

Buchalter Equine Law

Serving the Equestrian industry in every way



Buchalter is an esteemed full-service national law firm with more than 400 attorneys licensed in 42 states. Buchalter can easily handle all of your legal needs, but there is also a big equine law practice within Buchalter.

Photo Credit: Amy McCool

What makes Buchalter's equine practice unique is that four women, Co-Chairs Danielle Mayer, Peggy Hosking, Leah Lively, and Alexandra Bijan Pakzad, are all not only skilled lawyers, but also lifelong equestrians. This gives them a nuanced perspective that most attorneys lack when advising equine industry clients. And while Danielle, Peggy, Leah, and Alex are the major players, they certainly do not work alone.

"I think one of the big gaps we can fill in the equestrian industry is that we ride, compete, breed, and own horses and equestrian facilities and we understand the needs of those segments of the industry. For example, if you are renting a barn for the WEF season, a real estate attorney can prepare that lease. However, they may not think to ask about jump safety cups, signage for horse safety and liability issues, or issues arising from juniors—who do not have the legal capacity to contract in many states—owning horses and competing at the venue. An attorney who is not an equestrian will not know what questions to ask and, unfortunately, a lot can fall through the cracks." Danielle explained. "Similarly, someone outside the industry may not understand how much the industry relies on working students and non-resident labor—both of which come with a host of legal complexities.

"We have nearly 30 other attorneys at Buchalter who have handled a variety of equine law matters. Their practice areas complement our work and allow us to provide true full service expertise to our equine law clients. We have attorneys who specialize in trusts and estates, environmental and land use, tax, and personal injury, just to name a few of our practice areas. The equine industry needs expertise in all of these fields, and Buchalter has the bench strength to not only respond to client needs, but also proactively partner with businesses and individual horse owners to maintain smooth sailing and preempt legal problems down the road."



Danielle is an accomplished civil litigator as well as an owner and rider. Over the last several years, Danielle has been shocked by the underutilization of lawyers in the equine industry. She has encountered many inadequate board agreements, an abject lack of liability releases or unenforceable forms, and bills of sale that do not include the most basic legal clauses.

“It still surprises me that people will buy a horse on a handshake or just wire money to Europe with no questions asked, and the only real diligence being done is a vet check.”

That started her thinking – how can Buchalter serve the equine industry?

As a litigator, she sees first-hand the impact of poorly drafted contracts. In addition to the issues above, there are, of course, the liability issues. Not only who’s liable for their own actions – but also for those of the horse. And, quite frankly, the lack of transparency in the buying and selling process. Many states are quite clear about the disclosure requirements of commission and sales agreements, violations of which may include civil penalties. Her litigation experience shapes how she drafts contracts.

Danielle says, “As a litigator, I want nothing more than to have your back and zealously represent you, but knowing the stress and costs of litigation, I’d rather keep you out of trouble in the first place. An ounce of prevention is worth a pound of cure. And this can be said about any issue that might arise with horses.”

Peggy, Leah, and Alex joined Buchalter in 2022. Firm President and CEO, Adam Bass, lost no time in introducing Alex, Danielle, Leah and Peggy and the team was born.

Leah is a labor and employment attorney based in Oregon. She and her daughter ride on the West coast hunter/jumper circuit. She also owns and operates a horse retirement farm. Leah has been an attorney for 26 years and is licensed to practice law in five western states. She is also a third-generation horsewoman and has a degree in agriculture business. She mentions that one of the things that is often overlooked in the equine industry are employment laws, in particular wage/hour and health and safety laws.

“Those are two really important and meaningful areas of the law, particularly where states (like



California and Oregon) have stringent employer/employee and OSHA laws. Not complying with those laws can subject an employer to tens, if not hundreds of thousands of dollars in penalties or a class action lawsuit.”

Leah points out that a proactive employer or business that knows its legal obligations can be compliant. “We see a lot of lawsuits on the west coast regarding improper classification of workers as independent contractors instead of employees, failure to keep accurate time records, and failure to provide employees with required meal and rest periods. None of these are difficult concepts, but if you don’t know what requirements apply to you as an employer or business owner, it’s difficult to be compliant and subjects you to legal liability. Another question that comes up frequently is, ‘is it lawful to have a working student who receives rides or lessons in lieu of pay?’ (hint: in most coastal states, it’s not).”

In addition to being a litigator, Leah also provides advice and training on employment issues for her clients. And, with her extensive experience in the equine industry, she can provide industry specific training, not only on wage and hours issues, but diversity issues, and harassment and discrimination.



Leah offered, "A lot of small employers don't realize that many state employment laws apply to them. Simple things like having an employee handbook, making sure you have required state/federal law posters, and what to do if you see or are informed of potentially unlawful conduct (such as sexual harassment) can go a long way in not only having a better working environment. It also means you're less likely to be sued."

Leah added, "There is a lot of overlap between Safe Sport and employment laws. Lack of reporting may be a Safe Sport violation, and it may also be the basis for a sexual harassment or negligent hiring/retention lawsuit depending on the facts and circumstances involved. These may not be popular issues to talk about, but they are very real and very important to understand, and I can help clients do that."

Alex is a corporate and intellectual property attorney. She has competed in the 1.40m jumpers, and recently moved from Los Angeles to build out her own farm in Northern California. Alex just purchased two new jumpers and is looking forward to getting back into the show ring. Alex has many years of firsthand business experience managing the worldwide trademark portfolio of one of the most renowned luxury goods brands. This makes her particularly well-suited to assist clients in realizing their business objectives through the protection and monetization of their intellectual property assets. Alex's combined fashion, equestrian, and intellectual property expertise parlay into a big win for her clients who want to protect and monetize their brands.



"Intellectual property and goodwill are oftentimes the most valuable yet underutilized assets," Alex explains. "There are so many unrealized opportunities in the equine world, from a grand prix rider leveraging her or his name to develop a co-branded line of horse feed or tack, to a non-equine company seeking to increase brand awareness amongst a particular demographic."

Peggy is a highly experienced attorney with significant expertise in business and commercial real estate. Peggy understands and has experienced every aspect of the equine industry. She rode hunters and jumpers on the East coast, and is now pursuing her Silver Medal in dressage. She owns a small equestrian facility, Azure Farms, and breeds quality warmbloods for sport. Peggy serves as an outside general counsel for many of her clients, guiding them from start-up and formation through to sale, and handling all of their commercial real estate needs. She has also represented clients before USEF, negotiated the resolution of fraud and misrepresentation in horse sales, and assisted owners with a myriad of contractual issues ranging from facility leases to purchase and sale agreements for large equestrian properties.

A premier business law firm, Buchalter, is well-positioned to help you with all of your business and equine legal needs.

Buchalter

To contact Buchalter's Equine Law Group, please contact: equinelaw@buchalter.com