



ESG Litigation Trends

By Johnjerica Hodge, India Williams

Published in the Association of Business Trial Lawyers' *ABTL Report*, the article looks at how companies have been under increased scrutiny from investors, consumers and government agencies over environmental, social and governance (ESG) issues. As companies continue to expand their ESG programs in part due to greater public and political attention on ESG issues, companies must also confront an increased risk of attention from private litigants. [Read "ESG Litigation Trends" in the ABTL Report.](#)

District Court Denies Nestle's Motion to Dismiss False Advertising Class Action Based on Alleged Child Labor in Cocoa Supply Chain

By Chris Cole

The US District Court for the Southern District of California denied a motion to dismiss a putative class action alleging that Nestle had falsely advertised, in part, that its cocoa as "sustainably" harvested. This is the latest decision interpreting the term "sustainable" to include both environmental and social meaning, and it represents a troubling development for advertisers. The plaintiff alleged that Nestle, which prominently touted its "Cocoa Plan" — a sweeping effort to address the use of child labor on African cocoa farms — amounted to greenwashing. [Read about *Falcone v. Nestle USA, Inc.*](#)



The Texas Lawbook Interviews Johnjerica Hodge on What's Next for the ESG Movement

ESG Risk and Investigations partner and co-chair Johnjerica Hodge sat down for an interview with *The Texas Lawbook* to share more about the firm's practice, which she helped launch with fellow co-chair India Williams, as well as her career path to Katten and the growing importance of environmental, social and governance (ESG) issues. "ESG will be something companies promptly take into account – even more than now," she said, emphasizing that the social and governance aspects are now gaining more attention by consumers, investors and other stakeholders." [Read "Q&A with Katten ESG Expert Johnjerica Hodge" in The Texas Lawbook.](#)

Edward Tran and Oliver Williams Discuss ESG reporting and M&A on Grip Podcast

London partners Edward Tran and Oliver Williams were featured on the Global Relay Intelligence & Practice (*Grip*) podcast discussing the exponential growth of ESG initiatives in the corporate world. The two addressed how ESG is gaining relevance in mergers and acquisitions, investor pressures, concerns about greenwashing in disclosures, and the impact data is having in this space. [Listen to "Podcast: Katten partners Edward Tran and Oliver Williams on ESG reporting and M&A," on the Grip podcast.](#)



OFAC Issues Guidance for the Provision of Humanitarian Assistance to Syria

By Jacques Semmelman

On August 8, the US Department of the Treasury's Office of Foreign Assets Control (OFAC) issued a *Guidance for the Provision of Humanitarian Assistance to Syria*. Among other prohibitions, any US person or entity is prohibited from providing goods, services or funds to anyone in Syria and from receiving goods, services or funds from anyone in Syria. There are, however, various humanitarian exceptions to these sweeping prohibitions. [Read about OFAC permitted activities for Syria.](#)

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