

GEORGIA

One Atlantic Center
Suite 3500
1201 West Peachtree Street
Atlanta, GA 30309
(404) 872-7000

NORTH CAROLINA

3300 One Wachovia Center
301 South College Street
Charlotte, NC 28202-6025
(704) 331-4900

Suite 1900

300 North Greene Street
Post Office Box 21104
Greensboro, NC 27402
(336) 574-8030

Suite 2100

150 Fayetteville Street Mall
Post Office Box 831
Raleigh, NC 27602
(919) 755-2100

Suite 400

2530 Meridian Parkway
Durham, NC 27713
Post Office Box 13069
Research Triangle Park, NC
27709
(919) 484-2300

One West Fourth Street

Winston-Salem, NC 27101
(336) 721-3600

SOUTH CAROLINA

700 Poinsett Plaza
104 South Main Street
Post Office Box 10208
Greenville, SC 29603-0208
(864) 255-5400
Spartanburg: (864) 579-7447

VIRGINIA

Fourth Floor
8065 Leesburg Pike
Tysons Corner, VA 22182-2738
(703) 790-3310

WASHINGTON, DC

Seventh Floor
1401 Eye Street, N.W.
Washington, DC 20005
(202) 467-6900

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Obesity lawsuits threaten
your company's future.

Are you ready?

Strategic business approaches to attacks on America's food and foodservice industries

Attack underway: Are you ready?

Powerful special interests are teaming up to address the issue of obesity in America. Researchers, activists, the media and governments have taken up the cause. Observing, and perhaps driving, all of this is the Plaintiff's Tort Bar, which long ago organized its long-term attack, and which has already launched an initial wave of court battles.

Suddenly, an industry that is the envy of the world—America's food industry—finds itself in the crosshairs. Are you ready?

First understand, then act.

Foodservice companies with great expertise in marketing their products are now experiencing an attack that could turn their value proposition—abundant, affordable, flavorful food—into a weapon against them. Despite achieving success and recognition as upstanding corporate citizens over the years, the food industry now is being re-characterized as a "greedy" villain harming the public by serving too much food (and "bad, addictive" food, at that).

Many food companies have charted what they believe to be a responsible course both in their products and promotions. But companies from other industries which have confronted the Plaintiff's Tort Bar in the past know that these seemingly well-reasoned actions do not necessarily afford protection from the legal system.

For most foodservice executives, this is completely new terrain with an unfamiliar opponent. And the stakes are high.

If successful, the Plaintiff's Tort Bar can exact enormous sums of money and even change the face of an entire industry. It is not inconceivable that lawsuits could allow plaintiff's lawyers to force foodservice companies to change menus, product development and marketing.

Naturally, savvy executives want to respond. But uninformed, limited-scale reactions likely will not be effective against seasoned opponents. Before launching a counterattack, leaders need to carefully consider and understand new paradigms and hidden dangers.

Talk to experts.

Two organizations with deep experience in strategic responses have focused their resources on the emerging obesity issue. The result is Obesity Threat Assessment, a 30-day program intended to help food companies understand in detail the threat, to outline a strategy, and to develop an implementation program.

Burson-Marsteller is an integrated strategic communications firm whose knowledge, strategic insights and innovative programs help drive and protect corporate and brand reputations for its clients. The firm provides clients with strategic thinking and program execution across a complete range of public relations, public affairs, advertising and other communications services. Burson-Marsteller leads its industry in knowledge of and insights into the relationship between communications and the reputations of companies.

Womble Carlyle Sandridge & Rice, PLLC is a full-service business law firm ranked among the 100 leading firms in the country. The Firm's Product Liability Practice Group has litigated and coordinated cases in virtually every state, making its lawyers proficient in the various schemes of tort liability nationwide. Focusing on the effect of litigation on corporate clients beyond a single case, Womble Carlyle attorneys have acquired a deep understanding of the industries served by their clients as well as the tactics and strategies employed by their clients' opponents. The Firm is committed to offering counsel, guidance and strategy to its clients beyond the realm of the courtroom.

It's time to act.

If you would like to learn more about a strategic business approach to the impending challenges to the foodservice industry, please contact any of the individuals listed below.

Womble Carlyle

Rob Fields
Raleigh, NC
(919) 755-2183
rfields@wcsr.com

Mike Holm
Tysons Corner, VA
(703) 394-2212
mholm@wcsr.com

Tina Jones
Raleigh, NC
(919) 755-2142
tjones@wcsr.com

Cris Windham
Winston-Salem, NC
(336) 721-3687
cwindham@wcsr.com

Burson-Marsteller

Craig Veith
(703) 684-1245
cveith@directimpact.com

David Coronna
(312) 596-3421
davidcoronna@chi.bm.com