

Farm Credit Services

Professionals

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Rooted in experience.

Nexsen Pruet attorneys have handled all aspects of agribusiness credit for Farm Credit institutions in 40 states. Our Farm Credit Practice Group has deep, firsthand experience in agriculture and rural business lending of all types, with a focus on serving the needs of lenders in the Farm Credit system, including:

- Representing Farm Credit institutions in the documentation of more than \$100 million in operating and real estate financing for various dairy operators across the United States
- Representing Farm Credit institutions in the documentation of more than \$150 million in ranch financing
- Representing Farm Credit institutions in the documentation of more than \$150 million in operating, construction and real estate financing for various greenhouse and nursery operators across the United States
- Representing Farm Credit institution in the documentation of a \$200 million processing facility construction financing
- Representing Farm Credit institution in the documentation of a \$300 million pork processing facility construction financing
- Representing Farm Credit institutions in the documentation of more than \$500 million in operating financing for various poultry producers and processors across the United States
- Representing Farm Credit institutions in the documentation of more than \$1 billion in operating financing for various cattle feeders across the United States
- Representing Farm Credit institutions in the documentation of more than \$1 billion in financing of timber tract purchases and timber processing operators across the United States
- Investigating and advising Farm Credit institution in connection with a \$2 million check kiting scheme by borrower
- Representing Farm Credit institution in a \$5 million workout/bankruptcy of sweet potato grower and processor
- Representing Farm Credit institution in related Chapter 11 bankruptcy cases of processor and grower resulting in sale of strawberry

packaging plant/land netting sufficient proceeds to repay the \$3.4 million debt owed to the institution

→ Supervising and conducting numerous investigations involving Farm Credit regulatory compliance

Farm Credit lending has a unique history, complex regulatory requirements and a vital place in our nation's economy. Nexsen Pruet lawyers have decades of experience helping Farm Credit institutions structure deals — from simple loans to complex capital markets transactions in excess of \$1 billion. These include construction and development loans, large operating loans in all segments of agriculture and term debt for timber and agricultural property, among others.

Our attorneys know that when drawing up the documents for a large Farm Credit transaction, standard credit agreements include many elements that simply do not apply in the unique world of Farm Credit. We structure cutting-edge agreements that are customized for Farm Credit institutions and based on our expansive knowledge of the agricultural finance sector.

Beyond transactions, Nexsen Pruet has extensive knowledge of the organizational and operational needs of Farm Credit institutions. These include drafting and revising bylaws, policies and procedures, as well as advice on employment law, standards of conduct, whistleblower matters and criminal referrals. We also serve as general counsel to various Farm Credit institutions.

We represent Farm Credit institutions in their interactions with the Farm Credit Administration and other governmental entities, and have assisted many institutions under regulatory supervision. This work includes conducting internal investigations involving multi-disciplinary attorneys, addressing sensitive personnel matters, guiding clients through criminal referrals and prosecutions, regulatory compliance issues and employee trainings.

Nexsen Pruet lawyers frequently assist Farm Credit lenders on loan defaults, distressed loans and borrower rights issues, as well as loan restructurings and forbearances, collections, foreclosures and bankruptcy matters.

Nexsen Pruet attorneys understand the rural markets that agribusiness lenders serve. Our practice group leader grew up on a farm. Another of our practice area members grew up in rural Texas and worked as a Farm Credit loan officer. We focus on this area of law because we are personally committed to it and know, from firsthand experience, how important it is.

Nexsen Pruet Farm Credit capabilities include:

- Bankruptcy
- Board Duties and Functions
- Board Elections
- Board Investigations
- Borrower Rights
- Bylaws

- Capital Regulations
- Collections
- Contract Review and Negotiation
- Criminal Referrals
- Borrower Eligibility and Scope
- Data Privacy and Security and Incident Response
- Employment and HR
- Enforcement Actions
- Environmental Issues
- Estate and Succession Planning
- Ethics/Whistleblower
- Examinations
- Flood Insurance
- Foreclosures
- General Litigation
- Intellectual Property
- Internal Investigations

- Investments, including Rural America Bond Program
- Lending Law Compliance
- Litigation
- Loans (ABL, Capital Markets, Commercial, Construction, Real Estate, Servicing, Syndications)
- Mergers and Acquisitions
- Nominations/Elections
- Operations/Segregation of Duties
- Patronage
- Perishable Agricultural Commodities Act (PACA)
- Policies, Procedures and Handbooks
- Privacy Rights
- Regulatory Compliance Consultation
- Restructuring/Workouts
- Shareholder Disclosure

- Standards of Conduct
- Subpoena Responses
- Supervisory Letters
- Unincorporated Business Entities

Understanding the landscape.

While deeply involved in Farm Credit work, our attorneys are also familiar with the broader landscape of rural business and agricultural finance. In addition to working with Farm Credit institutions, our attorneys sometimes represent other agricultural businesses and suppliers.

One of the reasons our attorneys understand Farm Credit and agribusiness issues is because of their long involvement in issues and policies affecting that sector. For example, Nexsen Pruet attorneys conceived of and designed the Rural America Bond Program, which has provided low-cost financing for many crucial rural projects.

Our Farm Credit lawyers also stay abreast of the critical issues that affect rural economies and farmers' livelihoods: Trade and tariff issues, labor and immigration matters, diseases that sometimes affect specific crops and livestock, changes to environmental regulations and the potential of new agricultural products, such as industrial hemp.

Because Nexsen Pruet is a multi-specialty firm, our Farm Credit attorneys can tap other lawyers who specialize in trade, environmental law, finance, estate and succession planning, as well as communications professionals who specialize in media relations, brand strategy and crisis communications.

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News

05.01.2019 | News from Nexsen Pruet
Nexsen Pruet Ranked Highly in Chambers USA 2019

01.24.2019 | News from Nexsen Pruet
Christy Myatt and Lisa Sumner named to Top 50: 2019 Women North Carolina Super Lawyers list

Insights

08.24.2021 | Article

Farm Credit: Utilizing a Privacy Statement to Build Borrower Trust

03.18.2021 | Article

What's the Deal? Bankruptcy Tips and News

02.22.2021

VIDEO: Financing Projects Utilizing the United States Department of Agriculture

12.30.2020

Farm Credit and Agribusiness Highlights from the Coronavirus Response and Relief Supplemental Appropriations Act

07.24.2020 | Video

Farm Credit Tips (Video Training Series)

07.24.2020

What's the Deal? Bankruptcy Tips and News

10.28.2019

Multiple Factors to Drive Increase in Family Farmer Bankruptcy Filings

Video Training Series: Farm Credit Tips

The Farm Credit system has a unique history, complex regulatory requirements, and a vital place in our nation's economy. Nexsen Pruet lawyers have decades of experience helping Farm Credit institutions structure lending deals and providing advice on standards of conduct, board governance, employment matters, fraud investigations, Borrower Rights, and criminal referrals to name just a few areas.

We've developed a series of practical videos to help Farm Credit institutions and their employees better understand and navigate some of these areas.