



# Hanson Bridgett

## Wine Law

Based in California, Hanson Bridgett has represented clients in the wine industry for more than 50 years. Our deep California roots have helped us develop an expertise in the unique issues clients in the wine industry face and have enabled us to form strong community bonds in one of the world's preeminent grape-growing regions.

As a multi-service firm, we have assisted clients at every stage of the winemaking process, including purchasing and developing land, negotiating permits and water rights issues, and protecting trademarks. With our years of experience, we understand the distinct challenges of operating wineries and vineyards when compared to other agricultural sectors. Protecting businesses against impacts from climate change, including wildfire damage and risk mitigation, is also within our team's wheelhouse. We also have experience helping wineries adapt business models to sell directly to consumers, and have established good, working relationships with local and state officials, as well as key experts often needed in managing land use and production issues. And, as circumstances for our clients change, Hanson Bridgett has assisted with the sale and redevelopment of agricultural lands.

Hanson Bridgett has worked with many of the industry's leading winemakers in the Napa Valley, Sonoma Valley, Central Coast, and their neighboring communities, assisting generations of families in both the business operations and with trusts and estate issues. Several of our lawyers have become general counsel for wineries and vineyard owners. We are creative problem solvers, understand the pressures of business, and prioritize client needs.

At the onset of the COVID-19 pandemic, Hanson Bridgett nimbly assembled a multidisciplinary response team to help our clients navigate the myriad unique issues presented by the developing worldwide pandemic to protect their companies and employees. Whether affected by pandemics, fires, droughts, or other major disruptions, we are mobile, creative, and well positioned to help our clients navigate change with as little stress as possible.

## Clients

Hanson Bridgett has represented a variety of grape growers, from small and boutique wineries to multimillion-dollar operations, as well as investors and insurers in the sale of vineyard land. We are a California firm with long established connections in Napa and Sonoma Counties and other local areas. However, our wine practice extends to the Pacific Northwest, and we have served as a national coordinating counsel for the region's vast export market.

Here is a sampling of our clients in the wine industry:

- Wineries
- Vineyard owners
- Investment groups
- Business suppliers
- Wine distributors
- Grape contractors
- Institutional lenders

## Comprehensive Service

With our extensive practice we can assist clients with the numerous legal and regulatory hurdles of operating in the grape-growing and wine-making business. We are in the unique position of having represented many local governments during the process of legislation being enacted. Given that insight, we can help our clients navigate the maze of legal requirements efficiently and economically.

Hanson Bridgett prioritizes teamwork, and our lawyers are adept at efficient collaboration where an issue requires multiple fields of expertise.

Here are some of the areas in which we assist clients in the wine industry:

**Real Estate.** Our lawyers have decades of experience in buying and selling of wineries, vineyards and tree crops. We also handle the complex financing and developing of vineyards and wineries, including title and wastewater issues, as well as leasing and subleasing.

Representative real estate experience includes:

- Representation of national brand winery in the sale and leaseback of a St. Helena winery and vineyard, followed by a series of 1031 like-kind exchanges acquiring other Northern California vineyard properties.
- Representation of one of the largest vineyard owners in California in the phased acquisition and development of 1,500+ acres of vineyards in Monterey, California, including development of separate well parcels and related easements on the Salinas River.
- Representation of national institutional lenders in the origination, servicing, workouts and enforcement of agricultural loans in California, including vineyards, wineries, and orchards.
- Representation of a national brand winery in the acquisition of vineyard and winery properties in California, Oregon and Washington.
- Representation of a national brand winery in the negotiation and documentation of a revolving line of credit and real estate secured long-term debt aggregating over \$500,000,000.

**Environment.** Operating a vineyard involves a host of environmental issues. We have deep experience working with agricultural and manufacturing companies on water pollution control, pesticide use and disposal, hazardous materials and waste management, worker protection, and stormwater management. We work with clients and technical consultants to assess and improve our clients'

compliance with environmental laws and regulations governing water quality, air quality, hazardous materials, and waste. We have conducted assessments and audits and produce user-friendly products rather than long legal documents. We understand that regulatory compliance depends on effective communication and training at all levels of an organization and is no easy feat for companies operating in heavily regulated jurisdictions like California. Additionally, Hanson Bridgett has experience conducting carbon-footprint and ESG analysis.

**Land Use.** Our land use attorneys have experience developing efficient and politically sensitive permitting strategies for the approval of wineries and vineyards throughout California and have significant experience working closely with local officials and public agency attorneys on development proposals.

Representative land use experience includes:

- Representation of applicants seeking land use entitlements for new wineries and vineyards, and expansion of existing wineries and vineyards, in Sonoma and Napa Counties and their incorporated towns and cities.
- Representation of Napa County in evaluating legality of various land use initiatives placed on local ballot, including oak woodland initiative and its impact on agricultural operations.
- Representation of various landowners and companies throughout the state in redeveloping agricultural land with residential, commercial, industrial, recreational, and other uses.
- Navigating issues related to Williamson Act contracts.

**Water Law.** Ground and surface water rights and water quality are central issues for wine growers. We have handled water permits, water quality compliance and other general environmental permitting issues. We advise our clients regarding groundwater management, water curtailment and conservation orders and regulations in times of drought. We also adjudicate surface and groundwater rights before agencies and courts,

acquire and transfer water right permits, and advise clients regarding the reconveyance of appropriative and riparian rights. We also assist clients with water quality compliance and enforcement defense. We have strong relationships and open lines of communication with water enforcement agencies (federal, state and local) which allow us to resolve cases quickly and cost-effectively.

Representative experience includes:

- Representation of winery against Zone 7 agency regarding a well permit.
- Representation of Groundwater Sustainability Agencies in Sustainable Groundwater Management Act compliance and groundwater adjudications.
- Representation of water agencies in water rights resolving water rights complaints involving flows for endangered fish species.

**Trusts and Estates.** For many of our winery and vineyard owners, family is key. When it comes time to pass the torch from one generation to the next, our wine law attorneys work closely with our estate planning attorneys to ensure a successful transition.

**Intellectual Property.** Trademark enforcement is critical for wineries, whether small grape growers or those with global brands. We have successfully represented wineries and their affiliates in trademark litigation and enforcement, including matters before the international Trademark Trial and Appeal Board. Our clients also include other segments of the alcohol industry.

**Labor and Employment.** Hanson Bridgett has counseled winery owners on the full range of employment matters, including wage-and-hour, discrimination, reasonable accommodation, leaves of absence, and union-related issues. We also have defended numerous wineries in employment-related litigation including single, multi-plaintiff, and class action lawsuits involving ADA Title III, sexual harassment, and other workplace claims.

Representative experience includes:

- Represent one of the ten largest wine producers in the United States, providing advice and counseling on labor and employment matters as well as representation in employment related disputes.
- Represent a family-owned, organic winery regarding workplace policies and employment actions, as well as threatened litigation.
- Defended numerous wineries in Paso Robles, Napa and Sonoma counties regarding ADA Title III matters.
- Defended a barrel manufacturer in TCA (corkage) litigation.

In addition to our experience, Hanson Bridgett's appreciation of the region, the people, and the cultural traditions – many of us having lived or worked in the communities – has proved invaluable in serving as lawyers for the wine industry. We provide personal service by building a relationship with our clients. We strive to always be responsive and understand our clients' objectives, demonstrating our integrity and ability to serve as a trusted advisor. One of our core values is to practice law in a friendly and approachable manner. We create a comfortable environment for you that fosters open communication. This is reflective not only in our long-standing relationships with clients, but also in the deep commitments we make to the communities in which we live and work.