

From: KPhilippakis@fbm.com [mailto:KPhilippakis@fbm.com]
Sent: Tuesday, June 29, 2010 8:25 PM
To: McDowell, John
Subject: Sinskey Demonstration Kitchen

John,

Pursuant to our talk today, I am attaching some photographs of the existing Sinskey demonstration kitchen (including a photo of the types of food products prepared there to accompany the wines); the tasting bar is directly to the right of the kitchen area shown in the photos. I also thought it might be helpful for you to have this information from the use permit files: In December 1990 a use permit mod (U#90-7) was approved, which allowed for installation of a 200 s.f. demonstration kitchen. As part of the winery's approved marketing plan, the use permit allowed for Educational Food and Wine Seminars (held in the area of the demo kitchen, as seen in the photos above) for trade members and the general public.

The winery has been conducting these seminars for the past 20 years, and as I explained to you, they are essentially food and wine pairings in which the food is prepared in front of the guests and an educational lecture on the food and wine is provided. As I mentioned, Mr. Sinskey is a vintner and his wife, Maria Helm, is a chef (she has written a number of well-regarded cookbooks), and they are jointly committed to the concept of sustainable and biodynamic agriculture for both produce and grapes. Their food and wine seminars are an important part of their winery's message regarding biodynamic farming and the integration of food and wine into a holistic lifestyle. In no way are any of these events a "restaurant" or a "cooking school" -- the demonstration kitchen area is adjacent to the tasting room, and the seminars for guests are part of the overall wine tasting experience in the winery. If you have any further questions about the program, I would be happy to give you a tour of the winery so you can see the demonstration kitchen area in order to gain a better understanding of how it functions.

With regard to the question of whether such food and wine seminars fall within the scope of the WDO, I believe they are consistent with both the previous WDO and its more recently modified form. The recent revisions to the WDO contemplated exactly these types of activities, but the original version of the WDO also allowed for such food and wine activities, in the same way that the County recently acknowledged that it had always allowed for certain business-related wine events. Specifically, the language of the WDO had provided:

Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis pursuant to Chapters 18.16 and 18.20, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development.

It seems a fairly straightforward matter of interpretation that wine and food seminars in a demonstration kitchen adjacent to a tasting room are "activities for the education and development of [visitors] with respect to wine" and which "may include food service when provided in association with such education and development." Even if the seminars are considered cultural events rather than educational events, they are clearly related to the education and development of the winery's visitors with respect to its wine, and thus fall into the scope of the WDO in both its forms.

Please let me know if you have any further questions regarding the proposed marketing plan.
Best,
Kay

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