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09.WINESD

## Owning & Operating an Urban Winery or Brewery

Nov. 12, 2009 • Hilton San Diego Bayfront • San Diego, CA

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Nov 12, 2009  
 San Diego, CA

Hilton San Diego  
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# Owning & Operating an Urban Winery or Brewery

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## ACCREDITATION

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### Featuring Speakers From:

Higgs Fletcher & Mack LLP,  
Karl Strauss Brewing Company,  
Greenberg Traurig LLP,  
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Toast of the Town, Inc.,  
Stoel Rives LLP,  
Strategic Management Group,  
Beer Business Daily,  
Fallbrook Winery / Premium  
Vintners LLC,  
Mirowski & Associates

### KEYNOTE SPEAKER:

Chris Cramer, CEO,  
Karl Strauss Brewing Company

# Owning & Operating an Urban Winery or Brewery

Nov. 12, 2009

HILTON SAN DIEGO BAYFRONT

SAN DIEGO, CA

### Why You Should Attend:

*Some of the best wine and beer of our time is produced in the hearts of our great cities. Urban wineries and breweries are popping up everywhere because of the collective interest and curiosity of many people in seeing how wine and microbrews are made.*

*Urban wineries and microbreweries face many challenges that are unique to their locations. This program is focused on those unique challenges that face growing metropolitan businesses. The program will be held in San Diego, California which one report suggested is home to more microbreweries than any other American City and is the heart of the budding South Coastal wine region.*

*For those who own, operate, represent the interests of, or are considering owning and operating an urban winery or microbrewery, this program is a must!*

## CONFERENCE INFORMATION

**Registration:** Please mail or email your registration as soon as possible since enrollment is limited. You may also register with a credit card via fax, phone or online. Walk-in registrations will be accepted subject to space availability. Please call THE SEMINAR GROUP at (206) 463-4400 or (toll free) (800) 574-4852 or fax to (866) 435-3444 or email: [info@TheSeminarGroup.net](mailto:info@TheSeminarGroup.net)

**Tuition:** The tuition fee includes attendance at all sessions, coffee breaks, and all course materials. *Full Tuition:* \$595.00 per person; Special Government rate: \$495 per person; New Associate/Paralegal rate: \$460 per person. Winery or Brewery personnel rate: \$395. Student rate: \$347. Make checks payable to: THE SEMINAR GROUP.

**Save When Two or More Register:** Save \$25 each off of the *Full Tuition fee only* when two or more register from the same organization at the same time. Multiple discounts do not apply.

**Course Accreditation:** The Seminar Group is a State Bar of California approved MCLE provider, therefore, this course is approved for 7.5 general CLE credits. For information or accreditation in other states, call

THE SEMINAR GROUP at (206) 463-4400 or (800) 574-4852.

**Substitution/Cancellation:** You may substitute another person at any time. We will refund tuition, **less a \$50 cancellation charge**, if we receive your cancellation by **Friday, November 6th, 2009**. *No refunds will be given after this date.*

**Course Materials:** Each participant will receive a set of course materials, prepared by the speakers especially for this conference, which will be invaluable as a future reference. The course materials alone are available for \$100 which includes shipping and handling.

**Homestudy Package:** Our complete Homestudy Course, consisting of a full DVD or Audio CD and the Course Materials, is available for \$605. This package may qualify for self-study credit in other states.

**Seminar Location:** Hilton San Diego Bayfront, One Park Boulevard, San Diego, CA, (619) 564-3333. If you need a guest room, please go to the hotel website [www.hiltonsandiegobayfront.com](http://www.hiltonsandiegobayfront.com) to make an online reservation or call the phone number above.



# Owning & Operating an Urban Winery or Brewery

Thursday, November 12, 2009 ~ San Diego, CA

## 9:00 Introduction and Overview

**Lee Burdick**, Program Co-Chair  
*Higgs Fletcher & Mack LLC*

**Chris Cramer**, CEO, Program Co-Chair  
*Karl Strauss Brewing Company*

**Kathleen E. Finnerty**, Program Co-Chair  
*Greenberg Traurig LLP*

## 9:10 Licensing and Permitting a Winery or Brewery

Complex Licensing and Permitting Issues including Urban Breweries and Wineries; Working with the California Alcoholic Beverage Control

**Lynne A. Carmichael**  
*Hinman & Carmichael LLP*

**Jennifer Hill**, Administrator,  
San Diego Dist. Office  
*California Dept. of Alcoholic Beverage Control*

## 10:15 Break

## 10:30 Labor and Employment Issues in the Alcohol Industry

Risks and Risk Avoidance in the Alcohol Industry' "There's No Free Booze in California!" Best Practices including Employee Compensation, Handbooks, Employment Eligibility Verification; Wage and Hour Compliance; Compliance Issues; Public Tastings - The Top 10 Things that will Get You in Trouble

**James M. Nelson**  
*Greenberg Traurig LLP*

**James M. Peterson**  
*Higgs Fletcher & Mack LLP*

## 11:15 Distribution and Shipping Updates

Finding and Selecting Distributors as well as Managing Those Relationships; Latest Changes in the Distribution Landscape; Consolidation of the Distribution Industry and What that Means for Smaller Producers; Internet Sales; Valuation of Distribution Rights

**Kathleen E. Finnerty**  
*Greenberg Traurig LLP*

**Paolo Wakham**  
*Regal Wine Company*

## 12:00 Lunch (on your own)

## 1:00 Facilities and Property Management

Facility Issues including ADA Class Action Suits and Land Use Law; Lease Negotiations; Expansion Issues; Insurance and Bonding Issues; Parking and Density Issues; State of the Market

**Kathleen E. Finnerty**  
*Greenberg Traurig LLP*

**Michael McWilliams**, President & CEO  
*Toast of the Town, Inc.*

## 2:15 Trademarks and Labels

What You Need To Know about Intellectual Property Protection; What is Protectable, What is Not? Establishing Value (Goodwill) in Intellectual Property; 10 Things You Didn't Know About Your Trademarks; The Importance of Labels and Price/Point Elasticity; Obtaining Certificate of Label Approval from the TTB; Proposed Price Posting Issues with the CA ABC

**Scott Gelin**  
*Greenberg Traurig LLP*

**Charles F. Reidelbach Jr.**  
*Higgs Fletcher & Mack LLP*

## 2:45 Environmental Law

Yes, You will be Affected. Update on Water Issues: Water Law and Water Supply, including Storm Water; Wastewater Regulations and Management Options; Agricultural, Urban and Other Environmental and Regulatory Concerns, and the Costs That May Affect Your Bottom Line; CEQA and Environmental Reviews; Hazardous Waste. Air Quality Control Districts; Winery and Brewery Byproducts

**Lee Burdick**, Moderator  
*Higgs Fletcher & Mack LLP*

**Barbara A. Brenner**  
*Stoel Rives LLP*

**Kelly Sarber**, President  
*Strategic Management Group*

**Michael R. Welch, PhD, PE**  
*Consulting Engineer*

## 3:30 Break

**3:45 Sales and Public Relations**

Changes Affecting Marketing and Marketing Media; Advertising Restrictions; Developing 'Brand' On Site and Off; Developing Brands by Incorporating Retail Operations: Special Events, Food Service and Retail Sales

**Lee Burdick**

*Higgs Fletcher & Mack LLP*

**Jena K. Francis, Dir., Mktg.**

*Karl Strauss Brewing Company*

**Le Roy Guilford, President/CEO**

*LP Guilford Companies, Inc.*

**Steven A. Zolezzi, Exec. Vice Pres.**

*Food & Beverage Assoc. of San Diego*

**4:30 Contract Brewing and Winemaking**

Typical Contract Verbiage; Atypical Contracts and Accommodating Terms; Licensing, Insurance, Transport, Storage and Sales; Making Money from Your Equipment While Limiting Inventory; Certification; Urban vs. Small Winery; Custom Crush; Alternating Proprietorships; Mobile Beverage Companies; TTB/ABC Issues

**Ira Gourvitz, Owner**

*Fallbrook Winery/Premium Vintners LLC*

**Paul J. Mirowski**

*Mirowski & Associates*

**5-5:15 Refreshment Break**

**5:15 Keynote Presentation**

*Navigating the Gauntlet:*

**Pioneering in the Craft Beer Industry**

**Chris Cramer, CEO**

*Karl Strauss Brewing Company*

**6:30 Reception Ends**

## FACULTY BIOS

**Lee Burdick, Program Co-Chair**, a partner with Higgs Fletcher & Mack LLP, works with clients in highly regulated industries. She is currently working on the San Diego County Environmental Impact Report, establishing a four-tiered system for approving winery tasting rooms.

**Chris Cramer, Program Co-Chair and Keynote Speaker**, is CEO and Co-Founder of the Karl Strauss Brewing Company, a San Diego, California-based beer business with a microbrewery and a chain of brewpub restaurants.

**Kathleen Finnerty, Program Co-Chair**, a shareholder with Greenberg Traurig LLP, has negotiated hundreds of favorable settlements for various industries including wineries. She provides litigation and compliance counseling, with emphasis on ADA defense and intellectual property protection.

**Barbara A. Brenner**, an attorney with Stoel Rives LLP, represents clients in environmental compliance and litigation. Her practice is focused on water resources, water quality, and related regulatory matters involving water rights.

## FACULTY BIOS ~ cont.

**Lynne A. Carmichael** has served as a partner with Hinman & Carmichael LLP since 1991. Her focus is on formation of new entities, acquisition of licensed businesses, completion of licensing, trade practice and distribution counseling.

**Jena K. Francis** is a Director of Marketing with Karl Strauss Brewing Company. Prior to this, she worked for Sony Electronics' premium digital imaging products division.

**Scott Gelin**, a shareholder with Greenberg Traurig LLP, concentrates in the areas of copyrights, trademarks, anti-counterfeiting and brand protection, Internet law, civil litigation, arbitration, international law, licensing and entertainment law.

**Ira Gourvitz** is owner of Fallbrook Winery and Premier Vintners LLC, one of the leaders in California's emerging South Coast wine region. The winery consists of 36 acres resting between the Pacific Coast and the Pala Mesa Mountains.

**Le Roy Guilford** is President and CEO of the LP Guilford Companies, Inc, the parent company of ShopTemeculaWines.com, an internet virtual merchant on-line "purchasing service" for nearly 700 wines from 50 labels.

**Jennifer Hill** is Administrator of the San Diego District Office, California Department of Alcoholic Beverage Control.

**Michael McWilliams** is President and CEO of Toast of the Town, Inc., the parent company of San Pasqual Winery. He and his wife purchased the winery in 2009 while maintaining their careers as an industrial psychologist and speech pathologist.

**Paul J. Mirowski** founded the law firm of Mirowski & Associates in 1983. In addition, he and his brother have made wine for over six years and run Treasure Island Wines located on Treasure Island and The Swinery in Ramona, California.

**James M. Nelson** is a shareholder in the Labor and Employment practice group at Greenberg Traurig LLP. He represents employers and ERISA plan fiduciaries in matters concerning a wide variety of labor and employment issues.

**James M. Peterson**, a partner with Higgs Fletcher & Mack LLP, specializes in employment law and litigation. He currently serves as Chair of the firm's Business Litigation Department and Chair of the Labor and Employment Practice Group.

**Charles F. Reidelbach, Jr.**, a partner with Higgs Fletcher and Mack LLP, chairs the firm's Intellectual Property Group. He represents clients in regulated industries, including food and beverage. His expertise involves legal issues in beverage regulations.

**Kelly Sarber** is President of Strategic Management Group. She is responsible for the development, permitting, construction and management of environmental projects, as well as all aspects of business development.

**Paolo Wakham** is a sales representative with Regal Wine Company, California's preeminent luxury wine distributor concentrating entirely on premium brands of outstanding quality from around the world.

**Michael R. Welch, PhD, PE**, is an independent consulting engineer specializing in water supply and wastewater regulations with more than 30 years experience assisting clients in assessing facilities needs and complying with water and wastewater requirements.

**Stephen A. Zolezzi** has served as the Executive Vice President of the Food & Beverage Association of San Diego since 1994. He has also received national recognition as a wine authority and has been an instructor in wine appreciation seminars.