

INDUSTRY

Private Clubs, Hotels & Hospitality

KEY CONTACTS

Tracy Thomas Boland

T. 617-757-6522

E. tboland@bowditch.com

PARTNERS

Tracy Thomas Boland

Christopher A. Kenney

Danielle Jurema Lederman

Julie K. O'Neill

ASSOCIATES

Joseph R. Duquette

Benjamin J. Hinks

Chelsie A. Vokes

OVERVIEW

PRIVATE CLUBS, HOTELS & HOSPITALITY

The private club, hotel and hospitality industries are built upon exceptional customer experience, service and value. Our client teams are committed to delivering the same to our clients. We provide multi-service legal advice and solutions to each client from planning and startup to business formation, operation and winding down – and everything in between. More specifically, our services include:

- Corporate and finance, including organization, compliance and business transactions
- Employment and labor, benefits and executive compensation
- Real estate and environmental
- Licensing, trademark and copyright
- Intellectual property, including licensing and trademark
- Business disputes and litigation, including contract disputes, real estate and construction litigation, consumer litigation and general litigation
- Tort litigation, including premise liability, Dram Shop litigation, negligent security, building code and property defects, third-party liability, product and warranty liability, and respondent superior actions
- Estate, tax & financial planning, including business succession planning and stockholder agreements
- Liquor licensing
- Debtor/creditor issues and asset protection
- Government investigations and actions

Our clients operate a range of hospitality enterprises and include developers, owners and operators of hotels, restaurants and franchises, resorts, bars, private clubs, breweries, theatres, entertainment facilities and sports venues. We also represent caterers and food service businesses, event-planning services, museums and other educational institutions, transportation companies, and product manufacturers and distributors.

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EXPERIENCE

Obtaining a preliminary injunction keeps a craft brewery in business

When a craft brewery in Massachusetts was told that it had violated its lease, it could have put them out of business and killed a key part of its town's revitalization. The dispute was over the presence of food trucks and live music. We prevailed at a preliminary injunction stage because the judge was persuaded by our client's real-life story. We were aggressive in making our case, written and oral, and it was the right strategy, since a preliminary injunction must meet a very high legal standard. Pending final resolution, our client is still operating…business as usual.

OTHER EXPERIENCE

- Site plan approval from municipal planning board for $65 million redevelopment of existing structure into large hotel and resort; successfully entered into tax increment financing agreement with municipality and obtained approval by Economic Assistance Coordinating Council ("EACC"), attaining maximum available municipal personal property tax relief and investment tax credits
- Hotel and resort against claims before EACC by labor union alleging violations of state labor laws
- More than 20 private clubs (social clubs and country/golf clubs) with:
  - Ongoing employment law and HR matters, including day-to-day counseling on personnel issues
  - Compliance with governing and evolving employment laws
  - Investigations into complaints from employees
  - Employee handbooks, employment agreements and severance agreements
- Restaurant in class action suit alleging violation of Fair Credit Reporting Act
- Hotel condominium association in action against condominium builders arising from construction defects
- Owner of large resort hotel and golf course in sale of property and hotel
- Assisted hotels in Massachusetts, New Hampshire, Maine, Rhode Island and Florida in obtaining construction and equipment financing
- Bar/restaurant in administrative proceedings and Superior Court action successfully appealing ABCC suspension of liquor license
- Food service business in partnership dispute
- Restaurant/bar seeking zoning approval for parking lot expansion beyond municipal ordinance
- National fast-food chain in need of special permit from municipal Zoning Board of Appeals to construct drive-through window at new location
- Coordinated with municipal officials in Departments of Public Works and Code Enforcement and advised architects and engineers during design-development, pre-construction phase of new fast food chain restaurant
- Restaurant co-owner during winding-down and dissolution of business

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