

February 1, 2010

Client Alert

Todd Janzen Speaks to the Agribusiness Council of Indiana

By: Todd J. Janzen

On January 28, 2010, Todd J. Janzen presented a seminar to the Agribusiness Council of Indiana titled: *Nuisance Law in Indiana, a View from the Trenches*. Mr. Janzen spoke about his experience representing swine farmers, dairy farmers, and other agribusinesses with environmental issues and legal issues stemming from nuisance and trespass claims brought by neighbors. Mr. Janzen also discussed his involvement in the case *Lindsey v. DeGroot Dairy, LLC*, 898 N.E.2d 1251 (Ind. Ct. App. 2009), where Plews Shadley Racher & Braun LLP successfully defended a large 1500 cow dairy operation (CAFO) in rural Huntington County, Indiana, against a neighbor's nuisance suit and various environmental claims. Among other holdings, the *DeGroot Dairy* case led the Indiana Court of Appeals to uphold the constitutionality of Indiana's Right to Farm Act against challenges that it amounted to a "taking" without compensation.