serve as lead counsel for the launch of new technology products and services, and we frequently represent buyers of complex technology and data products and services.

Antitrust & HSR

Our attorneys have substantial experience counseling food and agribusiness clients on antitrust issues unique to their industries. We assist clients with issues related to mergers and acquisitions, including Hart-Scott-Rodino pre-merger and international notifications, and negotiations with federal and state regulators.

Bankruptcy

For our debtor and creditor clients, we provide services in bankruptcy reorganization cases, out-of-court restructuring, workouts of commercial loans, liquidations, debtor-creditor litigation, commercial and banking litigation, reclamations, and receiverships and assignments for benefit of creditors. We also counsel our agribusiness clients on statutory and common law agriculture liens.

Commercial Contracts

Our attorneys combine their business knowledge with their understanding of the Uniform Commercial Code and trade practices and rules, to advise food and agribusiness clients in negotiating and drafting commercial contracts, supply and manufacturing agreements, equipment purchases and leases, product purchase and sale agreements, and complex business arrangements.

Corporate Governance

We provide practical advice to management and boards that helps them fulfill their duties to shareholders and deal with business emergencies. Our lawyers routinely advise companies on governance practices intended to improve the performance of the board and bring value to the shareholders. Our lawyers have successfully represented both management and shareholders in both direct and derivative actions involving food and agribusiness ventures.

Corporate & Business

We assist clients with general corporate and business matters, including entity choice and formation (including cooperatives), joint ventures, succession and business planning, debt and loan counsel, purchase and sale of agribusiness plants and facilities, environmental guidance, risk management, operational advice.

Employment & Labor

We assist clients with hiring and termination procedures, compliance with state and federal laws, negotiation of employment and labor contracts, grievances and arbitrations, and analysis and/or drafting of employee handbooks.

Employee Benefits

We assist in the design of management incentive plans and employee benefits plans and monitor compliance with employee benefits laws.

Financing & Capital

We combine our knowledge of securities laws and financing to advise companies on raising additional capital through exempt equity offerings, registered stock offerings, and municipal bonds. Whether you are a start-up seeking growth capital or a large publicly traded company needing funding for an acquisition strategy, we work to leverage our experience for our clients. We focus on executing transactions quickly and efficiently, so our clients obtain the capital they need to bring their business to the next level in the most cost-effective manner possible. Our attorneys handle public and private offerings of securities, SEC reporting, shareholder communication and proxy solicitation, beneficial ownership reporting, stock exchange compliance, and negotiation of underwriting and other financing agreements

Formation, Structuring & Restructuring

We help clients form new entities, as well as the evolution and design of entity restructuring, which may include joint ventures, cooperatives, mergers, and acquisitions.

General Counsel Services

We advise food and agribusiness clients by coordinating all aspects of the enterprises' legal needs in an effort to maximize business goals and minimize legal risk. In addition, we serve as outside "general counsel" for many agribusiness companies.

Government Relations

Our government relations professionals understand how government decisions impact our clients and help them develop proactive strategies to address their needs. We represent businesses, non-profits, trade groups, and advocacy groups in a range of industries and on many different issues.

Immigration

We have extensive experience representing food and agribusiness clients in obtaining work visas, such as H2A agricultural visas, H2B nonagricultural visas, and TNs for Canadians and Mexicans, to meet their labor needs. In addition, we work with food and agribusiness clients on immigration compliance programs such as I-9 compliance and E-Verify.

Intellectual Property

We work with clients to file, prosecute, and litigate patents related to food and agricultural processes and technologies. We clear, register, maintain, and protect clients' trademarks and copyrights, and have a broad network of foreign associates to support our worldwide trademark practice. We counsel clients on advertising copy

compliance, social media issues, and sweepstakes rules.

International

Our legal specialists from North America, Latin America, Europe and Asia have successfully negotiated and concluded hundreds of business transactions for American and foreign companies of virtually every size, from small and mid-size companies to Fortune 500 companies.

Litigation

We have extensive experience in representing cooperative and agriculture industry clients in a variety of litigation that agribusiness typically generates, including the termination of joint ventures, supply agreement disputes, board member and officer liability, capital equipment purchases, termination of patron / members, and food quality issues. We have successfully resolved cases through settlement, summary judgment, arbitration and trial.

Mergers & Acquisitions

We are a premier mergers and acquisitions (M&A) law firm in the Midwest, with a deep bench of M&A lawyers with experience on deals across the United States, both big and small, in the agribusiness industry as well as industries supporting agribusiness.

Private Equity

Clients value our focus on getting deals closed in a timely and efficient manner within a relatively low-rate structure as well as the level of experience and efficiency we bring to private equity transactions of all sizes. Our experience includes representation of local funds and over a dozen national private equity clients, regular exposure to leading national senior lenders, sponsor fund activity, national and local mezzanine lenders, and extensive sell-side experience with national funds across the country.

Real Estate

Our real estate attorneys handle real estate purchases and sales, complex leasing arrangements, structured financings, bonds financings, construction contracts, and complex land issues.

Regulatory Compliance

We work with food and agribusiness clients in connection with state and federal regulatory compliance.

Secondments

We add value by allowing our attorneys to work in-house with our clients' teams on a temporary basis, whether to fill in for an attorney, to help on a significant project, or to provide additional resources during a period of high demand for legal services. Through these secondments, our attorneys have obtained significant knowledge and experience in the food and agribusiness sectors.

Production

We have assisted clients in the production, distribution and sale of cannabis, wine and spirits, crop protection products, seeds, fertilizer, agricultural equipment, animal products, ethanol, and most crops.

Property Tax Appeals

We have experience with large industrial properties and have achieved tax reductions for our clients reducing the estimated market value by millions of dollars, including newer facilities. We have achieved reductions in appeals of grain elevators exceeding 30%.

Tech & Data

Our technology and data attorneys represent clients in creating and negotiating software, software-as-a-service (SaaS), Internet, database, and similar agreements and licenses. We advise and collaborate with clients to turn data and ideas into protectable and valuable assets. We help clients draft privacy and security policies, comply with data privacy laws including the California Consumer Privacy Act (CCPA) and General Data Protection Regulation (GDPR), and respond to security breach events.