



MEDIA CONTACT

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Statement from Kevin Still, President and CEO, at Co-Alliance, following the decision of the Indiana Supreme Court to deny transfer of a case regarding a family farm in Danville, Indiana:

“Co-Alliance and Indiana’s farmers are pleased that today the Indiana Supreme Court upheld the protections from nuisance claims afforded Hoosier farmers by Indiana’s Right to Farm Act (“RTFA”). Today’s decision is consistent with numerous decisions over the past 40 years by Indiana courts that have interpreted the RTFA to protect a farm’s ability to grow, develop and improve its land for the production of food and other agricultural products. While Indiana farmers must adhere to strict local and state requirements when they build or expand a farm, such as converting land from row crops to a confined feeding operation, they must have the flexibility authorized by the RTFA to develop and improve their farming operations, which today’s decision re-affirms.

Sam Himsel, on behalf of his entire family, stated that “Our family has lived with this stressful lawsuit since October 2015. We are relieved that our farming way of life and multi-generational agricultural livelihood can continue uninterrupted and be passed on to my grandchildren. We hope today’s decision helps ensure farming rights for future generations of Hoosier farmers and that no other farming family has to endure this type of protracted, expensive litigation. We greatly appreciate all of the support that we have received from Co-Alliance, the rest of the agricultural community and our lawyers who fought for us from day one and who prevailed at the trial court, court of appeals and now the Indiana Supreme Court.”

Kevin Still also stated that “Co-Alliance is thrilled for Sam, Cory and Clint Himsel and their families that the Indiana Supreme Court has upheld the Court of Appeals’ decision that recognized Indiana’s longstanding protections for farmers under the RTFA. This litigation has been difficult, hard fought and worrisome for Sam, Cory and Clint as it jeopardized their ability to continue raising livestock on their farm today as well as for future generations. As a farmer-owned Indiana cooperative Co-Alliance is proud to have stood side by side with Sam and his sons as co-defendants fighting for the preservation of rights for all farmers in Indiana. Today’s decision provides farmers with a high degree of certainty that their farm, which often represents a multi-million dollar investment, cannot be shut down without reason. After today’s ruling, Indiana farmers now have another consistent interpretation of the Right to Farm Act that can be applied when nuisance suits come masquerading as trespass or negligence claims.”

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Co-Alliance, LLP is a 100% farmer-owned partnership of cooperative businesses. The company delivers agronomy, seed, animal health and nutrition, grain marketing services, power fuel and home heat energy products to local farms, businesses and families through branch outlets in Indiana, Ohio, Illinois and Michigan. www.co-alliance.com