



## Ashley W. Brandt

### Partner

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Ashley Brandt serves clients as outside counsel across a variety of industries, with a particular focus on alcoholic beverage-related businesses.

Ashley counsels alcoholic beverage clients across the tiers including breweries, distilleries, wholesalers and retailers, and restaurants. He also represents dispensaries and growers in the evolving cannabis and hemp field.

In his role as outside counsel, Ashley advises on risk assessment and supply chain negotiations and contracts, drafts commercial contracts and licensing and software agreements, and helps clients navigate issues in advertising, information technology, and data privacy. He also represents them before regulatory agencies and advises them through litigation. Armed with a thorough understanding of their businesses and goals, Ashley presents clients with creative and effective techniques to help them grow and thrive.

In the food and beverage industry, Ashley represents and advises clients in contract negotiations, regulatory compliance, and advertising and licensing in state and federal courts and before governmental bodies, including the United States Department of Agriculture, Food and Drug Administration, Alcohol Tax and Trade Bureau, and Federal Trade Commission, as well as state and local agencies and commissions. In supply-chain-related contract negotiations and litigation, he handles complex commercial transactions and the litigation of UCC matters.

Ashley assists clients in every aspect of their businesses, including entity formation, state and federal licensure and permitting, negotiating agreements with wholesalers and distributors, branding, trademarks and trade secrets, legal compliance, alt-prop and contract brewing agreements, financing, and equipment leasing and purchasing. He also counsels food and beverage importers on import-export issues and international sourcing, licensing, and food import compliance agreements. With a passion for the alcoholic beverages industry, Ashley regularly speaks and writes on the topic. He also publishes the *Libation Law Blog*, dedicated to legal issues

in that sector.

Outside of the food and beverage industry, Ashley counsels clients across areas including construction, real estate, financial services, bankruptcy, and intellectual property.

Ashley and his spouse live in Evanston, Illinois, and enjoy traveling and keeping up with two children.

### **Education**

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- Northwestern University Pritzker School of Law (J.D., 2003)
- University of Illinois, Urbana-Champaign (B.A., 2000)

### **State Admissions**

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- Illinois, 2003
- Wisconsin, 2013

### **Federal Admissions**

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- United States District Court, Central District of Illinois
- United States District Court, Northern District of Illinois
- United States District Court, Eastern District of Wisconsin

### **Service Areas**

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- Commercial Finance
- Construction
- Corporate Law
- Food, Cosmetics & Dietary Supplements
- Intellectual Property
- Middle Market
- Privacy & Data Security
- Real Estate
- Real Estate Finance
- Trademarks
- Trade Secret Litigation
- Alcoholic Beverages
- Cannabis
- Commercial Contracts

### **Industries Represented**

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- Accommodations
- Bars
- Hotels / Resorts
- Restaurants
- Animal Production
- Crop Production
- Amusement Parks
- Country Clubs
- Construction
- FDA Law & Regulations
- FTC Law and Regulations
- Government
- Real Estate
- Software Developers
- FDA Law and Regulations
- Food Manufacturing
- Online/Internet Sales
- Retail Stores
- Advertising
- Architectural & Engineering Firms

### **Experience**

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- Negotiated multiple alcohol distribution and brokerage agreements for manufacturers and wholesalers
- Counseled retailers, festivals, and not-for-profits in promotional and advertising campaigns and sponsorship deals
- Represented tech and beverage start-ups through entity formation, multiple capital raises, real estate acquisition, leasing, permitting, and licensing
- Represented multiple general contractors and subcontractors in mechanic's lien claims on both public and private projects from lien preparation through prosecution
- Pursued claims by media companies under the Freedom of Information Act against the federal and state government for media companies and contractors requesting details regarding contracts and procurement

## Publications & Events

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### SPEAKING ENGAGEMENTS

- “Jelly Donuts, Jack Daniels, and Mary J...eopardy,” 2023 Business Law Institute on Corporate Law and M&A, Tucker Ellis LLP (January 2023)
- “Craft Brewers – Risk Management Series,” panelist, Arthur J. Gallagher & Co. Webinar (July 2013)
- “Reviewing Contracts for Design Services,” Legal Issues for Illinois Structural Engineers Seminar (November 2012)
- “The Future of Food Safety,” panelist, Mettler Toledo Food Safety Exchange (June 2012)

### PUBLICATIONS

- *Libation Law Blog*, author and publisher

### MEDIA

- “DTC Lawsuits Are Failing to Reach Supreme Court Resolution,” *Advisor*, Wine Industry Network (December 2022)
- “Punk Bloc – Lawsuit Possibility as Former BrewDog Employees Organize,” *Good Beer Hunting* (February 2022)
- “Goose Island’s Bourbon County Beers Hit Shelves on Black Friday – but Some Small Shops Say They’re Unfairly Denied Access to the Most-Coveted Brands,” *Chicago Tribune* (November 22, 2021)
- “Silence Is Golden – Lack of Answers, Oversight Keeps Beer Box Shipments Legally Opaque,” *Good Beer Hunting* (August 2021)
- “Tucker Ellis Adds Liquor, Cannabis, Regulatory Pro in Chicago,” *Law360* (October 2020)
- “Getting to the Top of the Heap,” *Chicago Lawyer* (March 2016)
- “New Proposed State Distribution Rules Would Choke the Growth of Chicago’s Biggest Craft Brewers,” *Chicago Reader* (May 2014)
- “Should Powdered Alcohol Be on the Market? Critics Say No Way.”, *The Christian Science Monitor* (April 2014)
- “Niche Practices Play a Big Role in Midsize Strategy,” *Chicago Lawyer* (March 2013)

## **In the Community**

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### **CIVIC & PROFESSIONAL ORGANIZATIONS**

- American Bar Association
- Illinois State Bar Association
  - » Cannabis Law Section, Chair
  - » Agricultural Law Section, Member
  - » *Illinois Bar Journal*, Board
- Illinois Judges Foundation
  - » Lawyers Auxiliary Committee
- Lawyers for the Creative Arts, Volunteer Attorney
- American Distilling Institute
- Brewers Association
- Chicago Beer Society
- Hospitality and Business Association of Chicago
- Coat Angels
- Illinois Craft Brewers Guild
- Illinois Grape Growers and Vintners Alliance