

HOSPITALITYLAWYER.COM PRESENTS

**2013** THE **HOSPITALITY LAW**  
**CONFERENCE**  
FOCUSING ON LEGAL, SAFETY & SECURITY SOLUTIONS

FEBRUARY 11-13, 2013 • HOUSTON, TEXAS

# HOSPITALITY CASE REVIEW

The Top  
100+  
Cases that  
Impacted  
Us This  
Past Year

# PRESENTERS



- Karen Morris, Esq.
- Distinguished professor, Monroe Community College
  - Owns a home in Brighton, New York
  - Textbook author, Hotel, Restaurant and Travel Law
  - Columnist, Hotel & Hotel Management Magazine



- Diana Barber, Esq.
- Lecturer and Director of Hospitality Study Broad Program at Georgia State University, Atlanta, Georgia
  - Columnist, Hotel and Hospitality Law Newsletter
  - Hospitality Attorney
  - Of Counsel with Herman Linkman Co., P.A.



# ADA/FACILITY

## *Davis v. Dale Ma* 848 F.Supp.2d 1105 (C.D. Cal.)

### #2





# ADA/FACILITY

## *Cohen v. City of Culver City and Culver Hotel*

2012 WL 2390914 (Ca.)

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# CONTRACTS/BREACH

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## *Sparks v. HRHH Hotel* 2012 WL 1970020 (D. Nev.)

### # 13





# DEFAMATION

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***Seaton, d/b/a Grand Resort Hotel &  
Convention Center v. TripAdvisor  
2012 WL 3637394 (E.D. Tenn.)***

**# 18**





# DISCRIMINATION / RACIAL

## *NAACP v. Darcy* 2012 WL 4473138 (SC) # 21





# DISCRIMINATION/RACIAL

## *Ross v. Choice Hotels International* 2012 WL 3132650 (S.D. Ohio)

# 22







# EMPLOYMENT/ARBITRATION

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***Munoz v. Luby's***  
***2011 WL 6291966 (S.D. Tex.)***  
**# 25**





# EMPLOYMENT/ARBITRATION

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## ***Gorlach v. The Sports Club Company*** ***148 Cal.Rptr. 3d 71*** **# 27**





# EMPLOYMENT/NAT'L ORIGIN

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## *Arafi v. Mandarin Oriental*

*867 F. Supp. 2d 66 (DC)*

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# EMPLOYMENT/FLSA

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## *Koellhoffer v. Plotke-Giordani*

885 F. Supp. 2d 1181 (Co)

#43





# EMPLOYMENT/NEGLIGENT HIRING

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## *Harris v. KFC U.S. Properties* *2012 WL 2327748 (E.D. Pa.)*

# 51





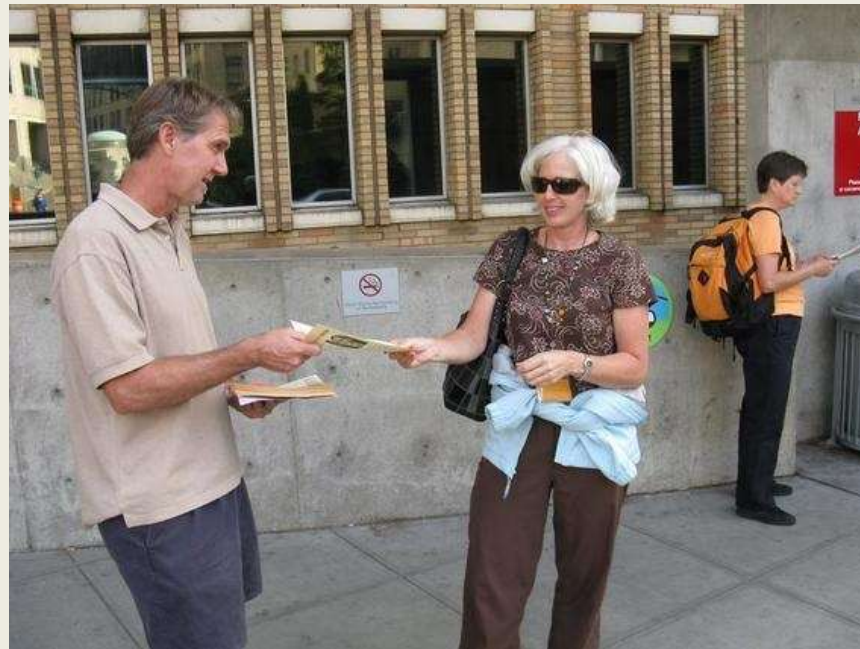
# EMPLOYMENT/UNION ACTIVITY

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## *New York, NY LLC v. NLRB*

676 F.3d 193 (DC Cir.)

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# FRANCHISE

*KFC Corporation v. JRN*  
2012 WL 170196 (W.D. Ky.)  
# 65





# FRANCHISE

## *Chambers-Johnson v. Applebee's Restaurant*

2012 WL 3968913 (La. Ct. App.)

# 69







# FRANCHISE

## *AMTX Hotel v. Holiday Hospitality Franchising*

2012 WL 2053359 (Tex.)

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# INSURANCE

## *HM Hotel Properties v. Peerless Indemnity Insurance*

2012 WL 2300615 (Az.)

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# NEGLIGENCE/PREMISES LIABILITY

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## *Karnauskas v. Columbia Sussex* 2012 WL 234377 (S.D. N.Y.)

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# NEGLIGENCE/SECURITY

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## *Yearwood v. Club Miami* 728 SE2d 790 (Ga.) # 84





# INSURANCE

## *Doe v. O.C. Seacrets* 2012 WL 3257581 (Md.)

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# NEGLIGENCE/SECURITY

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## *Johnson v. HWCC-Tunica d/b/a Hollywood Casino*

2012 WL 4762217 (5th Cir)

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# NEGLIGENCE/SKI INJURY

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## *Dearnley v. Mountain Creek* 2012 WL 762150 (N.J.)

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# TRADEMARKS

## *Morgans Group v. John Doe Company* 2012 WL 1098276 (S.D. N.Y.)

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# TRADEMARKS

*Lebewohl, d/b/a Second Ave. Deli v.  
Heart Attack Grill*

2012 WL 1098276 (NY)

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# TRADEMARKS

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***BLT Restaurant Group v. Laurent  
Tourondel and LT Burger  
2012 WL 592499 (S.D. NY)***

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# UNION/NLRB

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## *Frankl v. HTH Corporation*

650 FR.3d 1334 (9<sup>th</sup> Cir.)

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# WORKERS COMPENSATION

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## *Pfohl v. Illinois Workers' Compensation Commission*

No. 2:10-1166WC (III.)

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# WORKERS COMPENSATION

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## *Price v. Unite Here Local 25*

2012 WL 3255063 (Ha.)

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*Rafol v. Mateo*  
2012 WL 2505510 (Ha.)  
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# THANK YOU

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