

2024

45TH ANNUAL
EDUCATIONAL SYMPOSIUM



HELLO & WELCOME

Thank you for joining us for the
45th Annual AALA Educational Symposium!
November 7-9, 2024 | Memphis, TN

We look forward to 3 days of enrichment and education, plus networking with colleagues and more than 75 speakers from across the country. Each session you attend is designed to be robust and timely, providing valuable information about topics that affect our profession and the agricultural industry. Don't forget to take advantage of some of our social events. It's a pleasure to host you!



45TH ANNUAL EDUCATIONAL SYMPOSIUM



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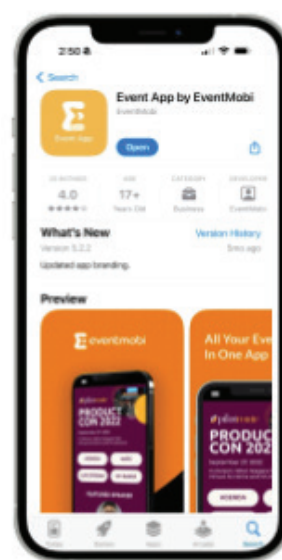
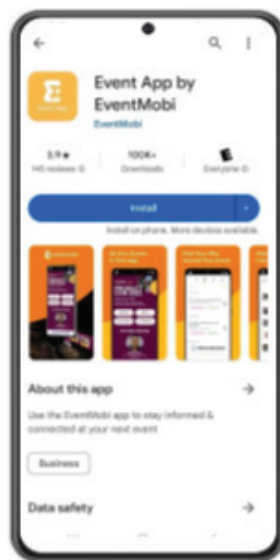
BEFORE WE BEGIN

Scan the QR code below that corresponds to your device and access the AALA Symposium App on your phone or tablet! Then be sure to follow AALA on Facebook, Instagram, LinkedIn, and X.

How to Download and Login to the Event App by EventMobi

For an easier on-the-go event experience, download the event mobile app. Features include access to the agenda, speakers, maps, and more!

- Search and download the “Event App by EventMobi” in the App Store or Google Play Store
- Enter the event code: **AALA24**
- After adding the event code, the event space will appear. Click “View Event” in the login screen, enter the email address you used to register
- If this is your first time using the app, create a password
- If you have used the app before, enter your password
- If you cannot remember your password, click the “Forgot Password” or “Login using one-time code instead” links on the login screen



THE PEABODY HOTEL ADDRESS:

149 Union Ave.
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Login: Peabody Conference
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SYMPOSIUM AGENDA

AGENDA KEY

EDUCATIONAL TRACKS

- P** POLICY TRACK
- PP** PRIVATE PRACTITIONER TRACK
- FL** FOOD LAW TRACK
- IC** IN-HOUSE/CORPORATE COUNSEL TRACK
- E** ETHICS TRACK

ADDITIONAL DESIGNATIONS

FS FEATURED SOCIAL **S** SOCIAL **A** ACTIVITY **M** MEETING

IMPORTANT NOTES

- Please carefully note the locations of each session.
- Thursday sessions will be at the National Civil Rights Museum at the Lorraine Motel, 450 Mulberry Street, Memphis, TN 38103 (You are responsible for your own transportation. Directions will be available at registration. There will not be registration at the museum.)

● Locations & Rooms

LORRAINE MOTEL

National Civil Rights Museum

SILKY O'SULLIVAN'S

THE COTTON MUSEUM

THE PEABODY HOTEL

Peabody Grand Foyer - North & West

Peabody Grand A-F

Mezzanine - West & South Wings

Club Bar & Ben Hollander Room

Hernando Desoto Room

Cockrell Room

Kentshire Room

Jackson Room

THURSDAY, NOV. 07

- 8:00 a.m. ● **REGISTRATION (Peabody only/not available at the museum)**
LOCATION: Peabody Grand West Foyer
- 9:00 a.m. - 10:30 a.m. ● **M STATE AGENCY ATTORNEYS MEETING (invitation only)**
LOCATION: Jackson Room
HOSTED BY: The National Association of State Departments of Agriculture
- 11:00 a.m. - 12:00 p.m. ● **SESSION 1 - LGBTQIA+: SPEAKING WITH ALL THE LETTERS (DEI Session)**
LOCATION: Lorraine Motel/National Civil Rights Museum
SPEAKER: Deian McBryde, McBryde Law LLC, Albuquerque, NM
- 12:00 p.m. - 1:00 p.m. ● **WORKING LUNCH (provided)**
"GRAB AND GO" TO THE NEXT SESSION
- 12:15 p.m. - 1:15 p.m. ● **E SESSION 2 - ETHICAL CONSIDERATIONS IN REPRESENTING OWNERS OF HEIRS PROPERTY**
LOCATION: Lorraine Motel/National Civil Rights Museum
SPEAKER: Jesse Richardson, West Virginia University College of Law, Morgantown, WV
- 1:00 p.m. - 4:00 p.m. ● **M FARM BUREAU LINC MEETING (invitation only)**
LOCATION: Kentshire Room
- 1:15 p.m. - 2:15 p.m. ● **SESSION 3 - CROPS OF THE FUTURE: AgTECH COLLAB AND LICENSING 101**
LOCATION: Lorraine Motel/National Civil Rights Museum
SPEAKERS: • Megan Lambert, Smith Anderson, Raleigh, NC
• Jason Brege, Smith Anderson, Raleigh, NC
• Carine Doyle, Bill & Melinda Gates Foundation

SYMPOSIUM AGENDA

THURSDAY CONTINUED

- 2:15 p.m. - 4:15 p.m. ● **A** **TOUR OF THE NATIONAL CIVIL RIGHTS MUSEUM (not for CLE)**
LOCATION: Lorraine Motel/National Civil Rights Museum
- 4:30 p.m. - 6:00 p.m. ● **FS** **SYMPOSIUM WELCOME RECEPTION & THE FAMOUS PEABODY DUCK MARCH**
LOCATION: West & South Wing Mezzanines
- 6:00 p.m. - 6:45 p.m. ● **S** **STUDENTS & FIRST-TIMERS SOCIAL: HOW TO GET THE MOST FROM THE SYMPOSIUM**
LOCATION: Club Bar and Ben Hollander Room
- 8:00 p.m. - 10:00 p.m. ● **FS** **AALA'S "NIGHT OUT & DUELING PIANOS"**
LOCATION: Silky O'Sullivan's - AALA Reserved Section
TRANSPORTATION: Not provided, 6-10 minute walk
NOTE: Space is limited

FRIDAY, NOV. 08

- 7:00 a.m. ● **REGISTRATION**
LOCATION: Peabody Grand West Foyer
- 7:00 a.m. - 8:00 a.m. ● **BREAKFAST (provided)**
LOCATION: Peabody Grand North Foyer
- 8:00 a.m. - 8:15 a.m. ● **INTRODUCTION & WELCOME**
LOCATION: Peabody Grand A & B
SPEAKER: Brandon Davis, Phelps Dunbar LLP, New Orleans, LA
- 8:15 a.m. - 8:45 a.m. ● **SESSION 4A - FOOD LAW UPDATE**
LOCATION: Peabody Grand A & B
SPEAKER: Susan Schneider, University of Arkansas School of Law, Fayetteville, AR

FRIDAY CONTINUED

8:45 a.m. - 9:15 a.m.	●	SESSION 4B - AG POLICY UPDATE LOCATION: Peabody Grand A & B SPEAKER: David Grahm, Arlington, VA
9:00 a.m. - 10:30 a.m.	●	A STUDENT TRIVIA COMPETITION LOCATION: Peabody Grand F <i>SPONSORED BY: Waggoner Law Firm</i>
9:15 a.m. - 10:15 a.m.	●	SESSION 5 - AGRIBUSINESS AND LABOR LAW: KEY CHANGES AND COMPLIANCE FOR FARM EMPLOYERS LOCATION: Peabody Grand A & B SPEAKERS: • Brandon Davis, Phelps Dunar LLP, New Orleans, LA • Misty Wilson Borkowski, Hall Booth Smith. P.C., Little Rock, AR • Jamie Fussell, Florida Fruit & Vegetable Association, Maitland, FL
10:15 a.m. - 10:30 a.m.	●	NETWORKING BREAK <i>SPONSORED BY: The Steffes Group</i>
10:30 a.m. - 11:30 a.m.	●	SESSION 6 - CONSTITUTIONAL & APPELLATE LAW UPDATE LOCATION: Peabody Grand A & B SPEAKERS: • Michael Kimberly, McDermott Will & Emery, Washington, DC • Damien Schiff, Pacific Legal Foundation, Sacramento, CA • Ray Starling, NC Chamber, Raleigh, NC
11:30 a.m. - 1:00 p.m.	●	LUNCH (on your own)
1:00 p.m. - 1:30 p.m.	●	SESSION 7A - AG FINANCE UPDATE LOCATION: Peabody Grand A & B SPEAKER: Jeff Peterson, Winthrop & Weinstine, P.A., St. Cloud, MN



SYMPOSIUM AGENDA

FRIDAY CONTINUED

1:30 p.m. -
2:00 p.m.

SESSION 7B - OUT OF THE FRYING PAN, INTO THE FIRE: LESSONS LEARNED FROM LITIGATING AGAINST THE FEDERAL GOVERNMENT

LOCATION: Peabody Grand A & B

SPEAKERS: • Andy Dulaney, Dulaney Law Firm, LLP, Tunica, MS
• Brandon Davis, Phelps Dunar LLP, New Orleans, LA

2:05 p.m. -
3:05 p.m.

P

SESSION 8A - 2024 UPDATE ON THE FARM BILL

LOCATION: Peabody Grand D

SPEAKER: Justin Benavidez, House Ag Committee, Washington, DC

CONCURRENT
BREAKOUT
SESSIONS

PP

SESSION 8B - NEW ERA OF RECEIVERSHIPS IN AGRICULTURE

LOCATION: Peabody Grand C

SPEAKERS: • Brandy Sargent, K&L Gates, Portland, OR

• Juanita Schwartzkopf, Focus Management Group, Chicago, IL

• Joe Karel, Focus Management Group, Chicago, IL

• Margaret Westbrook, K&L Gates, Raleigh, NC

FL

SESSION 8C - EMERGING ISSUES IN LIVESTOCK AND ANIMAL PROTEIN

LOCATION: Hernando Desoto Room

SPEAKERS: • Angie Krieger, National Pork Board, Clive, IA

• Lance Lange, Faegre Drinker, Des Moines, IA

• Martin Demoret, Faegre Drinker, Des Moines, IA

• Kerri Boling McGee, Kraft Heinz, Bentonville, AR

IC

SESSION 8D - FIELDS OF COVERAGE: LEGAL PERSPECTIVES ON AGRICULTURAL INSURANCE POLICIES

LOCATION: Peabody Grand E

SPEAKERS: • Robert Moore, Ohio State University Agricultural &

Resource Law Program • Regan McGuill, Sims, Lawrence &

Broghammer, Roseville, CA

FRIDAY CONTINUED

3:05 p.m. - 3:15 p.m.	●	NETWORKING BREAK
3:15 p.m. - 4:15 p.m.	P	SESSION 9A - GROUNDWATER CONSERVATION EASEMENTS LOCATION: Peabody Grand D SPEAKERS: • Dr. Katherine Wright, Property and Environment Research, Bozeman, MT • Peter Nichols, Berg Hill Greenleaf Ruscitti, Boulder, CO
CONCURRENT BREAKOUT SESSIONS	PP	SESSION 9B - PACKERS AND STOCKYARDS ROUND-UP: COMPETITION RULES, DEALER TRUST, AND MORE! LOCATION: Peabody Grand C SPEAKERS: • John Dillard, OFW Law, Washington, DC • Chelsea Good, Livestock Marketing Association, Overland Park, KS • Brett Offutt, USDA Agricultural Marketing Service, Washington, DC
	FL	SESSION 9C - DECODING THE FDA'S FOOD TRACEABILITY RULE: ACHIEVING TRANSPARENCY FROM FARM TO TABLE LOCATION: Hernando Desoto Room SPEAKERS: • Emily Lyons, Husch Blackwell, Washington, DC • TBA
	IC	SESSION 9D - PROTECTING FARMS FROM THE RUINOUS EFFECTS OF PFAS LOCATION: Peabody Grand E SPEAKERS: • Jackson Schroeder, Bose McKinney & Evans, Indianapolis, IN • Brad Sugarman, Bose McKinney & Evans, Indianapolis, IN • Michael Chambers, Bose McKinney & Evans, Indianapolis, IN
4:15 p.m. - 4:45 p.m.	●	S TRADITIONAL ICE CREAM SOCIAL NETWORKING BREAK <i>SPONSORED BY: Brick Gentry, P.C. (with special thanks to Julie Vyskocil and Eldon McAfee)</i>
	▼	

SYMPOSIUM AGENDA

FRIDAY CONTINUED

4:45 p.m. -

5:45 p.m.

CONCURRENT
BREAKOUT
SESSIONS

P

SESSION 10A - UPDATE ON IMPLEMENTATION OF ENDANGERED SPECIES ACT BY EPA UNDER ITS ESA WORKPLAN

LOCATION: Peabody Grand D

SPEAKERS: • Rachel Lattimore, Crop Life America, Arlington, VA
• Megan Provost, RISE, Washington, DC

PP

SESSION 10B - RESHAPING THE LEGAL LANDSCAPE OF ADMINISTRATIVE LAW

LOCATION: Peabody Grand C

SPEAKER: Brett Legner, Mayer Brown, Chicago, IL

FL

SESSION 10C - BEYOND THE HYPE: AUTHENTIC STRATEGIES FOR AVOIDING GREENWASHING IN THE LIVESTOCK INDUSTRY

LOCATION: Hernando Desoto Room

SPEAKERS: • Emily Lyons, Husch Blackwell, Washington, DC
• TBA

IC

SESSION 10D - BLOCKCHAIN TECHNOLOGY IN AGRICULTURE: FROM TRACEABILITY TO TRANSFORMATION

LOCATION: Peabody Grand E

SPEAKERS: • Barry Sackett, Goosmann Law Firm, Sioux Falls, SD
• Channing Burd, Goosmann Law Firm, Spirit Lake, IA

6:30 p.m. -

8:00 p.m.

FS

AALA'S "WALKING IN MEMPHIS" RECEPTION

LOCATION: The Cotton Museum, 65 Union Avenue, Memphis, TN
TRANSPORTATION: Not provided, 4-6 minute walk

MORE INFO: Put on your blue suede shoes and walk down Union Avenue to AALA's "Walking in Memphis" Reception! Enjoy the rich culture and history of Memphis at The Cotton Museum. Sip on our signature cocktail and indulge in a delightful selection of heavy hors d'oeuvres while mingling with fellow attendees. This event is guaranteed to live up to the classic hit; you won't want to miss it!

SATURDAY, NOV. 09

7:15 a.m.

REGISTRATION

LOCATION: Peabody Grand West Foyer

7:15 a.m. -
8:15 a.m.

BREAKFAST (provided)

LOCATION: Peabody Grand North Foyer

7:45 a.m. -
8:15 a.m.

SESSION 11A - LAND USE AND RESOURCE LAW UPDATE

LOCATION: Peabody Grand A & B

SPEAKER: Jesse Richardson, West Virginia University College of Law, Morgantown, WV

8:15 a.m. -
8:45 a.m.

SESSION 11B - TAX LAW UPDATE

LOCATION: Peabody Grand A & B

SPEAKER: Kristine Tidgren, Center for Agricultural Law & Taxation, Iowa State University, Ames, IA

8:45 a.m. -
9:15 a.m.

SESSION 11C - ENVIRONMENTAL LAW UPDATE

LOCATION: Peabody Grand A & B

SPEAKER: Anthony Schutz, Nebraska College of Law, Lincoln, NE

9:15 a.m. -
9:30 a.m.

NETWORKING BREAK

9:30 a.m. -
10:30 a.m.

E

SESSION 12 - PRIVILEGE IN PRACTICE: NAVIGATING YOUR ROLE AS AN ATTORNEY

LOCATION: Peabody Grand A & B

SPEAKERS: • Kari Larson, K&L Gates LLP, Seattle, WA
• Marisa Bocci, K&L Gates LLP, Seattle, WA

10:30 a.m. -
11:00 a.m.

PRESIDENT'S ADDRESS

LOCATION: Peabody Grand A & B

SPEAKER: Jake Parker, North Carolina Farm Bureau, Raleigh, NC

SYMPOSIUM AGENDA

SATURDAY CONTINUED

11:00 a.m. -
12:00 p.m.

CONCURRENT
BREAKOUT
SESSIONS

P

SESSION 13A - DEJA VU: THE NEW (OLD) ENDANGERED SPECIES ACT RULES

LOCATION: Peabody Grand D

SPEAKERS: • Jonathan Wood, Property and Environment Research Center, Bozeman, MT • Charles Yates, Pacific Legal Foundation, Sacramento, CA • Travis Cushman, American Farm Bureau, Washington, DC

PP

SESSION 13B - LIFE IN THE PFAST LANE: ALL YOU NEED TO KNOW ABOUT FOREVER CHEMICALS IN 60 MINUTES

LOCATION: Peabody Grand C

SPEAKERS: • Julia Schatz, Bennett Jones, Toronto, ON
• Nora Faris, Bryan Cave Leighton Paisner, St. Louis, MO
• Megan Provost, RISE, Arlington, VA

FL

SESSION 13C - SOLUTIONS TO THE “2050 CHALLENGES”: THE LOOMING CHALLENGES TO AGRICULTURE AND FOOD PRODUCTION AND WHAT TO DO!

LOCATION: Hernando Desoto Room

SPEAKERS: • James Eggleston, Jr., Eggleston King Davis, LLP, Weatherford, TX • Audra Rod Smith, Audra Rod Smith, P.C., El Campo, TX • Ridge Howell, Native American Financial Services, Fayetteville, AR • Shawn “Pepper” Roussel, Green Pepper Solutions, Fayetteville, AR • Holiday Hull, Eggleston King Davis, LLP, Weatherford, TX

IC

SESSION 13D - AGRI STATS AND BEYOND: THE ANTI-TRUST PERILS OF INFORMATION SHARING IN THE AGE OF ALGORITHMS AND AI

LOCATION: Peabody Grand E

SPEAKER: Mark Tobey, Husch Blackwell, Austin, TX

SATURDAY CONTINUED

12:00 p.m. -
1:30 p.m.

AWARDS LUNCHEON (provided)

LOCATION: Peabody Grand A & B

SPONSORED BY: Pride of the Pond & Catfish Farmers of America

1:30 p.m. -
2:30 p.m.

CONCURRENT
BREAKOUT
SESSIONS

P

SESSION 14A - WOTUS UPDATE

LOCATION: Peabody Grand D

SPEAKER: Brigit Rollins, The National Agricultural Law Center, Fayetteville, AR

PP

SESSION 14B - RECENT ANTITRUST LAW LITIGATION AND LAWS THAT IMPACT FARMERS

LOCATION: Peabody Grand C

SPEAKERS: • Kelly Nuckolls, LL.M. Program in Agriculture and Food Law, Fayetteville, AR • Kaitlyn Dennis, Gustafson Gluek, Minneapolis, MN • Kyla Kaplan, OFW Law, Washington, DC

FL

SESSION 14C - AGRICULTURAL BIOTECH REGULATORY ROUNDUP FROM USDA, FDA, AND EPA

LOCATION: Hernando Desoto Room

SPEAKERS: • Rebecca Foreman, Arent Fox Schiff, Washington, DC • Kris Ramaraju, Syngenta, Durham, NC

IC

SESSION 14D - VOLUNTARY CARBON MARKETS DRIVEN BY THE COASTS PROVIDE OPPORTUNITIES FOR AGRICULTURAL PRODUCERS THROUGHOUT THE COUNTRY

LOCATION: Peabody Grand E

SPEAKER: Hannes Zetsche, Baird Holm, Omaha, NE

2:30 p.m. -
2:45 p.m.

NETWORKING BREAK

SYMPOSIUM AGENDA

SATURDAY CONTINUED

2:45 p.m. -

3:45 p.m.

CONCURRENT
BREAKOUT
SESSIONS

P

SESSION 15A - AI IN PRECISION AGRICULTURE: WHAT ARE THE LEGAL RISKS?

LOCATION: Peabody Grand D

SPEAKERS: • Dr. Siegmair Pohl, Kilpatrick Townsend & Stockton LLP, San Francisco, CA • Jordan Glassman, Kilpatrick Townsend & Stockton LLP, Raleigh, NC

PP

SESSION 15B - DAMMED BY DATA: GOVERNMENT-INDUCED FLOODING AS A TAKING

LOCATION: Peabody Grand C

SPEAKERS: • Brianna Schroeder, Janzen Schroeder Agricultural Law, Indianapolis, IN • Todd Janzen, Janzen Schroeder Agricultural Law, Indianapolis, IN

FL

SESSION 15C - RECENT TRENDS AND POLICY SHIFTS IN FOOD SAFETY LAWS

LOCATION: Hernando Desoto Room

SPEAKERS: • Kimberly Bousquet, Thompson Coburn LLP, St. Louis, MO • Kyla Kaplan, OFW Law, Washington, DC
• Kristiana Coutu, Center for Agricultural Law and Taxation, Iowa State University, Ames, IA • Steve Mandernach, Association of Food & Drug Officials, York, PA

IC

SESSION 15D - INSIDE USDA: POLICY, REGULATORY, & ENFORCEMENT BEST PRACTICES WHEN NAVIGATING THE DEPARTMENT

LOCATION: Peabody Grand E

SPEAKERS: • Kristi Boswell, Alston & Bird, Washington, DC
• Sam Jockel, Alston & Bird, Washington, DC

3:45 p.m. -

4:45 p.m.

BOARD LISTENING SESSION

LOCATION: Peabody Grand A & B

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SESSION DESCRIPTIONS & SPEAKERS

01 SESSION 1 - LGBTQIA+: SPEAKING WITH ALL THE LETTERS (DEI Session)

The key to a good intake or interview is getting the best information from the client, but sometimes awkwardness, confusion, and hidden bias might get in the way. If you'd like to break down these barriers and create better conversations with new clients, this CLE serves as the perfect opportunity to tighten your understanding of connecting with new clients from a diversity of backgrounds.

SPEAKER: Deian McBryde, McBryde Law LLC, Albuquerque, NM

Hon. Deian McBryde is Judge pro tempore for the Tonto Apache Tribal Court of Payson, Arizona, and a family law and appellate attorney and mediator in New Mexico. He is Chair of the New Mexico Solo & Small Firm Section, on the Governing Board of the American Bar Association's Center for Innovation, a Fellow of the American Bar Foundation, and a member of the International Association of LGBTQ+ Judges. Judge McBryde facilitates continuing education programs and has served on many committees and projects to support lawyers and law firms. Before practicing law, Deian worked in entertainment, insurance, banking, event production, and consulting, and he has owned small businesses for many years.

02 SESSION 2 - ETHICAL CONSIDERATIONS IN REPRESENTING OWNERS OF HEIRS PROPERTY

E

This session will apply the ABA Model Code of Professional Conduct to common issues lawyers confront when representing the owners of heirs property. The discussion will include ensuring that the lawyer has the required knowledge and skills to competently represent the client (Rule 1.1) and properly defining the scope of the representation (Rule 1.2). Conflicts of interest (Rule 1.7) form a major concern, and the duty to current clients and nonclients will be addressed. The always-important issue of clearly identifying the client will also be examined in the context of heirs property. The session will also include investigating the issue of ensuring that the lawyer addresses the client's goals.

SPEAKER: Jesse Richardson, West Virginia University College of Law, Morgantown, WV

Jesse J. Richardson, Jr. is the Hale J. and Roscoe P. Posten Professor of Law and the Lead Land Use Attorney at the Land Use and Sustainable Development Law Clinic at the West Virginia University College of Law. Before coming to WVU, Mr. Richardson was an Associate Professor in Urban Affairs and Planning at Virginia Tech. He started his career in private practice in his hometown of Winchester, Virginia. Richardson received his B.S. and M.S. in Agricultural and Applied Economics

03 SESSION 3 - CROPS OF THE FUTURE: AGTECH COLLAB AND LICENSING 101

This session will apply the ABA Model Code of Professional Conduct to common issues lawyers confront when representing the owners of heirs property. The discussion will include ensuring that the lawyer has the required knowledge and skills to competently represent the client (Rule 1.1) and properly defining the scope of the representation (Rule 1.2). Conflicts of interest (Rule 1.7) form a major concern, and the duty to current clients and nonclients will be addressed. The always-important issue of clearly identifying the client will also be examined in the context of heirs property. The session

will also include investigating the issue of ensuring that the lawyer addresses the client's goals.

SPEAKER: Megan Lambert, Smith Anderson, Raleigh, NC

Megan Lambert is co-leader of Smith Anderson's AgTech/FoodTech and Life Sciences practice groups, rated as one of the top 8 Agribusiness practices in the world. In her leadership role, Megan regularly works on IP licensing and collaboration transactions for clients in the agricultural technology sector. Megan advises agricultural technology companies in utilizing their innovative technologies throughout the world through strategic collaborations with international partners, including a variety of gene editing technology platforms and other crop protection measures. Megan has a background in science and technology with a B.S. in engineering from the University of Illinois, and she received her law degree from the University of North Carolina.

SPEAKER: Jason Brege, Smith Anderson, Raleigh, NC

Jason Brege is the leader of Smith Anderson's Technology Transactions & Intellectual Property team, under which the firm's AgTech/FoodTech and Life Science practice groups operate. As a leader within the firm, Jason has worked on many of the firm's most significant IP licensing and development transactions, particularly in the agricultural technology sector. Jason has worked on agribusiness transactions involving parties located in well over 20 countries outside of the U.S. and on all six agriculture-relevant continents. Jason has a background in science and technology, earning a B.A. in Physics and Mathematics from Vanderbilt University, while pursuing pre-medical studies, and he received his law degree from the University of Virginia, where he was a member of the Virginia Law Review and a Dillard Teaching Fellow.

SPEAKER: Carine Doyle, Bill & Melinda Gates Foundation

Please see the AALA Symposium App for this speaker's bio.

4A

SESSION 4A - FOOD LAW UPDATE

SPEAKER: Susan Schneider, University of Arkansas School of Law, Fayetteville, AR

Susan Schneider grew up on a family farm in Minnesota and throughout her 30+ year career as an attorney and law professor, she has advocated for a better food system, first through her work on behalf of family farmers and second through her leadership in food law & policy. She is the author/editor of the book *Food, Farming and Sustainability*, soon coming out in its third edition and dozens of law review articles spanning the full spectrum of agricultural and food law topics. She is a frequent speaker at conferences, has served as President of the American Agricultural Law Association (AALA), is the recipient of the AALA Distinguished Service award, and was one of the founders of the Academy of Food Law & Policy. For the last two decades she has been a tenured law professor and directed the LL.M. Program in Agricultural and Food Law at the University of Arkansas School of Law, teaching core LL.M. courses, mentoring students, and maintaining its strong alumni network. She is a graduate of St. Catherine's University (B.A. Phi Beta Kappa), the University of Minnesota Law School (J.D., cum laude) and the University of Arkansas School of Law (LL.M.).

4B

SESSION 4B - AG POLICY UPDATE

SPEAKER: David Grahn, Arlington, VA

David P. Grahn is the General Counsel at the Farm Credit Administration. He was previously Principal Deputy General Counsel at the United States Department of Agriculture. Before then, David was at the

SESSION DESCRIPTIONS & SPEAKERS

Farm Credit Administration as Associate General Counsel and later became the Director of the Office of Regulatory Programs. Earlier in his career, David was the Associate General Counsel for the Food Assistance, International, and Rural Division at the United States Department of Agriculture. In this

05 **SESSION 5 - AGRIBUSINESS AND LABOR LAW: KEY CHANGES AND COMPLIANCE FOR FARM EMPLOYERS**

A panel discussion concerning the nuances of employment litigation, HR compliance, and the other recent labor law changes. The program will explain recently enacted worker protection statutes, details concerning changes to the federal H-2A visa program, compliance requirements concerning the OSHA heat rule and walk-around rule, expansion of worker unionization protections, staffing and retention solutions, and best practices for HR compliance in the agricultural space.

SPEAKER: Brandon Davis, Phelps Dunar LLP, New Orleans, LA

Brandon Davis is a partner in the New Orleans office at Phelps Dunbar and President-Elect of AALA. A significant portion of his legal practice is dedicated to offering pragmatic solutions tailored to agribusinesses operating in the realm of labor and employment, as well as those with needs that intersect with business transactions, employment-based immigration, and governmental affairs and compliance. Brandon is a frequent speaker on matters of law impacting the agricultural sector and actively publishes content covering legal trends, impending regulations, and shifts within the industry.

SPEAKER: Misty Wilson Borkowski, Hall Booth Smith. P.C., Little Rock, AR

Misty Wilson Borkowski is a Partner in Hall Booth Smith, P.C.'s Little Rock office with an immigration practice which focuses on employment-based immigration matters, both temporary visas, as well as permanent residency. Misty earned her Juris Doctor at the University of Arkansas Little Rock, Bowen School of Law and her Bachelor of Arts in International Studies at the University of Arkansas Little Rock. After law school, Misty completed an Independent Studies program at the Universidad de Navarra in Pamplona in Spain.

SPEAKER: Jamie Fussell, Florida Fruit & Vegetable Association, Maitland, FL

Jamie Fussell is the director of labor relations at the Florida Fruit & Vegetable Association. He represents FFVA in labor-related legislative efforts and works with growers, regulators, and lawmakers to advance sound ag labor policy. Jamie coordinates members use of the H-2A program and advises growers on compliance with the Occupational Safety and Health Act, the Migrant and Seasonal Agricultural Worker Protection Act, and the Fair Labor Standards Act. Jamie also leads the annual Florida Agricultural Labor Relations Forum. Jamie earned his Bachelor of Science in food and resource economics from the University of Florida and his Juris Doctor from the University of Mississippi School of Law.

06 **SESSION 6 - CONSTITUTIONAL & APPELLATE LAW UPDATE**

Earlier this year, the Supreme Court of the United States issued opinions in several cases that will have significant impacts on U.S. agriculture and agribusiness, even if those cases did not address agriculture directly. To give insight into these cases and the Court that decided them, Ray Starling of the North Carolina Chamber will moderate a conversation with two distinguished members of the Supreme Court bar, Damien Schiff

of Pacific Legal Foundation and Michael Kimberly, a partner at McDermott Will & Emery. The panel will also discuss recent developments regarding agriculture-related appellate matters pending in federal and state courts.

SPEAKER: Michael Kimberly, McDermott Will & Emery, Washington, DC

Michael B. Kimberly is co-chair of McDermott Will & Emery's Supreme Court and Appellate Practice and Government and Regulatory Litigation Group. He has given more than forty appellate arguments, including eight before the US Supreme Court (and a ninth this coming January). In addition to his appellate work, Michael frequently litigates challenges to federal administrative actions under the Administrative Procedure Act and to state laws and regulations under various provisions of the US Constitution. He has briefed and argued hundreds of cases covering a wide range of subject matters, with particular experience in the areas of taxation, the Commerce Clause, preemption, immigration, the Medicare Act, ERISA, and the First Amendment. For the past ten years, Michael also has been a visiting lecturer in law at Yale Law School, where he co-directs the Yale Law School Supreme Court clinic.

SPEAKER: Damien Schiff, Pacific Legal Foundation, Sacramento, CA

Damien Schiff is a senior attorney in Pacific Legal Foundation's Separation of Powers practice. He leads PLF's environmental practice group and litigates cases dealing with the Clean Water Act, Endangered Species Act, and other federal environmental laws. Damien has litigated several high-profile cases, including *Sackett v. EPA*, which involved two trips to the Supreme Court, in which the Court upheld the right of landowners to challenge Clean Water Act compliance orders issued by the EPA (2012) and limited the Clean Water Act's reach to relatively permanent waters and their immediately adjoining wetlands (2023).

SPEAKER: Ray Starling, NC Chamber, Raleigh, NC

Ray Starling is the General Counsel at the NC Chamber and is the President of its Legal Institute. A former AALA Board Member and current adjunct professor of agriculture and food law at the UNC-Chapel Hill School of Law, Ray has spent his entire career in and around agricultural law and policy. Previous roles include serving as General Counsel to the NC Department of Agriculture & Consumer Services, General Counsel to the NC Speaker of the House, General Counsel and ultimately Chief of Staff to United States Senator Thom Tillis, Special Assistant to the President for Agriculture at the White House, and Chief of Staff at the United States Department of Agriculture. In 2022, he launched the Amazon best seller "Farmers versus Foodies" and speaks regularly around the U.S. on the "outside forces forging the future of farming and food." Ray is also an Executive Advisor to Directions, Inc., formerly Aimpoint Research, a strategic intelligence firm that advises entities operating within the agri-food value chain.

7A

SESSION 7A - AG FINANCE UPDATE

SPEAKER: Jeff Peterson, Winthrop & Weinstine, P.A., St. Cloud, MN

Jeff Peterson is a shareholder at Winthrop & Weinstine, P.A. and focuses his practice on commercial financing, creditors' rights, bankruptcy, and agricultural law. Jeff is a former chair of the American Bar Association (ABA) Agricultural and Agribusiness Financing Subcommittee and a former President of the American Agricultural Law Association (AALA). Jeff is a Fellow in the American College of Commercial Finance Lawyers (ACCFL). He has an undergraduate degree in Economics from Hamline University and worked for two years as a market analyst for CHS in Kansas City; advising producers and grain cooperative in South Dakota, Nebraska, Kansas, and Colorado on commodity markets and hedging strategies. He graduated from the University of Kansas School of Law and later obtained his LL.M. degree in agricultural law from the University of Arkansas.

SESSION DESCRIPTIONS & SPEAKERS

7B SESSION 7B - OUT OF THE FRYING PAN, INTO THE FIRE: LESSONS LEARNED FROM LITIGATING AGAINST THE FEDERAL GOVERNMENT

SPEAKER: Andy Dulaney, Dulaney Law Firm, LLP, Tunica, MS

Please see the AALA Symposium App for this speaker's bio.

SPEAKER: Brandon Davis, Phelps Dunar LLP, New Orleans, LA

Brandon Davis is a partner in the New Orleans office at Phelps Dunbar and President-Elect of AALA. A significant portion of his legal practice is dedicated to offering pragmatic solutions tailored to agri-businesses operating in the realm of labor and employment, as well as those with needs that intersect with business transactions, employment-based immigration, and governmental affairs and compliance. Brandon is a frequent speaker on matters of law impacting the agricultural sector and actively publishes content covering legal trends, impending regulations, and shifts within the industry.

8A SESSION 8A - 2024 UPDATE ON THE FARM BILL

This session will bring in expertise from the Hill to discuss possible changes for the next Farm Bill and what practitioners need to be aware of in the ongoing debates. At the same time, practitioners will be able to ask questions of ongoing concerns they are seeing representing clients on issues related to farm policy.

SPEAKER: Justin Benavidez, House Ag Committee, Washington, DC

Justin Benavidez is the Chief Economist for the U.S. House Committee on Agriculture. He works closely with the Chairman and Committee staff on developing policy, estimating the economic impacts and costs of those policies, and advising on agricultural production and economics. Benavidez received his BS, MS, and PhD in Agricultural Economics from Texas A&M University and worked as an Extension Economist for four years where he specialized in agricultural production economics, livestock economics, and policy. Justin is originally from Tulia, Texas.

8B SESSION 8B - NEW ERA OF RECEIVERSHIPS IN AGRICULTURE

Receiverships are fast becoming a favored approach to addressing financial distress across America and particularly for farms and agriculture-based businesses. This panel will discuss the basics of receivership, its differences from other distressed resolutions, and why the receiver is uniquely situated to address agricultural distress.

SPEAKER: Brandy Sargent, K&L Gates, Portland, OR

Brandy Sargent represents debtors, lenders, vendors, purchasers, and official and unofficial committees in a variety of commercial and agricultural finance, bankruptcy, workout, and litigation matters. Brandy has significant experience representing clients in commercial lending, corporate finance, and private equity finance transactions, distressed asset transactions, and loan modifications and work outs. In addition, she has specific experience advising clients regarding supply chain disruptions, consignment agreements, purchase money security interests, and warehouse and transportation liens. In agribusiness matters, Brandy assists clients with unique issues arising under the Perishable Agricultural Commodities Act (PACA), Food Security Act (FSA), state agricultural lien statutes, and cooperative member and marketing agreements.

SPEAKER: Juanita Schwartzkopf, Focus Management Group, Chicago, IL

Juanita Schwartzkopf has over 35 years' experience in commercial banking, business management, and financial and management consulting. During her career, she has handled projects involving financing strategies, strategic planning, forecasting, cash management, creditor relationships, information management, bankruptcy, crisis management and business plan development. She has served as CRO, CFO, and CEO of various companies and has served as a receiver, a plan administrator for reorganizing debtors, and as the assignee in ABC transactions. Juanita held key operating and management positions in many types of companies, from start-up to mature businesses. Juanita is a CPA and a CFE and holds an MBA.

SPEAKER: Joe Karel, Focus Management Group, Chicago, IL

Joe Karel is a seasoned turnaround and restructuring professional with more than two decades of expertise within the turnaround management industry. With diversified experience, Joe has achieved success in a variety of senior management and business development roles. Joe has extensive knowledge in turnaround management, corporate renewal, sales and marketing and business management. He is currently responsible for the business development efforts for Focus Management Group across the US and Chicagoland areas.

SPEAKER: Margaret Westbrook, K&L Gates, Raleigh, NC

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8C
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SESSION 8C - EMERGING ISSUES IN LIVESTOCK AND ANIMAL PROTEIN

Join the distinguished panel of private practitioners and in-house counsel for a discussion of the emerging legal landscape of the meat industry. Among emerging meat topics, they will explore lessons learned from legal challenges to prior innovations in alternative meat and dairy products, summarize emerging legislative and judicial challenges to alternative meat products, and explain how future federal regulation and IP litigation may change the trajectory of the alternative meat industry. The panel will also address issues involving the labeling of meat products generally and other emerging meat issues.

SPEAKER: Angie Krieger, National Pork Board, Clive, IA

Angie Krieger is the director of operations for the National Pork Board (NPB). In her role, she oversees NPB-owned intellectual property, legal and compliance matters, including contract negotiation and management of the USDA-AMS approval process. Angie has spent a combined total of six years at NPB and has been engaged in Checkoff-funded work involving all parts of the supply chain, from packer/processor to consumer. Krieger received her juris doctor degree in law from the University of Nebraska and a bachelor's degree in animal science from Oklahoma State University.

SPEAKER: Lance Lange, Faegre Drinker, Des Moines, IA

Lance Lange is a senior partner on the Business Litigation team in the Des Moines and New York offices of Faegre Drinker. He regularly represents agricultural trade associations and checkoff programs. He has handled lawsuits in the areas of antitrust and trade regulation, food-borne illness litigation, appellate litigation, real estate and environmental litigation, complex commercial litigation, intellectual property litigation and corporate internal investigations. He holds a bachelor's degree from Stanford University, an MA degree from the University of Iowa and JD from Columbia University.

SESSION DESCRIPTIONS & SPEAKERS

SPEAKER: Martin Demoret, Faegre Drinker, Des Moines, IA

Martin Demoret is a partner in Faegre Drinker's Product Liability & Mass Torts group and is based in Des Moines, Iowa. Martin represents clients across the food and agribusiness industries in complex commercial disputes, product liability cases, consumer class actions, multidistrict litigation, and appeals. Prior to joining Faegre Drinker, Martin had the privilege of serving as a clerk for the Honorable C. Arlen Beam in the United States Court of Appeals for the Eighth Circuit.

SPEAKER: Kerri Boling McGee, Kraft Heinz, Bentonville, A

Please see the AALA Symposium App for this speaker's bio.

8D IC

SESSION 8D - FIELDS OF COVERAGE: LEGAL PERSPECTIVES ON AGRICULTURAL INSURANCE POLICIES

Delve into the intricacies of agricultural insurance policies, learning how to decipher and effectively utilize these documents to protect their clients' assets. From understanding common provisions to identifying crucial coverage nuances, participants will gain invaluable skills in reading and interpreting agricultural insurance policies with precision, as well as a comparative analysis of agricultural policies with CGL policies. Moreover, the program will equip attorneys with the knowledge needed to defend their clients.

SPEAKER: Robert Moore, Ohio State University Agricultural & Resource Law Program

Robert Moore is an attorney and research specialist with the Agriculture and Resource Law Program at Ohio State University. Robert began his career as a county Extension Educator with Ohio State University Extension. He later worked in the Agricultural, Environmental and Development Economics where he worked on farm budgeting, custom rate surveys, and other farm management related work. Robert left OSU Extension in 2004 to enter private practice. After 18 years of private practice, he rejoined OSU Extension. He has a B.S. in Dairy Science and an M.S. in Agricultural Economics from Ohio State University, and he received his J.D. from Capital University.

SPEAKER: Regan McGuill, Sims, Lawrence & Broghammer, Roseville, CA

Regan McGuill has been with Sims, Lawrence and Broghammer in Roseville, California, a full-service insurance defense firm, since 2023. Originally from El Campo, Texas, Regan received her Bachelor of Science in Animal Science from Texas A&M University with a minor in Agricultural Economics and a certificate of Meat Science in 2020. While at Texas A&M she worked in the Director's Office of Texas A&M AgriLife Extension and the V.G. Young Institute of County Government. She went on to receive her J.D. from the Michigan State University College of Law in 2023. While in law school Regan interned with Wright & Moore Law Co. LPA in Ohio, the Michigan Department of Agriculture, and the National Pork Board.

9A P

SESSION 9A - GROUNDWATER CONSERVATION EASEMENTS

Conservation easements have long been a popular market-based tool for protecting private lands in the United States. The popularity of conservation easements has led to interest in applying the easement tool to a wider range of natural resources. In Colorado's San Luis Valley, the creative use of a conservation easement to reduce groundwater pumping has attracted national attention as a more tailored alternative to

traditional water-savings programs, as it allows farmers to choose how they achieve agreed-upon water reductions. This panel will explore the policies necessary to facilitate groundwater conservation easements, practical considerations relevant to negotiating them, and the potential for groundwater savings.

SPEAKER: Dr. Katherine Wright, Property and Environment Research, Bozeman, MT

Please see the AALA Symposium App for this speaker's bio.

SPEAKER: Peter Nichols, Berg Hill Greenleaf Ruscitti, Boulder, CO

Peter Nichols is Of Counsel at Berg Hill Greenleaf Ruscitti LLP, Boulder, Colorado where he specializes in water, conservation, and environmental law, and serves as special counsel to conservation organizations, land trusts, municipalities, water conservancy districts, and farmers and ranchers. He is a member of the bars of the U.S. Supreme Court, the First, Second, Ninth, Tenth and Eleventh Circuit Courts of Appeal, the U.S. District Court for Colorado, and Colorado. Peter earned his JD from the University of Colorado School of Law. Peter also holds an MPA from CU and a BA from Colorado College.

9B
PP

SESSION 9B - PACKERS AND STOCKYARDS ROUNDUP: COMPETITION RULES, DEALER TRUST, AND MORE!

USDA's Packers and Stockyards Division has had a busy year with the rollout of several rulemakings addressing competition matters in the livestock and poultry industry. In addition, the Packers and Stockyards Act was recently amended to require establishment of a Dealer Trust. Attendees will have the opportunity to learn about these developments and hear practice pointers from seasoned experts.

SPEAKER: John Dillard, OFW Law, Washington, DC

John Dillard is a principal and the USDA Practice Head at Olsson Frank Weeda Terman Matz PC (OFW Law) in Washington, DC. John provides regulatory counsel to meat and poultry establishments, feed manufacturers, agricultural operations, and trade associations on FSIS and FDA food safety and labeling matters, the Packers and Stockyards Act, and the National Organic Program. John provides outside general counsel services to numerous food and agriculture-related trade associations. John also consults with ranching operations on direct-to-consumer programs.

SPEAKER: Chelsea Good, Livestock Marketing Association, Overland Park, KS

Chelsea Good is the Vice President of Government and Industry Affairs and Legal at Livestock Marketing Association. Chelsea advocates for the interests of livestock auctions, often called sale barns, in federal, state, and industry policy.

SPEAKER: Brett Offutt, USDA Agricultural Marketing Service, Washington DC

Brett Offutt serves as the Chief Legal Officer/Policy Advisor for USDA's Packers and Stockyards Division. Brett's service with USDA began in 1999 shortly after completing the LL.M Program in Agricultural and Food Law at the University of Arkansas School of Law. For much of his career, Brett served as director of Packers and Stockyards' Policy and Litigation Division until assuming his current role in 2018. Brett earned his JD degree from South Texas College of Law Houston and undergraduate degree from Kutztown University of Pennsylvania.

SESSION DESCRIPTIONS & SPEAKERS

9C

SESSION 9C - DECODING THE FDA'S FOOD TRACEABILITY RULE: ACHIEVING TRANSPARENCY FROM FARM TO TABLE

FL

In an effort to enhance the way we trace and manage food products throughout the supply chain, the U.S. Food and Drug Administration (FDA) has implemented a new set of regulations known as the Food Traceability Rule. Join us for a comprehensive session where we will dive into the intricacies of the rule and discuss how it impacts food producers, manufacturers, and distributors right through to consumers. This session will provide a detailed examination of the FDA's requirements for tracing certain high-risk foods under the Food Safety Modernization Act (FSMA), highlight critical elements of the rule, and offer essential guidance on how to remain compliant.

SPEAKER: Emily Lyons, Husch Blackwell, Washington, DC

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9D

SESSION 9D - PROTECTING FARMS FROM THE RUINOUS EFFECTS OF PFAS

IC

Throughout the country, farms are facing a crisis due to PFAS contamination. PFAS can be found in water, soil, air, and food and may harm human health. Specifically, EPA notes that peer-reviewed studies show that exposure to PFAS may cause a litany of adverse health effects. These concerns have led to lawsuits and regulatory enforcement against farmers. Given the risks posed by PFAS-contaminated wells, crops, and livestock, it is not surprising that many farmers are looking for solutions and ways to protect themselves and their farms. During this session, attendees will learn more about this problem and potential solutions.

SPEAKER: Jackson Schroeder, Bose McKinney & Evans, Indianapolis, IN

Jackson Schroeder, Bose McKinney & Evans, is an attorney who helps people with environmental law related issues or has had their insurance claim denied. He understands that these situations can place clients under enormous stress. He listens to his clients' stories, questions and goals and tailors a litigation strategy to their needs. His education is from Indiana University Robert H. McKinney School of Law and Wabash College.

SPEAKER: Brad Sugarman, Bose McKinney & Evans, Indianapolis, IN

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SPEAKER: Michael Chambers, Bose McKinney & Evans, Indianapolis, IN

Michael Chambers is a partner in the Bose McKinney & Evans Environmental Group. His practice focuses on managing complex commercial matters including regulatory compliance, due diligence, litigation and business and real estate transactions. He has twenty-five years of practice and leadership focused on environmental, health and safety matters. He received his education from the University of Chicago Law School in 1997; University of Illinois Urbana-Champaign in 1994 and the University of Notre Dame in 1991.

10A

P

SESSION 10A - UPDATE ON IMPLEMENTATION OF ENDANGERED SPECIES ACT BY EPA UNDER ITS ESA WORKPLAN

Federal agencies have disagreed for years over how to apply the Endangered Species Act to pesticide registration decisions, resulting in, among other things, over two decades of litigation and, more recently, an ESA Workplan. This panel will provide an overview of the ESA Workplan, an update on its implementation, and impacts on litigation and on agriculture more generally.

SPEAKER: Rachel Lattimore, Crop Life America, Arlington, VA

Rachel G. Lattimore serves as CropLife America's Executive Vice President of Legal and Regulatory Affairs, General Counsel, and Secretary. Lattimore directs litigation and regulatory strategy, provides legal support for CropLife's regulatory and legislative efforts, oversees corporate governance support for the Board of Directors and serves as a spokesperson for the pesticide industry. Rachel is a graduate of Duke University School of Law and earned her Bachelor of Arts with Distinction in English from the University of North Carolina. She also earned a Bachelor of Arts with Honors from Victoria University at Wellington, New Zealand.

SPEAKER: Megan Provost, RISE, Washington, DC

Megan Provost is the President of RISE (Responsible Industry for a Sound Environment), the national trade association representing manufacturers, formulators, distributors, and other industry leaders in the specialty pesticide and fertilizer industry. Provost brings a strong background in national-level pesticide industry advocacy and non-profit leadership to the role. Provost is a graduate of Oklahoma State University, earning a Bachelor of Science degree in agribusiness and a Master of Science degree in agricultural economics. She also holds a Juris Doctorate from the George Washington University Law School.

10B

PP

SESSION 10B - RESHAPING THE LEGAL LANDSCAPE OF ADMINISTRATIVE LAW

The Supreme Court has dramatically remade the law applicable to review of agency rules and regulations of the last several years, including creation of the "major questions" doctrine and ruling of the fate of the Chevron test. The Court has also declared itself open to further challenges to established rules governing administrative authority and some of those challenges are working their way to the Court now. This includes whether the Court will re-calibrate the non-delegation principle, which holds that Congress may not delegate legislative power to an executive agency but which has been watered down to the point of irrelevance over recent decades. This program will look at recent decisions and potential upcoming cases and discuss the practice consequences of these decisions both from a litigation standpoint concerning how to challenge administrative rules and from an operational perspective concerning how the agencies are responding to restrictions on their power in their rulemaking and consideration of permit applications.

SPEAKER: Brett Legner, Mayer Brown, Chicago, IL

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SESSION DESCRIPTIONS & SPEAKERS

10C

SESSION 10C - BEYOND THE HYPE: AUTHENTIC STRATEGIES FOR AVOIDING GREENWASHING IN THE LIVESTOCK INDUSTRY

FL

In the environmentally conscious market of today, consumers are increasingly aware of the sustainability practices behind the products they purchase. The livestock industry faces the pressing challenge of demonstrating genuine commitment to environmental stewardship while avoiding the pitfalls of greenwashing – the practice of making misleading claims about the eco-friendliness of a product or service. This interactive session delves deeply into the emerging trend of greenwashing within the livestock sector and provides robust strategies for industry stakeholders to implement authentically sustainable practices. We will explore the multifaceted dimensions of sustainability in the livestock industry with an ever-changing regulatory paradigm and the need to balance compliance with consumer demands

SPEAKER: Emily Lyons, Husch Blackwell, Washington, DC

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10D

SESSION 10D - BLOCKCHAIN TECHNOLOGY IN AGRICULTURE: FROM TRACEABILITY TO TRANSFORMATION

IC

Discover the future of agriculture in this forward-thinking session on blockchain projects in agriculture. Learn how blockchain enhances traceability, finance, supply chain management, food safety, and sustainability. Delve into the legal implications, challenges, and future trends, including emerging technologies and collaborative opportunities. Explore real-world case studies, such as blockchain-enabled cattle tracking and a notable banking case study. Join us to shape the future of agriculture and unlock its full potential with blockchain technology.

SPEAKER: Barry Sackett, Goosmann Law Firm, Sioux Falls, SD

Barry Shaw Sackett is a Managing Partner at Goosmann Law Firm. He is a trusted advisor, helping business leaders find solutions and engage in business opportunities by fostering trust and promoting action. Barry's business and legal experience stems from years as a business owner, chief financial officer, in-house counsel, assistant county attorney, and legal consultant. His practice areas include blockchain, development, mergers and acquisitions, real estate, tax, estate planning, probate, and mediations and is licensed to practice in Iowa, Minnesota, California and South Dakota.

SPEAKER: Channing Burd, Goosmann Law Firm, Spirit Lake, IA

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11A

SESSION 11A - LAND USE AND RESOURCE LAW UPDATE

SPEAKER: Jesse Richardson, West Virginia University College of Law, Morgantown, WV
Jesse J. Richardson, Jr. is the Hale J. and Roscoe P. Posten Professor of Law and the Lead Land Use

Attorney at the Land Use and Sustainable Development Law Clinic at the West Virginia University College of Law. Before coming to WVU, Mr. Richardson was an Associate Professor in Urban Affairs and Planning at Virginia Tech. He started his career in private practice in his hometown of Winchester, Virginia. Richardson received his B.S. and M.S. in Agricultural and Applied Economics from Virginia Tech and his J.D.

11B SESSION 11B - TAX LAW UPDATE

SPEAKER: Kristine Tidgren, Center for Agricultural Law & Taxation, Iowa State University, Ames, IA

Kristine Tidgren is an adjunct associate professor in the Agricultural Education & Studies Department at Iowa State University and the director for the Center for Agricultural Law and Taxation. Kristine's work focuses on studying and interpreting laws impacting the agricultural industry. Since joining CALT in 2013, Kristine has written hundreds of blogposts (AgDocket) and other publications to keep tax professionals, attorneys, agricultural producers, and policymakers informed about tax and legal developments impacting agriculture. Each year, Kristine speaks to thousands of professionals and producers on tax and agricultural law topics.

11C SESSION 11C - ENVIRONMENTAL LAW UPDATE

SPEAKER: Anthony Schutz, Nebraska College of Law, Lincoln, NE

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12 SESSION 12 - PRIVILEGE IN PRACTICE: NAVIGATING YOUR ROLE AS AN ATTORNEY

E

Discuss the rules of attorney-client privilege in different practice scenarios, including when adverse to a non-represented counterparty; when dealing with clients and various intracompany communications; when working with in-house counsel (and rules of the road if you are in-house counsel); and when working with third-party vendors as part of a client engagement (i.e., accounting firms, environmental inspectors, etc.).

SPEAKER: Kari Larson, K&L Gates LLP, Seattle, WA

Please see the AALA Symposium App for this speaker's bio.

SPEAKER: Marisa Bocci, K&L Gates LLP, Seattle, WA

Marisa Bocci is a partner in K&L Gates' Real Estate practice and is on the Board of Directors for AALA. Marisa advises asset managers and institutional investors on direct investing, co-investments, joint ventures, and other investment strategies relating to real assets in a variety of sectors. In the agriculture sector, Marisa has specific experience in matters relating to agribusiness investments. She handles transactions across the country involving the purchase, sale, leasing and financing of farmland, often on behalf of family office, pension fund, investment management, and private equity clients.

SESSION DESCRIPTIONS & SPEAKERS

13A

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SESSION 13A - DEJA VU: THE NEW (OLD) ENDANGERED SPECIES ACT RULES

In March, the Fish and Wildlife Service and National Marine Fisheries Service issued three final rules affecting how the agency implements the Endangered Species Act, from its decisions to list species, regulate private activities, designate critical habitat, and consult with other federal agencies. The rules significantly reverse a suite of ESA rules adopted in 2019. The new rules are widely expected to draw substantial litigation. The panel will discuss what's in the rule, what they mean for landowners and ag interests, and how they affect the conservation and recovery of species.

SPEAKER: Jonathan Wood, Property and Environment Research Center, Bozeman, MT

Jonathan Wood is vice president of law and policy of the Property and Environment Research Center, a conservation organization in Bozeman, Montana dedicated to advancing conservation through markets, incentives, property rights, and partnerships. Jonathan has a law degree from the New York University School of Law, a master's degree in economic policy from the London School of Economics, and a bachelor's degree in economics from the University of Texas.

SPEAKER: Charles Yates, Pacific Legal Foundation, Sacramento, CA

Charles Yates is an attorney with Pacific Legal Foundation's environmental law project, where he litigates to defend private property rights and uphold the structural protections guaranteed by the Constitution's separation of powers. His practice focuses primarily on the Clean Water Act, the Endangered Species Act, and related federal regulatory schemes. Charles earned his J.D. magna cum laude from the University of Baltimore School of Law and holds a B.A. from the University of Western Australia.

SPEAKER: Travis Cushman, American Farm Bureau, Washington, DC

Travis Cushman is AFBF's Deputy General Counsel for Litigation & Public Policy. He received his undergraduate degree from the University of Virginia and went to law school at Washington and Lee University School of Law. A former ski bum, Travis spent 10 years in private law practice before joining AFBF in 2018. Travis manages AFBF's nationwide litigation on all issues facing agriculture, including international trade, property rights, access to public lands and pesticides, and the regulatory regimes of the Clean Water Act, Clean Air Act, and Endangered Species Act. He also leads the in-house lawyers for the lobbyist team.

13B

PP

SESSION 13B - LIFE IN THE PFAST LANE: ALL YOU NEED TO KNOW ABOUT FOREVER CHEMICALS IN 60 MINUTES

It feels like regulators, industry, courts, and the scientific community have been talking about PFAS, or "forever chemicals," for ... forever. Recently, talk has turned into a flurry of activity, some of which – including developments related to possible PFAS in food/food packaging, biosolids, and pesticides – directly impact agriculture. This session covers recent actions related to PFAS under key U.S. environmental laws (including TSCA, CERCLA, and FIFRA), plus state-level laws and private litigation. Featuring insights from private practitioners and industry, this session will also offer a cross-border perspective, comparing regulatory approaches between the U.S. and Canada.

SPEAKER: Julia Schatz, Bennett Jones, Ontario, Canada

Julia Schatz is a Canadian attorney with broad experience in a wide variety of commercial litigation and arbitration matters, including litigation related to the agribusiness sector, environmental disputes, contractual interpretations, pesticide data compensation negotiations and arbitrations and real estate disputes. She has appeared before all levels of court and various administrative tribunals, as well as in arbitration proceedings. Julia is a member of the Advocates' Society, the American Bar Association and Women in Agribusiness and AALA.

SPEAKER: Nora Faris, Bryan Cave Leighton Paisner, St. Louis, MO

Nora Faris is an attorney in BCLP LLP's Energy, Environment, and Infrastructure practice group. She has a professional background in the food and agribusiness sector that spans from the Corn Belt to Capitol Hill, with experience in agricultural biotechnology, food labeling and marketing, and international trade. Nora received her J.D. from Georgetown University Law Center and received her Bachelor of Science in Science and Agricultural Journalism from the University of Missouri-Columbia.

SPEAKER: Megan Provost, RISE, Arlington, VA

Megan Provost is the President of RISE (Responsible Industry for a Sound Environment), the national trade association representing manufacturers, formulators, distributors, and other industry leaders in the specialty pesticide and fertilizer industry. Provost brings a strong background in national-level pesticide industry advocacy and non-profit leadership to the role. Provost is a graduate of Oklahoma State University, earning a Bachelor of Science degree in agribusiness and a Master of Science degree in agricultural economics. She also holds a Juris Doctorate from the George Washington University Law School.

13C

FL

SESSION 13C - SOLUTIONS TO THE "2050 CHALLENGES" – THE LOOMING CHALLENGES TO AGRICULTURE AND FOOD PRODUCTION AND WHAT TO DO!

"2050 Challenges" refers to the food, water, nutritional, and other life subsistence problems and challenges that are forecast to significantly affect the worldwide human experience by 2050. The presentation will summarize and explore what these challenges are, what the obstacles are to solving such challenges, and make a number of suggestions for meeting such challenges by ag and food stakeholders. Summary of challenges: (a) dwindling supplies of water and food globally and in this country; (b) the population of our planet continues to grow, 73 million people in 2023 alone (8 billion on 7/1/2023, 10 billion by 2050, and US population will go over 435 million by 2050); (c) loss of arable land due to mismanagement, environment, growth of urban land, war, etc.; (d) low health conditions and food insecurity among in disadvantaged populations; (e) lack of technological and conservation resources to underserved areas, etc. Mostly - we are not looking ahead! Summary of possible "2050 Solutions": (a) new technologies, (b) regenerative farming; (c) vertical and organic farming; (d) investment in water purification and reclamation resources; (e) precision farming techniques; (f) development of climate-adaptive crops; (g) land conservation; etc. PLUS, each of the foregoing will create real, new jobs among those who are most challenged by 2050 food and water issues.

SESSION DESCRIPTIONS & SPEAKERS

SPEAKER: James Eggleston, Jr., Eggleston King Davis, LLP, Weatherford, TX

James D. Eggleston, Jr. is a partner in Eggleston King Davis, LLP, Weatherford, Texas. He is a member of the American College of Real Estate Lawyers and the American Agriculture Lawyers Association. Jim is Board Certified by the Texas Board of Legal Specialization in Farm and Ranch Real Estate Law and Commercial Real Estate Law. He is a frequent speaker on farm and ranch topics for the State Bar of Texas and his practice is devoted to farm and ranch transactions and financing, and asset protection for farmers and ranchers. He is also a candidate for an LL.M. in Agriculture and Food Law at the University of Arkansas School of Law.

SPEAKER: Audra Rod Smith, Audra Rod Smith, P.C., El Campo, TX

Audra Rod Smith is the founder of Audra Rod Smith, PLLC, which focuses on farm and ranch clients on the Gulf Coast of Texas. Her practice focuses on agriculture issues, especially those involving cattle, farm and ranch transactions, oil and gas matters, and real estate litigation. She holds a B.S. in Agriculture Science from Texas A&M University and a J.D. from the South Texas College of Law. She is Board Certified in Farm and Ranch Law by the Texas Board of Legal Specialization, a member of the Texas Bar College, and a partner in her family's cattle operation.

SPEAKER: Ridge Howell, Native American Financial Services, Fayetteville, AR

Ridge Howell, JD, is a citizen of the Muscogee (Creek) Nation and currently serves as Legal Counsel of Native Agriculture Financial Services (NAFS). Prior to joining NAFS, Ridge served as Counsel to the Intertribal Agriculture Council (IAC), where he helped coordinate outreach and technical assistance to Native producers eligible to apply for the USDA's Discrimination Financial Assistance Program (DFAP). Ridge worked as an Associate Attorney for Pipestem Law, P.C., a private practice law firm specializing in representation of tribal governments, tribal enterprises, and Native organizations with an emphasis on litigation in tribal, state, and federal courts. Ridge joined Pipestem Law following his graduation from the University of Oklahoma College of Law. While in law school, Howell co-founded the Agriculture Law Association, served as the Editor-in-Chief of the American Indian Law Review, and as the Vice-President of the Native American Law Student Association.

SPEAKER: Shawn "Pepper" Roussel, Green Pepper Solutions, Fayetteville, AR

Shawn "Pepper" Roussel is an ecoculinarean, food activist, and LLM degree candidate at the University of Arkansas in Agricultural & Food Law. Pepper is creator of Keep It Compliant; attorney at Green Pepper Legal; consultant at Green Pepper Solutions; and a co-founder of Dandelion & Moss. She is an adjunct professor of food disparity and environmental justice; Chairperson of the Board for New Orleans Food Policy Action Council; an Advisor to Imagine WaterWorks; and Board Member of Social Equity Empowerment Network. Pepper holds a BS in Computer Information Systems from Tulane University; an MS in Computer Information Technology with a concentration in eCommerce from Regis University; and a JD with certificates in both Environmental and International Laws from Loyola University New Orleans School of Law.

SPEAKER: Holiday Hull, Eggleston King Davis, LLP, Weatherford, TX

Holiday Hull is a third-year law student at the University of Arkansas and a law clerk with Eggleston King Davis, LLP in Weatherford, Texas. She is an honors graduate of the University of Arkansas-Fort Smith, a member of the American Agriculture Lawyers Association and a presenter at a past AALA symposium regarding decommissioning of solar facilities on farms and ranches. She has served in leadership roles for AALA's student division. Holiday grew up in a ranching family in eastern Oklahoma.

13D

IC

SESSION 13D - AGRI STATS AND BEYOND: THE ANTITRUST PERILS OF INFORMATION SHARING IN THE AGE OF ALGORITHMS AND AI

The antitrust risks of long-term information sharing with industry competitors even routed through neutral third-party consultants for such beneficial activities as efficiency benchmarking and industry best practices recently increased due to the withdrawal of an antitrust safe harbor provision and a series of cases brought by DOJ against Agri Stats, Cargill Food Systems and others. DOJ's concerns are animated in part by the perceived ability of powerful new algorithms and AI tools to predict the strategic behavior competitors based on historical information. Now, in addition to potential criminal and civil exposure for price-fixing or wage-fixing, such information exchanges, if they involve information about wages or benefits, may also lead to allegations of wage stabilization under the federal Sherman Act. We will cover the antitrust basics of communication with competitors, the old general rule under the Safe Harbor, as well as DOJ's new concerns and its current enforcement efforts in the age of algorithms. We will also provide some thoughts about how to assess the risks of information sharing going forward in light of current developments.

SPEAKER: Mark Tobey, Husch Blackwell, Austin, TX

Mark B. Tobey joined the Austin Texas Office of Husch Blackwell in Fall 2019. Drawing on his recent experience as Special Antitrust Counsel at the US Department of Justice Antitrust Division in Washington, DC, Mark counsels clients on antitrust and competition issues in the food and agribusiness and other industries, helping them to assess and mitigate risk an increasingly complex business and regulatory environment. Mark brings more than three decades of experience to complex antitrust matters, with deep insight as to how the government analyzes acquisitions, joint ventures, exclusionary practices and trade association activities at both the state and federal level.

14A

P

SESSION 14A - WOTUS UPDATE

The Clean Water Act's definition of "waters of the United States" has seen numerous changes in the past decade, with a new Supreme Court decision and updated definitions from the Environmental Protection Agency being issued within the last year. Staying up-to-date with WOTUS is crucial for agricultural landowners who need to know whether they are subject to CWA regulation. Come learn about the Supreme Court's ruling in *Sackett v. EPA*, EPA's response, and what it all means for agriculture.

SPEAKER: Brigit Rollins, The National Agricultural Law Center, Fayetteville, AR

Brigit Rollins began her work at the National Agricultural Law Center as a research fellow and joined the Center full-time as a staff attorney in 2019. At the Center, her primary area of research and scholarship is environmental law as it intersects with agriculture. She works on a variety of issues, including topics related to the Clean Water Act, the Endangered Species Act, and pesticide law. She earned a Bachelor of Arts in Environmental Studies from Sonoma State University, she attended law school at Lewis & Clark Law School in Portland, Oregon.

SESSION DESCRIPTIONS & SPEAKERS

14B

PP

SESSION 14B - ANTITRUST LAW ON THE FARM: CURRENT ANTITRUST AND COMPETITION LAW TOPICS AND THEIR IMPACT ON FARMERS

This session will discuss recent antitrust and competition law topics with a focus on their impact on farmers. The session will provide a brief overview on a few of the recent lawsuits' farmers have brought in the antitrust and agriculture space. It will include a detailed overview of In Re: Deere & Company Repair Service Antitrust Litigation, which covers the issue of farmers' "right to repair" farm equipment. We will also share where this area of law overlaps with USDA's recent Packers and Stockyards Act rulemaking on "Fair and Competitive Livestock and Poultry Markets."

SPEAKER: Kelly Nuckolls, LL.M. Program in Agriculture and Food Law, Fayetteville, AR

Kelly Nuckolls is the Assistant Director and Assistant Professor of Practice for the LL.M. Program in Agricultural and Food Law at the University of Arkansas School of Law. In this role, she directs the Food and Agriculture Impact Project, which provides the next generation of food and agriculture lawyers with hands-on experience in policy and legal research, analysis, and education. Kelly received her LL.M. in Food and Agricultural Law from the University of Arkansas School of Law, her J.D. from Drake Law School, and her B.A. in Political Science from Fort Hays State University. Kelly previously worked in Washington, D.C. on the farm bill, food safety, and other food and agriculture policies. She is licensed to practice law in the State of Iowa.

SPEAKER: Kaitlyn Dennis, Gustafson Gluek, Minneapolis, MN

Kaitlyn Dennis is Co-Lead Counsel representing farmers who purchased repair services from John Deere and Deere Dealerships. Kaitlyn Dennis is an associate of Gustafson Gluek PLLC, where she represents individuals and small businesses in antitrust, consumer protection, and product liability litigation. She earned her J.D. from the University of Minnesota Law School and her B.A. from Southwestern University. She is admitted to the Minnesota Bar and the U.S. District Court, District of Minnesota. Kaitlyn was recognized as a North Star Lawyer by the Minnesota State Bar Association.

SPEAKER: Kyla Kaplan, OFW Law, Washington, DC

Kyla Kaplan is an Associate Attorney at Olsson Frank Weeda Terman Matz PC (OFW Law) in Washington, D.C., where she advises clients on regulatory, and compliance matters in food and agriculture law. She leverages her expertise in FDA and USDA regulations to support clients throughout the food and agriculture supply chains. Ms. Kaplan's practice includes label reviews, enforcement actions, trademarks, food recalls, FSMA compliance, and AFIDA filings. Additionally, she teaches an "Introduction to Food Law and Policy" seminar at George Mason University's Antonin Scalia Law School.

14C

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SESSION 14C - AGRICULTURAL BIOTECH REGULATORY ROUNDUP FROM USDA, FDA, AND EPA

Innovative technologies like genetic engineering have the potential to solve some of agriculture's most pressing problems. A workable, predictable U.S. regulatory system is crucial to realizing the full potential of these products. This panel will touch on recent regulatory developments at USDA, EPA, and FDA applicable to agricultural products of biotechnology, presented by in-house and outside counsel to the companies who are developing and commercializing these products and navigating the regulatory process.

SPEAKER: Rebecca Foreman, ArentFox Schiff, Washington, DC

Rebecca Foreman, Associate at ArentFox Schiff focuses on regulatory compliance and complex litigation matters, primarily in the biotechnology and agricultural technology space. She has specific experience in regulatory counseling and litigation on matters arising under the Administrative Procedure Act, the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Federal Food, Drug, and Cosmetic Act (FFDCA), the Plant Protection Act (PPA), and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). She also has litigation experience in a wide range of subjects including defamation, health care reimbursement, and government investigations under the False Claims Act.

SPEAKER: Kris Ramaraju, Syngenta, Durham, NC

Krishna (Kris) Ramaraju is an Assistant General Counsel with Syngenta, based in RTP, North Carolina. His primary responsibilities are seed, GMO and pesticide regulatory legal concerns. Prior to Syngenta Kris also worked for the USDA's Office of General Counsel, Monsanto and Bayer. He is a graduate of Mercer University School of Law and has an LL.M. from the Georgetown University Law Center.

14D

IC

SESSION 14D - VOLUNTARY CARBON MARKETS DRIVEN BY THE COASTS PROVIDE OPPORTUNITIES FOR AGRICULTURAL PRODUCERS THROUGHOUT THE COUNTRY

While no federal law currently requires emitters to track and mitigate carbon emissions, climate goals based in part on other states' mandatory programs have driven demand for carbon credits. Agricultural producers and landowners throughout the country can profit from this credit demand in two ways. First, they can agree to incorporate sequestration practices. Second, they can participate in (or provide property rights for) carbon capture and storage projects. These market opportunities provide real potential for agricultural producers and landowners throughout the country. This presentation will consider these opportunities and provide practical advice for producers and landowners considering them.

SPEAKER: Hannes Zetzsche, Baird Holm, Omaha, NE

Hannes D. Zetzsche is an energy and environmental attorney at Baird Holm LLP. He helps clients to secure land rights, zoning approval and federal, state and local permits for energy, infrastructure and other commercial and industrial projects throughout Colorado, Iowa, Kansas, Nebraska, Oregon and Wyoming. He has experience developing renewable energy, including wind, solar and battery storage, electric vehicle charging stations, hydrogen, carbon capture and storage, pipelines, mineral rights and water rights.

15A

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SESSION 15A - AI IN PRECISION AGRICULTURE: WHAT ARE THE LEGAL RISKS?

Artificial intelligence (AI) is playing an increasingly important role in agriculture. AI is particularly compatible with the methods of precision agriculture in which technologies are applied to optimize farming techniques at both the macro and micro level. But the use of AI raises a variety of legal issues, many of which are so new that they have not yet been examined by a court. During this session, we consider some of the legal issues raised by AI in the particular context of precision agriculture and suggest ways that both users and producers of AI technology for precision agriculture can mitigate risk.

SESSION DESCRIPTIONS & SPEAKERS

SPEAKER: Dr. Siegmair Pohl, Kilpatrick Townsend & Stockton LLP, San Francisco, CA

Dr. Siegmair Pohl, Kilpatrick Townsend & Stockton LLP, is co-leader of the firm's Entrepreneurship Through Acquisition/Search Funds and Venture Capital and Emerging Companies practice. Siegmair and his team help high tech, climate tech, clean tech, renewable energy, robotics, automotive, artificial intelligence, and life sciences companies and investors with seed and venture financings, R&D, licensing, joint ventures and alliances, strategic investments, and mergers and acquisition matters. Dr. Pohl's education includes Universität Trier, Trier, Germany, J.D. (1994), University of Iowa College of Law, LL.M. (1996), and Rheinische Friedrich-Wilhelms-Universität Bonn, Bonn, Germany, Ph.D., Law, magna cum laude (2001).

SPEAKER: Jordan Glassman, Kilpatrick Townsend & Stockton LLP, Raleigh, NC

Jordan Glassman focuses his practice on patent prosecution and counseling primarily in the areas of electronics and software. Prior to launching his legal career, Jordan worked as a Software Engineer for companies located in North Carolina and California where he designed, developed, tested, and maintained complex business applications in the media, healthcare, and technology industries. His education includes Cornell University, B.A., Astronomy and Space Sciences (2001), University of California, Irvine, M.S., Physics (2008), and University of North Carolina School of Law, J.D., with honors (2022).

15B

SESSION 15B - DAMMED BY DATA: GOVERNMENT-INDUCED FLOODING AS A TAKING

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In a series of cases over the past few years, courts have recognized that even temporary government-induced flooding can be a "taking" under federal or state constitutions. But proving inverse condemnation against the government can be an uphill battle. This session will use the case of Houin v. Indiana DNR to outline the application of takings law in the context of a farmer's lost crops, damaged drainage tile, and an 8-year battle to recover damages against the government, relying on caselaw from the SCOTUS, Federal Court of Appeals, Federal Claims Court, and Indiana Court of Appeals. The case was also an example of utilizing modern agricultural data collection to prove liability and crop losses. This session will describe the ag data presented to the court from drone imagery, combine yield data, and NRCS maps, used to zero in on the losses incurred by the farm.

SPEAKER: Brianna Schroeder, Janzen Schroeder Agricultural Law, Indianapolis, IN

Speaking the language of agriculture in the context of law has been Brianna J. Schroeder's calling for her entire career. As a partner at Janzen Schroeder Ag Law LLC, Brianna brings a variety of skills to the complexities of today's agriculture. She represents a wide variety of clients from large corporations to municipalities and private individuals. Brianna has worked at firms in Indianapolis and Chicago, with her perspective including experience in complex litigation, environmental permitting, land use proceedings, and renewable energy. She is licensed in Indiana and Illinois.

SPEAKER: Todd Janzen, Janzen Schroeder Agricultural Law, Indianapolis, IN

Todd J. Janzen is an attorney and co-founder of Janzen Schroeder Agricultural Law LLC, a law firm dedicated to serving the needs of farmers, ag technology providers, and agribusinesses, located in Indianapolis, Indiana. Todd also serves as the Administrator for the Ag Data Transparent project, a national effort to bring transparency to contracts between farmers and technology providers. Todd has testified before the US Senate Agricultural Committee, as well as US Senate and House subcommittees. Todd grew

up on a grain and livestock farm in Kansas. Todd served as the chairs of the American Bar Association's Agricultural Management Committee and the Indiana State Bar Association's Ag Law Section. In addition to his regular law practice, Todd serves as counsel for the NASA Acres project and as the general counsel to the Indiana Dairy Producers. Todd publishes a national ag technology blog, the Janzen Ag Tech Blog.

15C

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SESSION 15C - RECENT TRENDS AND POLICY SHIFTS IN FOOD SAFETY LAWS

This panel will cover recent policy shifts at USDA and FDA around Food Safety, such as USDA's Food Safety Inspection Service's (FSIS) recent policy updates around Salmonella, including their final rule on Salmonella as an adulterant in raw breaded stuffed chicken products that exceed specific thresholds. On the FDA side, the panel will discuss recent updates around food chemicals (additives, ingredients, colors, etc.), as well as the long-awaited Agricultural Water Rule. This will be a unique opportunity to reflect on the breadth of topics in food safety law.

SPEAKER: Kimberly Bousquet, Thompson Coburn LLP, St. Louis, MO

Please see the AALA Symposium App for this speaker's bio.

SPEAKER: Kyla Kaplan, OFW Law, Washington, DC

Kyla Kaplan is an Associate Attorney at Olsson Frank Weeda Terman Matz PC (OFW Law) in Washington, D.C., where she advises clients on regulatory, and compliance matters in food and agriculture law. She leverages her expertise in FDA and USDA regulations to support clients throughout the food and agriculture supply chains. Ms. Kaplan's practice includes label reviews, enforcement actions, trademarks, food recalls, FSMA compliance, and AFIDA filings. Additionally, she teaches an "Introduction to Food Law and Policy" seminar at George Mason University's Antonin Scalia Law School.

SPEAKER: Kristiana Coutu, Center for Agricultural Law and Taxation, Iowa State University, Ames, Iowa

Kristiana Coutu is the director of the Beginning Farmer Center and counsel for the Center for Agricultural Law and Taxation at Iowa State University. She guides the center's activities which focus on providing educational resources and programming for new farmers and their professional advisors. As counsel for the Center for Agricultural Law and Taxation, she provides legal analysis and educational materials for producers, policymakers, and industry stakeholders. Kristiana received her J.D. from Michigan State University College of Law, a B.S. in Business Management from the University of Connecticut, a M.S. in Taxation from Grand Valley State University and is completing an L.L.M. in Agricultural and Food Law at the University of Arkansas School of Law.

SPEAKER: Steve Mandernach, Association of Food & Drug Officials, York, PA

Steven Mandernach is the executive director of the Association of Food and Drug Officials (AFDO). AFDO encourages participation in the integration of the food safety system, uniformity of state laws, improvement strategies for recalls, promotion of HACCP and preventive controls, food safety education, industry and regulatory training, and uniform regulatory practices. Mandernach graduated with a J.D. from Drake University Law School and a B.A. from Buena Vista University. He has completed graduate work in Food Safety at Michigan State University.

SESSION DESCRIPTIONS & SPEAKERS

15D

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SESSION 15D - INSIDE USDA: POLICY, REGULATORY, & ENFORCEMENT BEST PRACTICES WHEN NAVIGATING THE DEPARTMENT

A panel of current and former USDA officials and staff will discuss practical ways to optimize results for your clients when faced with a USDA policy, regulatory or enforcement matter. The panel will cover multiple USDA mission areas and provide practical tips and insights based on service both inside USDA and representing clients on USDA issues. Special topics include: national organics program, bioengineered food disclosure, supplemental nutrition assistance program, navigating threatened enforcement action and administrative litigation.

SPEAKER: Kristi Boswell, Alston & Bird, Washington, DC

Kristi Boswell, Alston & Bird, focuses her regulatory and policy practice on advising farm and food clients on issues that impact food production, manufacturing, and retail sale. This includes compliance with organic standards, workforce needs, immigration, farm safety net programs, risk management, conservation, rural development, and food and nutrition programs. Whether advising farmers, trade associations, cooperatives, food processors or grocers, Kristi's enterprise-wide USDA experience gives her the unique ability to effectively provide regulatory compliance counsel and identify opportunities to actively engage policy makers for regulatory or legislative improvements.

SPEAKER: Sam Jockel, Alston & Bird, Washington, DC

Sam Jockel is a partner at Alston & Bird. He focuses his practice on regulatory, policy, and litigation matters involving industries regulated by FDA USDA, TTB, FTC, and related state regulatory agencies. Sam's clients include those in the food, beverage, alcohol, cosmetics, dietary supplement, retail, animal product, and drug industries. Sam advises on a range of matters, including product and ingredient commercialization, regulatory compliance, import and export, supply chain management, and labeling and advertising. Sam counsel's clients across multiple product categories through enforcement actions and potential crises, including in response to import detentions, inspectional findings, recalls, warning letters, and civil and criminal investigations and actions.

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