



## Equine Law

Equine law involves the law as it relates to all aspects of horses and horse-related activities.

We are able to assist horse owners, businesses, professionals, insurers, associations, clinicians, event sponsors, national and international competitors, veterinarians, stables, and facilities with several things including:

- Draft, review, or negotiate equine-related contracts (such as purchase and sales agreements, leases, stallion service contracts, liability waivers/releases, facility use agreements, stallion management agreements, training agreements, and boarding contracts)
- Set up corporations, partnerships, syndications, or Limited Liability Companies
- Assist with tax planning and resolving tax disputes, including "hobby loss disputes" with the government
- Help plan and document real estate purchases or transactions
- Handle or resolve equine ownership disputes
- Handle or resolve zoning and land use disputes
- Handle or resolve disputes involving breaches of professional duties on part of sales agents, trainers, stables and others
- Representing buyers or sellers, handle or resolve cases involving fraud and misrepresentation in equine sales and leases
- Advise equine industry clubs and associations regarding management, rules, bylaws, disputes and regulations
- Help avoid liability through risk management consulting
- Draft or review equine insurance policy language and provide counsel in evaluation and litigation of coverage disputes
- Represent people, associations or businesses when disputes or lawsuits arise out of any of the matters described above

We offer extensive experience in many of these matters. Julie Fershtman is nationally known for her equine law expertise. She has tried equine cases before juries in four states, and has been specially admitted counsel in 18 jurisdictions. She has written four books on equine law, more than 400 published articles, and has been a speaker in 29 states.

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### ATTORNEYS

#### Shareholder

Julie I. Fershtman

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### RELATED PRACTICES

Agri-Business

Business Contracts

General & Commercial Litigation

Insurance Defense



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**PUBLICATIONS & ALERTS**

Liability Releases for Agritourism Activities – Don't Fall Prey to Myths, *Foster Swift Agricultural Law News*, March 31, 2020

Animal Law for Insurance Lawyers, *American Bar Association: Tort Trial & Insurance Practice Law Journal*, February 4, 2020

When the Hoof Meets the Road, *Foster Swift Agricultural Law News*, January 23, 2019

Can You Repossess a Horse When the Buyer Fails to Pay?, *Miniature Horse News*, October 19, 2015

What You Didn't Know About Liability Insurance, *Equine Chronicle*, October 19, 2015

Liability Insurance for Small Equine Businesses, *Equine Chronicle*, April 3, 2015

Julie Fershtman on Mentoring, *The Mentor*, January 27, 2015

Michigan's Equine Activity Liability Act: Are We Galloping in the Right Direction?, *Foster Swift Agricultural Law Update*, January 16, 2014

Attention Livestock Dealers: Understand the New Dealer Law, *Foster Swift Agricultural Law Update*, June 2013

How Not to Sell a Horse, *The Equine Chronicle*, June 27, 2013

Is a Horse Trainer Liable for the Death of a Customer's Horse?, *Riding Instructor Magazine*, Spring 2013

How to Recover Your Fees in a Legal Dispute, *Desert Mirage Magazine*, June 2013

Release of Liability Defeats Claim by Injured Animal Shelter Volunteer, *Foster Swift Equine Liability & Insurance Update*, November 2011

Texas and Iowa Equine Activity Liability Acts Amended - Time for New Signs and Contracts, *Foster Swift Equine Liability & Insurance Update*, November 2011

"Mental Anguish" Damages Recoverable for Damage to or Loss of Real Property, *Foster Swift Equine Liability & Insurance Update*, November 2011

Liabilities Caused By Loose Horses, *Insurance Community University*, December 2010

Horse Tip Daily #360 by Kentucky Performance Products – Julie Fershtman on Equine Law, *Horse Radio Network*, December 19, 2010

Equine Liability, *TIPS Animal Law Committee Newsletter*, Spring 2010

Carriage Liability, *TIPS Animal Law Committee Newsletter*, Fall 2009

**NEWS**

Fershtman Named to the 2024 DBusiness Magazine "Top Lawyer", *DBusiness*, November 1, 2023

Fershtman Elected Vice-President of the Michigan State Bar Foundation, *Michigan State Bar Foundation*, September 15, 2022

Fershtman Cited on Equestrian Legal Pitfalls, *Horse Illustrated Magazine*, April 20, 2022

What Happens When You Pass Before Your Pets?, *Global Newswire*, April 11, 2022

Julie Fershtman Featured on "Ag Law Today" Podcast, *Ag Law Today*, August 23, 2021

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Fershtman Awarded Additional Super Lawyers Honors in 2021, *Michigan Super Lawyers*, August 13, 2021

Julie Fershtman's Book Wins National Award, *Independent Book Publishing Professionals Group*, June 1, 2021

Fershtman Reappointed to Serve on the ABA House of Delegates, *Legal News*, May 2, 2021

Foster Swift in dbusiness 2021 Top Lawyers, *dbusiness*, November 12, 2020

Fershtman Featured on Equine Author Podcast, *Carly Kade Creative*, October 21, 2020

Fershtman's Book Receives Award, *American Bar Association*, October 19, 2020

Fershtman Awarded Additional Super Lawyers Honors in 2020, September 18, 2020

Fershtman Published in ABA-TIPS Law Journal, February 12, 2020

Foster Swift Attorneys Listed in dbusiness 2020 Top Lawyers, November 12, 2019

ABA Publishes Julie Fershtman's Newest Book on Equine Law, *American Bar Association (ABA)*, October 29, 2019

Julie Fershtman is an Advocate for Women in Law, *Detroit Jewish News*, October 9, 2019

Dilley and Fershtman Awarded Additional Super Lawyers Honors, September 10, 2019

Firm Elects Executive Committee Members for 2019, *Michigan Lawyers Weekly*, March 7, 2019

Nationally Recognized Agricultural and Equine Law Authority to Speak in Six States, January 21, 2019

Fershtman Earns Highest Honor from State Bar of Michigan, *Lansing Regional Chamber*, September 25, 2018

WLAM to Present Fershtman with the 2018 Jean King Leadership Award, April 10, 2018

Crain's Detroit Names Julie Fershtman in 2017 Notable Women Lawyers, *Crain's Detroit*, December 14, 2017

Fershtman to Receive Animal Law Award, *American Bar Association*, August 1, 2017

Julie Fershtman Selected for Two Additional Michigan Super Lawyers Honors, September 8, 2015

Foster Swift Attorney Julie Fershtman Selected for Michigan's State Bar 21st Century Task Force, July 17, 2015

Julie I. Fershtman Sworn in as State Bar of Michigan President, September 15, 2011

Foster Swift Attorney and Nationally Known Equine Lawyer Julie Fershtman Authors Equine Law Blog, *Equine Law Blog*, August 2, 2011

## **EVENTS**

Liabilities When Horses or Livestock are Injured in the Care of Your Insureds, *IRMI AgriCon Central Conference*, September 10, 2024

Equine Activity Liability Acts/Farm Animal Activity Liability Acts and Risk Management, Including Enforceability of Waivers, *National Association of Mutual Insurance Companies' (NAMIC) 2024 Agricultural Risk Inspection School*, June 13, 2024

Equine Liability Waivers: How They Work and Whether Yours Needs an Overhaul, *PATH International Regional Conference*, May 4, 2024

Equine Lease Disputes and How to Avoid Them, *38th National Conference on Equine Law*, May 2, 2024



Liabilities When Horses or Livestock are in the Care of Insureds, *IRMI Emmett J Vaughan Agribusiness Conference*, March 12, 2024

Michigan's Equine Activity Liability Act - Has It Had a Rough Ride in Court?, *Michigan Horse Council: Equine Legislative Day*, October 25, 2023

Hosting USEF Licensed Competitions and Managing Risks in Today's Environment: Part I - Understanding Your General Liability Coverage, *U.S. Equestrian Federation*, July 10, 2023

Advising Equine Clients on Risk Management, *37th Annual National Conference on Equine Law*, May 4, 2023

Case Studies: Lessons We can Learn from Three Boarding Stable Lawsuits, *2023 International Risk Management Institute (IRMI) Agribusiness Conference*, February 7, 2023

When Personal and Commercial Equine Operations Intersect: Keeping UWs and Agents a Step Ahead, *2023 International Risk Management Institute (IRMI) Agribusiness Conference ("AgriCon")*, February 7, 2023

Equine Liability Laws and Addressing Risk Management, *American Horse Council*, August 22, 2022

Equine Liability Laws, *American Horse Council*, June 6, 2022

An Update on Equine Activity Liability Acts, *36th Annual National Conference on Equine Law*, May 4, 2022

Equine Economics and Risk Management, *Tennessee Master Horse Program*, March 17, 2022

Case Studies: Lessons We Can Learn From Three Contentious Equine Mortality Lawsuits, "Agri Con," *IRMI Emmett J. Vaughan Agribusiness Conference*, March 8, 2022

Equine Activity Liability Act/Farm Animal Activity Liability Act Update, "Agri Con," *IRMI Emmett J. Vaughan Agribusiness Conference*, March 8, 2022

Liability and Prevention, *New York State Bar Association Equine Law Symposium*, February 9, 2022

How Equine Professionals Can Avoid Payment Disputes and Handle Them Legally if They Occur, *Equestrian Professional*, January 24, 2022

Women Lawyers Making A Difference: Interview with Julie Fershtman, *Katy Goshtasbi Women Lawyers Making a Difference Podcast*, September 22, 2021

Case Studies: Lessons We Can Learn from Two Contentious Agricultural Liability Lawsuits, *International Risk Management Institute (IRMI) Agribusiness Conference - "Agri Con"*, May 17, 2021

Equine Waivers Signed On Behalf Of Minors, *35th Annual National Conference on Equine Law*, April 28, 2021

Adjusting Loose Livestock Claims and Application of Fence Law, *Agricultural Claims Conference*, April 21, 2021

Adjusting Loose Livestock Claims and Application of Fence Law, *Agricultural Claims Conference*, April 20, 2021

Liability Waivers/Releases – and – Avoiding Disputes with Insurers, *United Professional Horsemen's Association*, April 6, 2021

Risk Management: Insights & Tips on Avoiding Liability from a Lawyer, *Cornell Cooperative Extension – Madison County*, March 25, 2021

Unique Equine Liability Risks Involving Minors - What They Are And How To Protect Yourself, *American Youth Horse Council (AYHC) Annual Symposium*, March 4, 2021

Equine Insurance Coverage Issues, *Kentucky Bar Association (Equine Law Section)*, November 23, 2020



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- Coverage Issues Involving Farm, Domestic, and Wild Animals, *Emmett J. Vaughan Agribusiness Conference-Des Moines, IA*, September 15, 2020
- Minor Children and Waivers, *Emmett J. Vaughan Agribusiness Conference-Des Moines, IA*, September 15, 2020
- Equine Activity Liability Laws: What Horse Owners, Associations, and Equine Professionals Need to Know, *EquitanaUSA National eQuestrian Celebration*, September 4, 2020
- Coverage Issues Involving Farm, Domestic, and Wild Animals, *Emmett J. Vaughan Agribusiness Conference 2020-Richmond, VA*, June 16, 2020
- Equine Activity Liability Acts, *Annual Symposium of the Kentucky Journal of Equine, Agriculture, and Natural Resources Law (KJEANRL)*, February 28, 2020
- Equine Law: Liability, Contracts, and Risk Management for Lawyers, *American Bar Association (ABA) Solo, Small Firm and General Practice Section*, January 14, 2020
- Equine Legal Liability, *U.S. Hunter Jumper Association Annual Convention*, December 10, 2019
- Equine Activity Liability Acts and the Courts—What You Need to Know, *Emmett J. Vaughan Agribusiness Conference-Des Moines, IA*, September 25, 2019
- Livestock Mortality Insurance—Battleground Areas for Legal Disputes and Options To Avoid Disputes, *Emmett J. Vaughan Agribusiness Conference-Des Moines, IA*, September 25, 2019
- Livestock Mortality Insurance—Battleground Areas for Legal Disputes and Options To Avoid Disputes, *Emmett J. Vaughan Agribusiness Conference-Richmond, VA*, June 19, 2019
- Equine Activity Liability Act Update, *National Conference on Equine Law— Lexington, KY*, May 1, 2019
- Legal Issues in Hosting an Equine Clinic on your Farm, *National Conference on Equine Law—Lexington, KY*, May 1, 2019
- Livestock Mortality Insurance—Battleground Areas for Legal Disputes and Options To Avoid Disputes, *Emmett J. Vaughan Agribusiness Conference-Sacramento, CA*, April 17, 2019
- Equine Activity Liability Acts and the Courts—What You Need to Know, *Emmett J. Vaughan Agribusiness Conference-Richmond, VA*, April 16, 2019
- Fun on the Farm: Managing the Evolving Risks of Agritainment, *Emmett J. Vaughan Agribusiness Conference-Sacramento, CA*, April 16, 2019
- Livestock Liability - Loose Livestock, Cow Out & Trespassing Claims, *Agricultural Claims National Conference*, March 19, 2019
- Bad Faith in Commercial Agribusiness, *Agricultural Claims National Conference: Kansas City, Missouri*, March 18, 2019
- Equine Liability Laws and Exposures - What Every Equine Business Owner Need to Know, *equestrianprofessional.com*, December 17, 2018
- Equine Activity Liability Acts (Now in 48 States), *American Horse Council National Webinar*, November 14, 2018
- ICLE Niche Practices Seminar, *Institute of Continuing Legal Education (ICLE)*, August 8, 2018
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Emmett J. Vaughan Agribusiness Conference, June 28, 2017

Common Characteristics of Effective Waivers/Releases: Dissecting the Elements, *Emmett J. Vaughan Agribusiness Conference-International Risk Management Institute*, May 9, 2017

Crossfire: Trainers, Boarding Stables & Owner Conflicts & How to Reduce or Resolve Them, *National Conference on Equine Law*, May 3, 2017

Enforceability of Liability Releases: Recurring Issues and Drafting Considerations, *National Conference on Equine Law*, May 4, 2016

Everything You Always Wanted to Know About Equine Activity Liability Acts But Were Afraid to Ask, *Equestrian Professional National Webinar*, December 14, 2015

Kansas Association of Insurance Agents Agribusiness Insurance Conference, Equine Liability & Risk Management, October 21, 2015

State Bar of Michigan Animal Law Section Panel, *State Bar of Michigan Annual Meeting*, October 9, 2015

Equine Liability, *Emmett J. Vaughan Agribusiness Conference*, September 25, 2015

Guest Lecturer, *Savannah College of Art & Design's Equine Studies Program*, September 23, 2015

Equine Liability, *Emmett J. Vaughan Agribusiness Conference*, August 25, 2015

Equine Liability Waivers and Releases & Equine Activity Liability Acts, *Agri-Con*, June 4, 2015

Common Contracts for the Horse Industry, *American Bar Association*, December 9, 2014

What Equine Professionals Should Know About Avoiding Equine Insurance Disputes, *EquineProfessional.com*, December 9, 2014

WEBINAR | Sales Fraud in the Horse Industry, *Michigan State University Department of Animal Science*, October 14, 2014

National Conference on Equine Law, *University of Kentucky College of Law CLE Department*, May 1, 2013

"Equine Law" National Webinar, *National Business Institute*, January 31, 2013

Wild Horses Shouldn't Keep You Away- Washington State Bar, *Washington State Bar Association- Seattle, WA*, January 29, 2013

Equine Law, *New York State Bar Association- New York, NY*, January 23, 2013

ABA-TIPS Animal Law Committee "Lunch and Learn" Teleconference, January 15, 2013

WEBINAR | Equine Sales, Contracts, and Releases, *Equestrian Professional*, December 17, 2012

State Bar of Michigan Animal Law Section Conference, *State Bar of Michigan- Lansing, MI*, October 19, 2012

Insurance Institute of Michigan Claims Seminar, *East Lansing, MI*, September 24, 2012

Equine Activity Liability Acts and Enforceability of Liability Waivers and Releases in Recreational, Sporting, and Equestrian Activities, *IBA West Agribusiness Conference*, September 10, 2012

Legal Liability and Contracts, *North Central Regional Center for Rural Development, Equine Business Conference- Lansing, MI*, February 25, 2012

WEBINAR | Recent Equine Lawsuits and What Equine Industry Professionals Can Learn From Them, *equestrianprofessional.com*, November 14, 2011

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Liabilities for Injury to Horses and Risk Management Considerations, *National Conference on Equine Law - Lexington, KY*, May 4, 2011

WEBINAR | Equestrian Professional's - Horse Business HOTLINE!, April 25, 2011

National Youth Horse Leaders Symposium, *American Youth Horse Council- East Lansing, MI*, March 11, 2011

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