

## Hospitality and Hotels

From acquisition, development and financing, to management, operations and loan workouts, hospitality industry clients demand talented and experienced legal counsel to meet the variety of issues facing them in the market.

Our lawyers are experienced, representing Hospitality Industry clients worldwide. We keep in mind our clients' goals and objectives, whether the client is a developer, owner/operator, franchiser/franchisee or financial institution. Andrews Kurth knows how to complete transactions successfully because we've done so with hundreds of properties—and we've done it in a timely, cost-effective manner.

Clients come to us for advice on a broad range of issues, the most common of which include:

- Sales and purchases
- Asset management
- Financing and franchising
- Litigation and bankruptcy
- Management and operations
- Conference, convention and public assembly facilities
- Multi-asset portfolios spread over a wide geographic area

We tailor the scope of our performances to the unique needs of the individual client.

Our solid reputation comes from our experience; Hospitality Industry clients regularly call Andrews Kurth to handle complex transactions. Whether dealing with a complicated project, a workout or a bankruptcy, Andrews Kurth hospitality lawyers serve the operations, marketing and finance areas of the Hospitality Industry as advisors, debtor's counsel or creditor's counsel. Our hospitality engagements include resorts and business center hotels in Canada, the United States, Mexico, the Caribbean, Europe and Asia.

No matter the Hospitality Industry segment our client is involved with—mixed-use development, restaurants, golf courses, resorts or hotels—our lawyers are knowledgeable about and active in the market spectrum. This breadth of exposure to market conditions allows a keen perspective on market standards. We help define key business goals, assemble the right legal team and develop strategies to optimize the client's objectives. Because we have represented lenders, investors, joint ventures and operating partners, we know the players and their expectations. We consult with clients regularly on key terms and conditions in the context of their business goals and opportunities.

Additionally, we provide counsel on land development and use issues, creation of organizational documents, acquisition and disposition, mergers and acquisitions, management agreements and trademark protection, among a host of other issues relevant to the hospitality and leisure business.

Andrews Kurth hospitality lawyers bring their experience in the marketplace to Hospitality Industry clients plus access to 400 attorneys in 9 major U.S. and international cities for counsel on labor and employment, tax, land use, corporate, environmental, bankruptcy, restructuring, litigation, workout and intellectual property issues.

### Labor and Employment

Our strengths in the hospitality industry include labor-management relations such as union prevention, collective bargaining for single- as well as multi-employer bargaining units, neutrality agreements, advising on union corporate campaigns and defense of unfair labor practice charges before the NLRB. We defend administrative and litigation claims on workforce issues common to the Hospitality Industry including:

- Staff turnover
- Overtime pay disputes and workforce productivity
- Employer qualified benefit and pension plans

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- Employment discrimination, sexual harassment and wrongful discharge claims

### Representative Transactions

- Represented a major public corporation in the acquisition and financing of the Golden Nugget Hotel & Casino in Las Vegas and a subsequent 500-room hotel tower expansion
- Represented the purchaser, an international consortium of several large real estate and pension investors, in the acquisition of over 200 hotels throughout North America and Europe. Our work included negotiating a complicated structure of agreements, both onshore and offshore, acquisition and financing documentation and continued representation of hotel operations, including labor, environmental and financing
- Served as counsel to public agencies in connection with the financing and workouts for major downtown hotels utilizing HUD §108 fund financing
- Advised a Tokyo-based ownership group in its acquisition of a portfolio of hotels throughout Japan, including subsequent financing, franchising, management, operations and sales
- Represented one of the world's largest hotel companies in connection with numerous publicly financed convention center hotels, including acting as bond counsel, management counsel, owner's counsel, tax and underwriters counsel
- Represented a global hospitality company with a network of hotels around the world in the formation of an operational and investment joint venture with various investment and pension investors
- Represented multiple publicly traded hotel REITs with over 300 properties throughout the United States and Canada, including taking the companies public, acquisition, financing, continued operations and securities compliance
- Acted for purchasers in connection with the acquisition and repositioning of high-end resort properties in various Caribbean markets, including the subsequent development of luxury condominium units
- Our lawyers have advised numerous restaurants and restaurant companies in land purchases, environmental regulatory matters and other issues that apply to food service and hospitality operations