HALL ESTILL
ATTORNEYS AT LAW

Food & Agribusiness

Hall Estill's Food & Agribusiness team understands the complex challenges faced by all parties who play a role in ensuring our nation's food chain operates at maximum efficiency and is fully prepared to meet the demands of today's national and global markets.

From our offices in Oklahoma, Arkansas, and Colorado our Food & Agribusiness attorneys provide multidisciplinary, seasoned counsel to clients from coast to coast. We deliver a comprehensive suite of services to those seeking innovative financing and leasing solutions to support their production, operations and inventory requirements, as well as to investors and lending institutions that rely on our advice to identify opportunities and carefully structure transactions in the agribusiness space.

Hall Estill attorneys understand that financial institutions often strive to cross-sell multiple financing vehicles that may need to be documented within a single event. Skilled in these types of arrangements, we execute transactions smoothly, without encouraging unnecessary technical or academic debate that can increase costs and impair customer relationships.

Our clients include:

- Agricultural Equipment Manufacturers and Dealers
- Agricultural Finance and Equity Capital Providers
- Animal Health Innovators
- Cooperatives
- Farm Operators
- Food Technology Companies and Processors
- Grain Handlers and Processors
- Input Providers – Seed, Chemical and Fertilizer Producers and Distributors
- Livestock and Dairy Producers and Processors

In addition, we work with clients and industries that play a key role in helping ensure safe, innovative and efficient operation, distribution and consumption processes throughout the agribusiness lifecycle, such as:

- Renewable Energy Producers, including Biofuels, Wind and other Energy Sources
- Transportation Firms and Distributors
- Restaurants

We regularly represent agents, lead arrangers, lenders and borrowers in negotiating, structuring and documenting complex financing and leasing deals, including:

- Bilateral Loans
- Syndicated Lending Transactions
- Unsecured Investment-Grade Loan Facilities
- Multiproject, Multistate Construction Loans
- Asset-Based Loans
- Domestic and International Cross-Border Leasing Transactions
- Equipment and Facility Leasing and Financing
- Leveraged Lease, Single-Investor Leases and Operating Leases

Our in-depth financing experience crosses the entire spectrum of commodities, including grain, dairy, protein, sugar, soybean, fruits and vegetables, and timber. We are intimately familiar with the unique issues that arise in asset-based loans in this industry, including compliance and regulatory requirements imposed by the Perishable Agricultural Commodities Act, the Food Security Act and myriad state statutory liens.

Our attorneys have developed, and continue to update, comprehensive, integrated loan documents that reflect the current loan syndication market. We frequently advise financial institutions on developing their own standard loan syndication documentation and procedures. In addition, we have automated our documentation process to include investment-grade provisions, swing lines, multicurrency provisions, letter of credit sub-facilities, and various standard and alternative provisions that permit efficient customization for each financing transaction.

In the equipment leasing and finance arena, we represent lessors and lessees active in the agribusiness sector as well as those in the aviation, vessels, transportation, manufacturing, and traditional and alternative energy industries.

Andy Romanow leads Hall Estill's Food & Agribusiness team. Andy's 20 years of deep industry experience includes serving as deputy general counsel for CoBank, ACB, where he was the architect and manager of the internal legal teams supporting all CoBank loan and lease divisions, including agribusiness, infrastructure, leasing and special assets. He took a lead role in developing CoBank's internal loan and lease documentation templates, and oversaw complex transactions that required external documentation.

Click here for resources available through the National Agricultural Law Center.

Click here to read Richard Manner's "Historical Introduction to the Farm Credit System: Structure and Authorities, 1971 to Present" published in the Drake Journal of Agricultural Law