

# CONFERENCE SCHEDULE

**Thursday, September 24, 2009**

**Reception 5:15 – 7:15 p.m.** Virginia Grown Welcome Reception at the home of Professor Linda A. Malone (Co-sponsors – Virginia Department of Agriculture and Virginia Farm Bureau) Meet at pre-registration desk for transportation.

**Pre-registration 5:00 – 7:00 p.m.** Conference Pre-registration at hotel lobby

**Friday, September 25, 2009**

**7:00 – 8:00 a.m. – Richmond Hall Lobby:** Conference Registration and Continental Breakfast

Sponsored by Baird Holm LLP, Omaha, NE

Baird Holm LLP is a full-service law firm, located in Omaha, Nebraska, representing businesses of all sizes, as well as institutional, governmental and individual clients. Our 75 attorneys have broad experience in civil law practice, including Banking & Finance, Bankruptcy & Financial Dispute Resolution; Business, Tax & Estate Planning; Corporate & Business Matters; Education; Environmental; Government Affairs & Legislative Services; Health Care; Labor Relations & Employment; Litigation; Real Estate & Construction; Securities; and Technology & Intellectual Property. For more information, see [www.bairdholm.com](http://www.bairdholm.com)

**7:30 - 8:30 a.m. Session A– Richmond Hall:**

**ABA Business Section, Ag Finance Subcommittee Wind Farms: Land Use and Developments in Wind Energy Production**

Moderator: *R. Lawrence Harris*, Melchert, Hubert and Sjodin PLLP, Waconia, MN

*Drew Theophilus*, Baird Holm LLP, Omaha, NE

*David Levy*, Baird Holm LLP, Omaha, NE

*Patrick Dalseth*, Midwest Wind Energy, Chicago, IL

**8:30 – 9:00 a.m. – Richmond Hall:**

AAALA Annual Business Meeting *Maureen Kelly Moseman*, AAALA President

**Annual Update of Developments in Agricultural Law**

Moderator: *Beth Bechdol*, *Ice Miller*, Indianapolis, IN

**9:00 – 9:20 a.m. Session B – Richmond Hall:**

**UCC Developments and Agricultural Interests**

*Keith G. Meyer*, University of Kansas School of Law, Lawrence, Kansas

**9:20 – 9:40 a.m. Session C – Richmond Hall:**

**Tax Law Developments Affecting Agriculture**

*Phillip E. Harris*, University of Wisconsin School of Law, Madison, WI

**9:40 – 10:00 a.m. Session D– Richmond Hall:**

**Update on Agricultural Bankruptcy**

*Jeffrey A. Peterson*, Gray Plant Mooty LLC, St. Cloud, MN

**10:00 – 10:20 a.m. – Richmond Hall Lobby:** Break

Sponsored by McLeod, Watkinson and Miller, Washington, DC

McLeod, Watkinson and Miller is a small firm that has distinguished itself by delivering top quality, cost-effective legal services in the field of Commodity Promotion and Research. McLeod, Watkinson and Miller's agriculture and agribusiness practice extends to all aspects of the federal food and agriculture policy, including advising our clients on environmental law and international trade issues.

**Annual Update of Developments in Agricultural Law (cont.)**

Moderator: *Beth Crocker*, South Carolina Department of Agriculture

**10:20 – 10:40 a.m. Session E– Richmond Hall:**

**Environmental Law and Agriculture**

*Anthony B. Schutzy*, University of Nebraska College of Law, Lincoln, NE

**10:40 – 11:00 a.m. Session F– Richmond Hall:**

**New Developments in Food Law**

*Susan A. Schneider*, University of Arkansas School of Law, Fayetteville, AR

**11:00 – 11:20 a.m. Session G– Richmond Hall:**

**The New Farm Bill: Implementation and Policy**

*David P. Grahn*, U.S. Department of Agriculture, Washington, DC

**11:20 – 11:40 a.m. Session H– Richmond Hall:**

**Land Use Law: The Return of the Frontier**

*Jesse Richardson*, Virginia Tech, Blacksburg, VA

**11:40 – 12:00 noon Session I– Richmond Hall:**

**Sustainability, Organic and Local Production and Energy**

*Neil Hamilton*, Drake University School of Law, Des Moines, IA

**12:00 – 1:00 p.m. Keynote Luncheon – Petersburg Hall**

The Honorable Tom Vilsack, U.S. Secretary of Agriculture

Luncheon sponsored for AAALA Members by Faegre & Benson LLP

Faegre & Benson LLP represents many of the world's leading food, agriculture and biofuels companies and has more than 100 lawyers dedicated to serving them. Its clients operate in an environment where opportunity and risk must be continually assessed and balanced. With that in mind, its lawyers make it their business to understand the rapidly evolving areas of seed biotechnology and crop protection. Faegre & Benson attorneys stay abreast of issues in food safety, environmental regulation, antitrust law and the expanding biofuels market. Its lawyers also understand the ever-changing business side of the industry-applying their knowledge of commodity markets, production chain issues, global workforce needs and industry competition to assist clients in a variety of matters. Established in Minneapolis in 1886, Faegre & Benson has evolved into one of the 100 largest law firms in the United States. The firm has more than 500 lawyers and offices in Minnesota, Colorado, Iowa, London and Shanghai.

### **1:00 – 3:00 p.m. Concurrent Session J-1—Jefferson Amphitheater**

#### **Developments and Trends in Antitrust Law in Agricultural-Related Industries**

Moderator: *Jennifer Williams Zwagerman* - Faegre & Benson LLP, Minneapolis, MN

*Richard Duncan* - Partner, Faegre & Benson LLP, Minneapolis, MN

*Lori Marco* - Senior Counsel, Hormel Foods Corporation, Austin, MN

*Brian Buhr, Ph.D* - University of Minnesota, Department Head - Department of Applied Economics, St. Paul, MN

*William Stallings* – Department of Justice, Assistant Chief, Transportation, Energy and Agriculture Section

### **1:00 – 3:00 p.m. Concurrent Session J-2—General Jackson's Redoubt**

#### **UCC Developments and Agricultural Interests**

*Keith G. Meyer*, University of Kansas School of Law, Lawrence, KS

### **1:00 – 3:00 p.m. Concurrent Session J-3—General Lee's Redoubt**

#### **Environmental Law and Agriculture: Wind, Wetlands and Climate Change.**

Moderator: *Peggy Hall*, The Ohio State University, Columbus, OH

*A. Blair Dunn, Esq.*, Waterbank, Albuquerque, NM

*Kevin P. Braig*, Dinsmore & Schohl LLP, Dayton, OH

*David Levy*, Baird Holm LLP, Omaha, NE

### **1:00 – 3:00 p.m. Concurrent Session J-4—General Grant's Redoubt**

Tax Law Developments: Income and Estate Taxation

Moderator: *Phillip E. Harris*, Univ. of Wisconsin School of Law, Madison, WI

*Phillip E. Harris*, University of Wisconsin School of Law, Madison, WI

*Neil Harl*, Iowa State University, Ames, IA

### **3:00 – 3:15 p.m. Break**

Sponsored by Beving, Swanson & Forrest, P.C.

Beving, Swanson & Forrest is an 8 person general practice firm in Des Moines, Iowa. Eldon McAfee, Jared Hill and Julie Vyskocil focus primarily on agricultural law including environmental regulation, nuisance law, business law including contracts and business planning; Article 9, and estate planning. Eldon is a former AALA board member.

### **3:15 – 5:15 p.m. Concurrent Session K-1—General Jackson's Redoubt**

#### **Agricultural Bankruptcy: Let the Sun Shine: Ag Processing Bankruptcies from Verasun to Pilgrim's Pride**

Moderator: *Jeffrey Peterson*, Gray Plant Mooty, St. Cloud, MN

*Randy Wright*, Baird Holm, Omaha, NE

*Brooke Schumm*, Daneker, McIntire, Schumm, Baltimore, MD

*Phillip Kunkel*, Gray Plant Mooty, St. Cloud, MN

### **3:15 – 5:15 p.m. Concurrent Session K-2—General Lee's Redoubt**

#### **Farmland Preservation – State Approaches to the Preservation of Farmland and the Protection of Agricultural Operations**

The continued expansion of residential and commercial development onto land that historically has been used for agricultural production poses a number of challenges for policy makers. States have approached this issue with a variety of laws and programs to preserve farmland and protect the continued viability of agricultural operations. Panelists will examine such programs in North Carolina, Arkansas, Oklahoma, and Pennsylvania

Moderator: *Ross H. Pifer*, Director, The Agricultural Law Resource and Reference Center, Penn State Dickinson School of Law, University Park, PA

*Ross H. Pifer*, Dickinson School of Law University Park, PA

*Ray A. Starling*, General Counsel, NC Dept. of Agriculture & Consumer Services, Raleigh, NC

*Rusty Rumley*, Staff Attorney, The National Agricultural Law Center, University of Arkansas School of Law, Fayetteville, AR

### **3:15 – 5:15 p.m. Concurrent Session K-3—Jefferson Amphitheater**

#### **Farm Transition and Estate Planning**

Moderator: *Andrew Branan*, NC Farm Transition Network, Hillsboro, NC

*Andrew Branan*, NC Farm Transition Network, Hillsboro, NC

*Paul Wright*, Wright Law Co. LPA, Dublin, OH

*John Flora*, Lenhart, Obenshain PC, Harrisonburg, VA

### **5:30 - 7:00 p.m. Reception for all Participants and Guests**

On the hotel lawn (weather permitting).

Co-sponsored by the AALA and Ice Miller, LLP, Indianapolis, IN

Ice Miller is committed to assisting agribusiness companies navigate the changes in the agribusiness market as they relate to legal issues associated with production shifts, technology adoption and intellectual property protection, complex financial transactions, trade laws and requirements, and new or emerging policy shifts both in the U.S. and abroad. The agribusiness practice group includes eighteen attorneys and industry specialists who provide services specifically tailored to the food and agribusiness industry including: labor and employment, immigration, employee benefits, intellectual property, environmental and real estate management, transactional and investment related services, litigation/risk management, regulatory, public affairs and lobbying and estate planning. For more information, see [www.icemiller.com](http://www.icemiller.com).

## Saturday, September 26, 2009

**7:00 – 8:30 a.m.** Continental Breakfast – **New Market Hall Lobby**

**7:00 – 8:30 a.m.** **Breakfast Discussion Groups, – General Lee’s Redoubt**

Practitioners, General Counsel, Government, Students, Educators,

**Special presentations for educators: – Jefferson Amphitheater**

**7:20 – 7:50 a.m.** Remote Elluminate® session, *Brandon A. King*, Extension Assistant, NC State Univ., Raleigh, NC and *Joelle Pitts*, Kansas State University, Manhattan, KS

**7:50 – 8:10 a.m.** AG\*IDEA, *David Saxowsky*, North Dakota State University, Fargo, ND

**8:30 - 10:30 a.m.. Concurrent Session L-1 – General Jackson’s Redoubt**

**Sustainability, Organic and Local Production and Energy**

Moderator: *Neil Hamilton*, Drake University School of Law, Des Moines, IA

*Neil Hamilton*, Drake University School of Law, Des Moines, IA

*Janie Hipp*, USDA CSREES, Washington, D.C.

**8:30 - 10:30 a.m. Concurrent Session L-2 – General Lee’s Redoubt**

**Biosecurity**

Moderator: *R. Lawrence Harris*, Melchert, Hubert, Sjodin, Waconia, Minnesota

*Dr. Paul Yeske*, Swine Vet Center, P.A., St. Peter, MN

*Charles T. (Tom) Patterson*, Attorney, Custer, South Dakota

**8:30 - 10:30 a.m. Concurrent Session L-3 – General Grant’s Redoubt**

**Implementation of the Animal Waste Rules**

Moderator: *John Becker*, Penn State, University Park, PA

*John Becker*, Penn State, University Park, PA

*Terence Centner*, University of Georgia, Athens, GA

*Lee N. Smith*, Partner, Stoel Rives LLP, Sacramento, CA

**8:30 - 10:30 a.m. Concurrent Session L-4 – Jefferson Amphitheater**

**NEPA , the Convention on Biodiversity, and Bio-engineered Crops**

Moderator: *Doug O’Brien*, Chief of Staff to USDA Deputy Secretary Kathleen Merrigan, Washington, D.C. (invited)

*Thomas Redick*, Global Environmental Ethics Counsel, Clayton, MO

*Nancy Bryson*, Holland & Hart LLP, Washington, D.C.

*A. Bryan Endres*, University of Illinois, Champaign-Urbana, IL

**10:30 – 10:45 a.m. Break**

Sponsored by Jesse J. Richardson, Jr.

**10:45 – 11:45 a.m. - Concurrent Session M-1 – General Jackson’s Redoubt**

**Career Options for Students of Agricultural Law**

Moderator: *Peggy Hall*, The Ohio State University, Columbus, OH

*Beth Crocker*, South Carolina Department of Agriculture, Columbia, SC

*Todd P. Langel*, Faegre & Benson, LLP, Des Moines, IA

A panel discussion to inform students of the varied options available for those interested in agricultural law as a career. Employers welcome!

**10:45 – 11:45 a.m. – Concurrent Session M-2 – Jefferson Amphitheater**

**Ethics**

You’ve Got E-Mail: A Discussion on Preventing Malpractice Claims and

Ethics Complaints

Introduction: *Whitney L. Ivey*, Adams & Ivey, PLLC, Sparta, NC

Speaker: *Wendy Inge*, Director of Risk Management Programming for Minnesota

Lawyers Mutual, Richmond, VA

**11:45 a.m. – 12:45 p.m. Lunch – Petersburg Hall**

Presentation of Awards - *Jesse J. Richardson*, Chair, Awards Committee

Presidential Address - *Maureen Kelly Moseman*, AALA President

**12:45 - 2:45 a.m. Concurrent Session N-1 – General Jackson’s Redoubt**

**Regulation of Alternative/Local Agriculture**

Moderator: *James B. Dean*, Dean, Dunn & Phillips LLC, Denver, CO  
*Derrick Braaten*, Sarah Vogel Law Firm, PC, Bismarck, ND  
*Janie Hipp*, USDA CSREES, Washington, D.C.  
*Marne Coit*, University of Arkansas School of Law, Fayetteville, AR  
*Martha Noble*, Sustainable Ag Coalition, Washington, D.C.

**12: 45 – 2: 45 p.m. Concurrent Session N-2 — General Lee’s Redoubt  
Concentration and Competition**

Moderator: *Becky Ceartas*, RAFI-USA, Pittsboro, NC  
*Clay Fulcher*, Administrator, USDA, Grain Inspection and Packers and  
Stockyards Agency, Washington, D.C.  
*David Domina*, Domina Law Group, Omaha, NE  
*Lynn Hayes*, Farmers Legal Action Group, Inc., Pittsburgh, PA

**12: 45 – 2: 45 p.m. Concurrent Session N-3 — General Grant’s Redoubt  
Taxation of Natural Resources: forestry, energy, conservation program benefits**

Moderator: *Guido van der Hoeven*, NC State University, Raleigh, NC  
*Guido van der Hoeven*, NC State University, Raleigh, NC  
*Roger McEowen*, Iowa State University, Ames, IA  
*Theodore A. Feitshans*, NC State University, Raleigh, NC

**12: 45 – 2: 45 p.m. Concurrent Session N-4 — Jefferson Amphitheater  
Animal Law**

Moderator: *Patrick Costello*, Costello, Carlson, & Butzon, LLP, Lakefield, MN  
*David Favre*, Professor, Editor-in-Chief, Animal Legal & Historical Web Center  
Michigan State University College of Law, East Lansing, MI

**2:45 – 3:00 p.m. Break**

**3:00 – 4:30 p.m. Concurrent Session O-1 — General Jackson’s Redoubt  
Brown Bagging and Other Intellectual Property Issues**

Moderator: *Nicole C. Hancock*, Stoel Rives LLP, Boise, ID  
*Nicole C. Hancock*, Stoel Rives LLP, Boise, ID  
*Jacque Palmer*, Corporate Counsel for Syngenta Seeds, Inc., Boise, ID  
*Michael Stumo*, private practice and CEO of Coalition for a Prosperous America,  
Sheffield, Massachusetts  
*John Boyd*, grower and Founder/President of the National Black Farmers  
Association, Baskerville, Virginia

**3:00 – 4:30 p.m. Concurrent Session O-2 — Jefferson Amphitheater  
Agricultural Policy: New Directions**

Moderator: *Steve Halbrook*, University of Arkansas, Fayetteville, AR  
*Steve Halbrook*, University of Arkansas, Fayetteville, AR  
*Joe Outlaw*, Professor & Extension Economist, Co-Director, AFPC  
*Stephanie Mercier*, Chief Economist, Majority Staff, Senate Agriculture Committee  
*David Grahn*, U.S. Department of Agriculture, Washington, DC

**3:00 – 4:30 p.m. Concurrent Session O-3 — General Lee’s Redoubt  
Practice before Administrative Agencies**

Moderator: *Bill Bridgforth*, Ramsay, Bridgforth, Pine Bluff, AR  
*William E. (Bill) Penn*, Agricultural and Rural Advocates, PLC, Williamston, MI  
*David Bridgforth*, Ramsay, Bridgforth, Pine Bluff, AR  
*E. Barry Bridgforth*, Henry, Barbour, DeCell & Bridgforth, PLLC, Yazoo City, MS

**3:00 – 4:30 p.m. Concurrent Session O-4 — General Grant’s Redoubt**

Sponsored by Energy Biosciences Institute ([www.energybiosciencesinstitute.org](http://www.energybiosciencesinstitute.org)) at the University of Illinois and the University of California Berkeley.

**Bio-energy**

Moderator: *A. Bryan Endres*, University of Illinois, Champaign-Urbana, IL  
*Jennifer Owen*, Van Ness Feldman, P.C., Washington, D.C.  
*Jody M. Endres*, Energy Biosciences Institute, University of Illinois, Urbana-Champaign  
*Gavin Maxwell*, Coolfin Partnership, Dublin, Ireland

**4:30 – 5:30 p.m. Session P — Jefferson Amphitheater**

**Ethical Issues in Representing Nonprofits – The Conservation Easement Example**

*Jesse Richardson*, Virginia Tech

**5:30 p.m. Adjourn**