

Agribusiness

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Nexsen Pruet's roots in agricultural operations run deep. Our agribusiness team harvests industry-wide experience in financing, immigration, litigation, real estate, environmental and tax and estate issues for lenders, multinationals and agricultural producers.

Group Chair David Gossett served in-house at one of the nation's largest Farm Credit System banks for seven years and brings unique insight to our practice. His experience, coupled with the broad-based skills of the firm's legal team, ensures an insider's understanding of what lenders and borrowers want – and need – before they even ask.

Nexsen Pruet attorneys have extensive experience representing a wide variety of banking and financial institutions, including the Farm Credit System, the largest agricultural lending organization in the United States. Our capabilities include:

- Bankruptcy
- Board Duties and Functions
- Board Elections
- Board Investigations
- Borrower Rights
- Bylaws
- Capital Regulations
- Collections
- Criminal Referrals
- Eligibility and Scope
- Employment and HR
- Enforcement Actions
- Environmental
- Estate and Succession Planning
- Ethics/Whistleblower
- Examinations
- Flood Insurance

- Foreclosures
- General Litigation
- Internal Investigations
- Investments, including Rural America Bond Program
- Lending Law Compliance
- Loans (ABL, Capital Markets, Commercial, Construction, Real Estate, Servicing, Syndications)
- Mergers
- Nominations/Elections
- Operations/Segregation of Duties
- PACA
- Patronage
- Policies/Procedures/Handbooks
- Regulatory Consultation
- Restructuring/Workouts
- Shareholder Disclosure
- Standards of Conduct
- Subpoena Responses
- Supervisory Letters
- Unincorporated Business Entities

We also maintain close working relationships with the U.S. Department of Agriculture and Farm Credit Administration in Washington, as well as service providers who specialize in New Market Tax Credits and local farm bureau organizations.

Our experience includes being:

- Co-lead counsel (collateral agent) for syndicated \$600 million of credit facilities to a sugar processing company
- Lead counsel for lending consortium on \$68 million of credit facilities for construction of ethanol production plant
- Senior counsel to a consortium of lenders purchasing \$305 million of a \$1.5 billion senior secured term debt for multi-state timberlands
- Lead counsel for the lending consortium on a \$200 million, asset-based revolving line of credit to a cattle feedlot operation
- Lender representative to several agency stakeholder groups responsible for drafting statewide animal-feeding operation regulations and subsequent revisions
- Local counsel to large international prepared-food company

- Lead M&A counsel in multiple agribusiness mergers and acquisition transactions valued at more than \$230,000,000 in the aggregate

Architects of the Rural America Bond Program

Our Agriculture Lending team is the legal architect for the Rural America Bond Program. In 2005, Nexsen Pruet lawyers originated the concept, and then crafted the pilot program that was adopted by the U.S. Farm Credit Administration.

The program provides the opportunity to invest in the growth of non-urban communities by financing business projects, infrastructure, and health care services that focus on rural areas, as well as projects supporting agriculture and agribusiness. These projects are typically ineligible for financing through traditional loans.

We have assisted with:

- \$18 million in bonds for a Critical Access Hospital in Lutcher, Louisiana
- \$4 million in bonds for a charter school in Salem, Utah
- \$1.1 million in bonds for a furniture manufacturer in Hickory, North Carolina
- \$5.5 million in bonds for funding of three rural schools for at-risk teenagers in Texas, New Mexico, and Montana
- \$16 million in bonds for funding a new 54,000-square-foot hospital in St. James, Minnesota
- \$16.65 million in bonds for funding a 25-bed acute care critical access hospital in Booneville, Arkansas

At a time when the world wants more and more agriculture commodities, all eyes are focused on the United States. So the companies and organizations that comprise and support the agricultural industry need experienced, responsive attorneys on their finance teams. Nexsen Pruet is that proven partner.

The agribusiness industry

This industry is one of the fastest-growing sectors of the global economy. It accounts for nearly one-fifth of the U.S. gross national product and employs close to a quarter of the U.S. labor force. The industry faces profound opportunities and challenges; growing interest in alternative energy sources such as biofuels; new free trade agreements and expansion of global trade; increased investment in biotechnology; price fluctuations on agricultural commodities and immigration and labor issues. From small input supply farms to major multinationals, Nexsen Pruet has the seasoned expertise to help agricultural businesses thrive.

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Experience

Rural America Bond Program
Earth Fare

News

01.08.2021 | News from Nexsen Pruet
Nexsen Pruet Opens Texas Office

03.18.2019 | News from Nexsen Pruet
Former Nexsen Pruet Chairman receives South Carolina's highest civilian honor

Insights

09.30.2021 | Article
WOTUS Whack-a-Mole: What Definition Applies This Week?

05.06.2021 | Article
Producer Farming Data Privacy

03.18.2021 | Article
What's the Deal? Bankruptcy Tips and News

12.30.2020
Farm Credit and Agribusiness Highlights from the Coronavirus Response and Relief Supplemental Appropriations Act

07.31.2020
USDA Grants Help Socially Disadvantaged and Veteran Farmers and Ranchers

07.24.2020
What's the Deal? Bankruptcy Tips and News

06.18.2020
A Win for Plaintiffs in Recent NC Ag-Gag Ruling

10.28.2019
Multiple Factors to Drive Increase in Family Farmer Bankruptcy Filings

10.25.2019

Impact: U.S. Trade Agreement with Japan

07.10.2019

Workplace Safety and Summer Heat

06.10.2019

Bet-the-Farm Litigation

05.22.2019

2019 Flood Insurance Update

05.09.2019

Bet-the-Career: Tips for keeping executives from becoming collateral damage in high stakes litigation

04.18.2019

Bet-the-Company: Keys to Prosecuting and Defending High Stakes Litigation

10.27.2015

OSHA Targets Agribusiness Industry with New Citations