

Agribusiness

Consistent with our Midwest roots, Stinson has served as national and regional legal counsel to some of the nation's leading agribusiness companies in a broad range of business and litigated matters. We have earned a longstanding reputation for providing quality legal services to agribusiness interests throughout the supply chain.

Our attorneys represent farm entities and owners, suppliers and producers, including regional agribusiness cooperatives and independents, as well as some of the nation's largest independent and co-op enterprises. We have valuable complementary experience in ancillary areas such as animal health, biofuels and environmental matters, and our attorneys have deep knowledge of local and federal legal rules, restrictions and regulations concerning companies in the agribusiness industry.

BUSINESS & ORGANIZATION

- Cooperatives
- Entity formation
- Corporate governance
- Procurement
- Joint ventures
- Real estate and construction
- Land use and zoning
- Materials handling and storage agreements
- Distributorship agreements (domestic and international)
- Family business matters
- Succession and estate planning
- Agricultural product and service purchase and sale agreements (USDA/GIPSA compliant)
- Debt and loan counsel for agribusiness lenders and borrowers
- Sales, mergers and acquisitions

Agribusiness

- Purchase and sale of facilities, equipment and real estate, including domestic and offshore assets such as barges, railcars, fertilizer plants and grain facilities
- Public and private issuances of debentures and subordinated debt
- Secured and unsecured revolving and term loan agreements
- Direct leases, leveraged leases and synthetic leases
- Taxable and tax-exempt bonds
- Asset securitization
- Interest rate and commodity (grain, natural gas, milk, etc.) swaps

ENVIRONMENTAL

- Advice on clean air and water matters
- Wetland and drainage law
- Feedlot water discharges and odor
- Representation in administrative and judicial actions involving clean air, clean water, Superfund and state environmental actions
- Permitting

LABOR & EMPLOYMENT

- Worker safety
- Compliance advice
- Policy and procedure advice and drafting
- Qualified plans and ERISA concerns
- Full-service employment advice
- H2A visas, H1B visas
- PERM labor certification
- Green card sponsorships

INTELLECTUAL PROPERTY & INFORMATION TECHNOLOGY

- Intellectual property licensing
- Information technology licensing
- Strategic intellectual property portfolio counseling and management

Agribusiness

Our litigation attorneys have worked extensively with national experts in the fields of microbiology, animal science, veterinary medicine, public health, industrial hygiene, horticulture and agricultural economics, to name a few. We have a deep understanding of the scientific and technological issues critical to the analysis and defense of agricultural cases and a unique ability to present these complex issues to courts and juries in understandable terms.

DISPUTE RESOLUTION: MEDIATION, ARBITRATION & LITIGATION

- Product defects
- Food adulteration and contamination
- Fraud
- Landowner and shareholder disputes
- Commercial disputes involving intellectual property
- Civil racketeering
- Economic loss
- Embargo
- Recall and enforcement proceedings
- Enforcement and Superfund proceedings
- Antitrust
- Patent prosecution, enforcement and defense
- Trademark and brand management prosecution, enforcement and defense
- Breach of contract
- Breach of warranty
- Personal injury and wrongful death
- OSHA, EPA and DOT regulatory charges
- Employment litigation including wrongful discharge and discrimination defense
- Bankruptcy (creditors and debtors)
- Agricultural inspection
- Labeling disputes
- Insurance and liability litigation
- Environmental permitting
- Copyright prosecution, enforcement, and defense

Agribusiness

- Trade Secret prosecution, enforcement and defense

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TEAM

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RELATED CAPABILITIES

Agribusiness Finance

Energy

FinTech, Payments & Financial Products

Governance, Risk & Compliance

Labor, Employment & Benefits

Mergers & Acquisitions

Renewable Energy

Private Business

EXPERIENCE

- Represent one of the world's largest agribusiness companies in a broad range of corporate, litigation, compliance and other legal affairs

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- Represented a grain company in site acquisition and development of new grain handling and merchandising facilities in various states
- Serve as outside general counsel to several livestock marketing agencies, including drafting and reviewing livestock commodities futures contracts
- Represent the nation's largest builder of ethanol plants in all facets of its construction and environmental regulations
- Advise agricultural equipment dealerships with corporate matters, sales, mergers and acquisitions, trademarks, and business succession and estate planning
- Advise clients on OSHA regulations governing field workers
- Regulatory advice stemming from the Department of Agriculture's deregulation of GMO sugarbeets
- Representation of one of the world's largest agri-science companies in governmental affairs matters in Missouri
- Represent a leading company in the area of environmental solutions for livestock and greenhouses in relation to brand and strategic intellectual property issues
- Represent multiple crop insurers and crop insurer vendors in patent litigation as well as information technology
- Assist a veterinary outlet with acquisitions, liens and collection matters, general business matters and intellectual property advice
- Representation of the American Angus Association as outside general counsel in a broad range of corporate matters, including IP, ERISA, antitrust, compliance and contractual matters
- Counsel an ethanol, biodiesel and products marketing group in all of their corporate, employment and litigation matters
- Advise domestic and international seed companies in a broad range of matters, including acquisitions, antitrust, intellectual property and litigation matters
- Represent multiple companies in the areas of robotics and geospatial technology for mechanized and automated farming and farm management including intellectual property licensing and enforcement, equity funding and strategic corporate planning
- Defended farming clients from nuisance and negligence claims brought by several hundred neighboring property owners, and environmental enforcement actions brought by the EPA and State of Missouri
- Prosecute fraud and other civil claims against co-owners transferring livestock and farm assets
- Ongoing representation of a class of farmers in racial discrimination claims filed against the USDA
- Defending food products companies in various litigated matters, including federal water pollution enforcement actions, state agriculture enforcement proceedings for food safety regulation violations, and in civil and criminal enforcement proceedings for violations of food labeling laws

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- Represent a substantial food products company facing a U.S. Department of Justice criminal antitrust investigation
- Defend a large potato manufacturer in the Potato Antitrust Litigation, a national class action brought against potato producers, cooperatives and related entities
- Assist a food products company in Egg Products Antitrust Litigation, a national class action litigation brought against egg producers, cooperatives and related entities
- Representation of seed company clients, as both plaintiffs and defendants, in lawsuits arising from unauthorized sales of wheat seed in violation of the Plant Variety Protection Act

NEWS

Super Lawyers' 2024 Colorado Lists Features Three Stinson Attorneys

03.01.2024

Three Denver Attorneys from Stinson Recognized by *Super Lawyers* in 2023 Top Lists

03.03.2023

Gillespie Elected to Partnership Two Years After Joining Stinson in Denver

02.22.2023

Jenna Hueneger Recognized with John R. Essner Young Lawyer Award for Pro Bono Work

07.21.2021

PUBLICATIONS

USCIS Proposes Significant Fee Increases for U.S. Employer Filings

01.11.2023

EPA Issues Guidance Pushing States to use NDPES Permits to Reduce PFAS Discharges

12.13.2022

Working with Environmental Agencies When Managing Business Impacts from COVID-19

04.29.2020

Supreme Court Reverses EPA in Key CWA Groundwater Case

04.23.2020

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