

WINE LAW SEMINAR

Motherlode Region

Covering Motherlode counties of Amador, Calaveras, El Dorado, Mariposa,
Nevada, Placer, Sacramento, San Joaquin, Stanislaus, Tuolumne & Yolo



Two Locations

Tuesday, November 6, 2012 8:00 a.m. to 2:00 p.m. Oak Ridge Winery Lodi, California 95240 <i>*Registration Deadline: Tuesday, October 30, 2012*</i>	Wednesday, November 14, 2012 8:00 a.m. to 2:00 p.m. Cielo Estate Shingle Springs, California 95682 <i>*Registration Deadline: Wednesday, November 7, 2012*</i>
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Providing solutions for the environmental, business and technical challenges facing winery and vineyard owners and operators.

TENTATIVE AGENDA

8:00 – 8:30 Registration

8:30 – 10:00 Land, Water & Additional Regulatory Trends

Land

- Zoning and Use Permits: Motherlode Region
- Williamson Act/CEQA/Subdivision Map Act – Land Divisions
- Easements

Water

- Availability and Storage
- Water Quality – Growers & Wineries
 - Stormwater
 - Winery Wastewater

Regulatory Trends

- What's In
- What's Out
- What You Can Do

10:00 – 10:15 Break

10:15 – 11:00 Control of Grapevine Virus Diseases

11:00 – 1:00 Business Operations

- General Operating Issues
- Branding, Labeling and Copyright
- Acquisition Structuring and Business Transition Planning
- Grape Contracts & Related Litigation

1:00 LUNCH & WINE TASTING

Registration Fee is \$35, plus a bottle of wine to share at reception. (*Seminar Fee Includes Lunch & Wine Reception to follow*) 3.25 hrs. MCLE/AICP Credit

To register, contact Abbott & Kindermann, LLP at (916) 456-9595 or dyurgelevic@aklandlaw.com.

Make checks payable to Abbott & Kindermann, LLP and mail to 2100 21st Street, Sacramento, California 95818.

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4 Easy Ways to Register:

Phone: 1-916-456-9595

E-mail: dyurgelevic@aklandlaw.com

Fax: 1-916-456-9599

Mail: Abbott & Kindermann, LLP, 2100 21st Street, Sacramento, CA 95818

Please use the form below when registering by fax or mail.

Wine Law Seminar – Motherlode Region

(Check the location you would like to attend)

Tuesday, November 6, 2012 - 8:00 AM - 2:00 PM _____

Wednesday, November 14, 2012 – 8:00 AM – 2:00 PM _____

Name _____ Company _____

Title _____ Email _____

Approving Manager _____

Title _____ Email _____

Address _____ City _____ State _____ Zip _____

Phone _____ Fax _____

Choose Your Date and Location and Register Today for this Exciting Event!

\$35.00 Wine Law Seminar – Motherlode Region

(plus a bottle of wine to share at reception)

Qty ___ x \$35.00 = \$ _____

ORDER TOTAL = \$ _____

Method of Payment: **Check:** Payable to Abbott & Kindermann, LLP

Credit: MC Visa

Card #: _____ Exp Date: _____ Billing Zip Code _____

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Cancellations: Substitute registrants can be named at any time. A full refund will be given if notification is given five or more business days in advance.

FACULTY:

In Speaking Order

Diane Kindermann Henderson is a partner at Abbott & Kindermann, LLP. Since 1989, she has practiced in the areas of environmental, land use, and real estate law. She represents agricultural, mining, industrial, private development and public agency clients as well as other landowner and business interests in matters concerning environmental, land use, and real estate law. Her areas of practice include planning and zoning laws, CEQA, NEPA, Federal and State Endangered Species Acts, water quality, wetlands, water and mineral rights and hazardous waste matters.

Charles Cunningham, P.E., President of Cunningham Engineering, is a leader in the civil engineering industry with over 35 years of experience. His expertise within the field of civil engineering ranges from land development and planning to general engineering of roadways, utilities, subdivisions and site work. Mr. Cunningham has been involved in several winery projects, including the expansion of RH Phillips Winery and Helwig Vineyards & Winery. He understands the unique needs of wineries, especially those in rural locations, and has addressed winery projects with no municipal water or wastewater facilities, including locations which were subject to seasonal flooding. Mr. Cunningham has led entitlement processing with County Planning Departments to address water supply, wastewater disposal and flood protection concerns as well.

Mr. Cunningham is also an industry representative and expert witness. His easy communicative demeanor and ability to explain engineering and construction practices clearly and concisely allows an understanding technical concepts by non-industry people. His experience spans both the public and private sectors, including projects varying from institutional (K-12 and higher education), to civic centers and essential services; and he has successfully completed numerous commercial, retail, office, mixed-use and industrial projects. His experience with residential projects range from higher density in-fill sites to 1500-acre master planned communities.

In addition to his full-time role with Cunningham Engineering, Mr. Cunningham has also successfully undertaken several land development and commercial building projects in Davis, California.

Glen Hansen is a senior associate with Abbott & Kindermann, LLP and his primary practice areas include land use, real estate, environmental, commercial and business litigation, as well as government law matters. Mr. Hansen's litigation experience included reported appellate cases concerning toxic substance contamination and land use law, initiative measures, among many others – all of which come into play within land use, environmental and development litigation.

Dan Cucchi is currently a law clerk and soon to be associate with Abbott & Kindermann, LLP, when he is admitted to the California State Bar. He primarily practices in the areas of land use, environmental, and real estate law. Dan was a Planner for seven years with the County of Yuba.

Dr. Deborah Golino has been the Director of Foundation Plant Services (FPS) since 1994. FPS is a unit of the College of Agriculture and Environmental Sciences at University of California, Davis. FPS is dedicated to the distribution of disease tested, true to identity plant materials produced by UC researchers or improved by technology developed by UC researchers. At this time, FPS is responsible for programs for grapes, strawberries, fruit trees, nut trees, sweet potatoes, and roses. The grape importation, quarantine and clean stock programs are the largest in the United States. These programs have played a key national and international role in distributing new crop varieties and healthy planting stocks. Since September, 1994, the department has been housed in the National Grape Importation and Clean Stock Facility, a state-of-the-art building funded by a combination of federal, state and industry monies.

Dr. Golino began her professional career in Riverside, California, where she worked for the USDA-ARS at Boyden Entomology Laboratory, specializing in research on insect-transmitted diseases of citrus. After completing her PhD dissertation "Characterization of the beet leafhopper transmitted virescence agent, a mycoplasma-like organism" in 1987, she was transferred to the USDA-ARS fruit pathology research group in Davis. Since then, she has managed a research program directed at controlling the virus and virus-like diseases of grapevines with a focus on improved methods of pathogen detection and streamlining virus elimination techniques for clean stock and quarantine programs. She joined the University of California in 1994. In addition to her position as FPS Director, she is a Cooperative Extension Specialist in the department of Plant Pathology, UC Davis, participating in teaching, extension and service. She is an author of over 80 scientific publications in plant pathology. Since 2005, she has served as Director for the Viticulture Consortium West (VCW) and the California Competitive Grants Program for Viticulture and Enology (CCGPVE), two competitive grants programs administrated by Division of Agricultural and Natural Resources (ANR).

Jim Clarke is a corporate and tax attorney who works with companies in many industries across the spectrum providing assistance on ownership structuring, acquisition strategy and operational tax efficiency. His practice focuses on business transactions, planning and dispute resolution, transactional tax and business planning matters in connection with mergers and acquisitions; structuring and choice of equity financings; reorganizations, acquisitions, business dispositions involving corporate (including nonprofit) and pass-through business entities, and client representation in federal, state and local tax controversy matters.

As part of his executive compensation practice, Jim combines his corporate and tax specialties to work with businesses in the planning and implementation of key employee compensation arrangements; including stock and synthetic equity performance incentives, deferred compensation plans, stock option plans, stock appreciations rights, and phantom stock option plans.

Jim has worked with wineries and numerous agri-business enterprises and will be speaking on transition planning for wineries.

Scott Hervey is a corporate and intellectual property attorney who works with companies in a variety of different industries. He represents technology companies, entertainment/new media companies, wineries, restaurants and all varieties of brand driven enterprises in licensing and acquisitions, financings, and other general business transactions. Scott also assists his clients in protecting their valuable brands through trademark infringement litigation, domain name infringement arbitration, and proceedings before the United States Patent and Trademark Office and Trademark Trial and Appeals Board.

Scott has extensive knowledge and experience in trademark and copyright law. He has guided clients in a variety of industries (from gaming machine manufacturer Aristocrat Technologies, to the Palms Casino and Resort in Las Vegas, to retail operators such as The Berry Factory, publicly traded medical device company ThermoGenesis, to sports and entertainment figures such as Hulk Hogan) in the domestic and international trademark registration process for thousands of trademarks. Scott also assists his clients in protecting their valuable brands through trademark infringement litigation, domain name infringement arbitration, and proceedings before the United States Patent and Trademark Office and Trademark Trial and Appeals Board.

Wineries, spirit companies, brewers, restaurants and other businesses in the club and concert venue industries have added Scott to their team to provide advice and assistance in a wide variety of issues including the following:

- The formation and structuring of numerous corporate entities for spirit companies, wineries, restaurant and night club owners, and assistance in financing transactions;
- Assisting wineries, restaurant, club and concert venue clients in developing and protecting their brands;
- Representation in copyright and trademark infringement litigation;
- Representation of spirits company in all matters (financing, restructuring, distribution, etc.)
- Negotiating and closing joint venture with prominent celebrity for branded sweet tea product
- Negotiating and closing sponsorship and vendor agreements with major beer, liquor and energy drink companies;
- Negotiating and closing cook book publishing deal with HarperCollins for Los Angeles area chef;
- Assisting the Palms Casino in negotiating and closing agreements with celebrity chef Kerry Simon to open *Simon Restaurant/Lounge*;
- Representation in all matters; counsel for Las Vegas based concert venue in transactions with national concert promoter, major concert series sponsors, and top tier talent;
- Representation of franchisor in formation of restaurant franchise system; representation of numerous restaurant franchisees in major franchise systems such as Togos.

Dale Stern's practice focuses on the food and agriculture industry. He provides counsel to his clients on all aspects of business operations including formation of businesses and non-profit organizations. Dale has served the California Association of Winegrape Growers (CAWG) as outside general counsel for more than 20 years. He represents many members of CAWG in their day-to-day operations including the drafting of agreements for the sale of agricultural commodities, and interactions with governmental entities. Dale regularly appears on behalf of clients before the California Departments of Food and Agriculture, Pesticide Regulation, Toxic Substances and various other state and federal agencies during rulemaking, disciplinary, mediation, arbitration and legislative proceedings. He earned his Juris Doctor at the UC Davis School of Law and his Bachelor of Science Degree in Agricultural Biology with an emphasis on government regulation of agriculture from Cal Poly, Pomona where he was named the College of Agriculture's 2010 Alumni of the year.