

8th ANNUAL

Hotel and Lodging Legal Summit

OCTOBER 23–25, 2019

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Law and Technology in the Hotel

and Lodging Industry:

The collection and use of guest data to provide enhanced service, and emerging technologies geared towards innovative hospitality solutions, have changed the way the industry does business. This year, a few of our sessions will explore legal issues extending from these emerging technologies, and consider how evolving data privacy laws and ethical rules intersect with our desire to provide unique guest experiences. Our luncheon keynote speaker is Ed Walters, Founder and Chief Executive Officer of Fastcase, Inc., and Adjunct Professor of Law at Georgetown University Law Center, who will discuss how artificial intelligence will continue to impact the legal profession.

Agenda

Wednesday, October 23

4:30–5:30 pm

Options for a Legal Career in the Hotel and Lodging Legal Industry

Moderator

Christopher L. Bennett, Eckert Seamans

Panelists

Molly Kacheris, Counsel, Development Americas, Hilton

Russell C. Savrann, Sandman Savrann PLLC

Vinay Sharma, Vice President of Capital Investment, Baywood Hotels, Inc.

Ankit Shrivastava, Arent Fox LLP

» Attend a session for attorneys new to the hotel and lodging industry or considering a career within the industry

» Gain experience-based insights from attorneys who have served the industry in a variety of settings (in large law firms, boutique law firms, and corporate legal departments and in non-legal functions)

5:30–7:00 pm

Welcome Networking Reception

Sponsored by **Sheppard, Mullin, Richter & Hampton LLP**

Thursday, October 24

7:30–9:00 am

Registration and Continental Breakfast

Sponsored by **Holland & Knight LLP**

8:00–9:00 am

Primer on Legal Relationships Among Major Players in the Hotel Industry

Moderator

Harris J. Chernow, Reger Rizzo & Darnall LLP

Panelists

Mónica León Bernstein, Senior Vice President and Assistant General Counsel, Interstate Hotels & Resorts, Inc.

Nevin Kelly, Vice President and Associate General Counsel, Park Hotels & Resorts

Melinda Stier, Senior Vice President and Associate General Counsel, Kimpton Hotels & Restaurants

» Attend a session for attorneys new to the hotel and lodging industry

» Receive an overview of the major players in the industry (owners, brands, and operators and the roles they play

» Learn about the major instruments that govern these players' relationships with one another

» Explore areas where these players' interests can conflict, and discuss how these conflicts are addressed in contract negotiation and business operation

9:00–9:10 am

Welcome and Overview

Jill C. Castleman, Executive Director, Georgetown Law CLE

Erica H. Hageman, Program Co-Chair

Robert W. Lannan, Program Co-Chair

9:10–10:10 am

Smart Reservations and Guest Relations: Risks of New Software Applications Using Guest Data

Moderator

H. Bryan Brewer, III, Crowell & Moring LLP

Panelists

Laurie Bennett, Senior Vice President and General Counsel, TravelClick, Inc.

Joshua D. Bernstein, Akerman LLP

Rebecca Piper, Vice President & Assistant General Counsel, Hyatt Hotels Corporation

Scott Strickland, Executive Vice President and Chief Information Officer, Wyndham Hotels & Resorts, Inc.

» Explore the impact of emerging technologies on responsibilities and liabilities of companies that hold and use guest data

» Consider who, among property owners, brand companies, intermediary distributors, and guests, owns guest data

» Discuss the implications of guest data ownership under the EU General Data Protection Regulation and a growing body of state regulations in the United States, including the California Consumer Privacy Act

» Consider how ownership and risks should be allocated in contracts among players that hold guest data

10:10–10:40 am

Networking Break

10:40–11:40 am

General Counsels' Panel

Moderator

Lawrence C. Eppley, Sheppard, Mullin, Richter & Hampton LLP



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Panelists

Kristin Campbell, Executive Vice President and General Counsel, Hilton

Paul Cash, General Counsel, Chief Compliance Officer and Corporate Secretary, Wyndham Hotels & Resorts, Inc.

Matthew Rash, Senior Vice President and General Counsel, Apple Hospitality REIT, Inc.

Cynthia Warren, Legal Counsel, Pyramid Hotel Group

- » Explore current legal issues confronting the hotel and lodging industry
- » Discuss legal challenges presented by new and developing technologies affecting the industry
- » Gain insights from a panel of chief legal officers representing hotel owners, brand companies, and management companies

11:40 am–1:10 pm

Luncheon and Keynote Address

Sponsored by First American Title Insurance Company

Nothing Artificial About It: How Lawyers are (Really) Using AI

Keynote Speaker:



Ed Walters, Founder and Chief Executive Officer, Fastcase, Inc.; Adjunct Professor of Law, Georgetown University Law Center

- » Learn how artificial intelligence (AI) will continue to impact the legal profession, from the founder of a leading online legal research software company, who teaches “The Law of Robots” at Georgetown Law
- » Understand practical definitions of AI, see live examples, and learn how lawyers really use AI in practice

1:10–2:10 pm

Sprinting the Marathon: Keeping up with Changes in Data Breach Response Planning

Moderator

Casie D. Collignon, BakerHostetler

Panelists

Mara Zusman Greenberg, Counsel, Global Privacy & Data Security, Hilton

Elizabeth K. Hinson, Morris, Manning & Martin, LLP

Rachel Lavender, Senior Vice President, Cyber Center of Excellence Practice, Marsh

Benjamin Vaughn, Vice President and Chief Information Security Officer, Hyatt Hotels Corporation

- » Explore legal issues extending from response to a data breach
- » Discuss engagement and management of consultants and vendors involved in responding to a breach
- » Strategize the “art, science, and duty” behind reporting a data breach

2:10–2:30 pm

Networking Break

Sponsored by Sheppard, Mullin, Richter & Hampton LLP

2:30–3:30 pm

Organized Labor and the Hotel Industry: Knowing the Players and the Law

Moderator

David Sherwyn, Director of the Cornell Institute for Hospitality Labor and Employment Relations, The Hotel School, Cornell University SC Johnson College of Business

Panelists

Michael D’Angelo, Vice President, Labor Relations, Hyatt Hotels Corporation

Jessica Kastin, Jones Day

Paul E. Wagner, Stokes Wagner

- » Learn how the hotel industry has become a holy grail for organized labor in the years since manufacturing was the driving force in the U.S. economy
- » Discuss the unique history, culture, organizing practice, and negotiating strategy of UNITE HERE, the industry’s most prominent union
- » Consider the current state of labor relations in the hotel industry
- » Explore the law and practice of organizing, corporate campaigns, collective bargaining, and arbitration

3:30–3:45 pm

Networking Break

3:45–4:45 pm

Putting Skin in the Game: Balancing Stakeholder Goals in Hospitality Transactions

Moderator

Jay T. Blount, Eckert Seamans

Panelists

Stephanie Carrick, Vice President & Assistant General Counsel, Marriott International, Inc.

Judith Miles, General Counsel, KHP Capital Partners

Carla Moreland, Aimbridge Hospitality

Michelle Warner, Corporate Counsel, HMSHost Corporation

- » Explore options for brands and other stakeholders to contribute to the financing of hotel developments, including joint ventures, key money, and mezzanine debt
- » Discuss typical structures and frequent points of negotiation of such transactions
- » Consider how to pull your funds or assume more ownership of a development

4:45–6:15 pm

Networking Reception

Friday, October 25

7:45–9:00 am

Registration and Networking Breakfast

Sponsored by Venable LLP

8:15–10:15 am

Ethical Issues for Developing Technologies

Stuart I. Teicher, Professor and Lead Educator, Teicher Professional Growth, LLC

- » Explore an attorney’s duty to protect client data from a breach, under rules 1.6 (Confidentiality of Information) and 1.15 (Safekeeping Property)
- » Consider when and how the scope of an attorney’s representation can be unbundled from a broader set of client objectives in a matter involving use of technology, under rule 1.2 (Scope of Representation)
- » Discover what practice-enhancing technologies rule 1.1 (Competence) may require an attorney to use today or in the future
- » Discuss whether and how rule 5.3 (Responsibilities Regarding Nonlawyer Assistance) requires attorney oversight of artificial intelligence tools used in legal practice
- » Understand whether and how principles underlying rule 5.5 (Unauthorized Practice of Law; Multijurisdictional Practice) limit or regulate an attorney’s counseling of clients worldwide using the Internet



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Live Webcast

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10:15–10:45 am

Networking Break

Sponsored by Goodwin Procter LLP

10:45–11:45 am

Lessons Learned and Getting It Right: Guidance for Hotel Legal Counsel from a Panel of Asset Managers

Moderator

Bruce E. Parmley, Hogan Lovells

Panelists

Cheryl Boyer, Chief Operating Officer, Fulcrum Hospitality LLC

Cris Broderick, President, KH Advisers, Inc.

Michelle Russo, Founder and CEO, hotelAVE

John Shults, Senior Counsel, Development - Americas, Hilton

- » Join a panel of asset managers to consider stories, case studies, and illustrations on the application of frequently negotiated provisions of hotel management agreements (HMAs) during the life cycles of hotels
- » Obtain drafting tips for avoiding or managing conflict in implementing an HMA
- » Understand how to draft for prospective key money for the owner, and incentive fees, technical services fees, and other revenue sources for the operator

11:45 am–12:15 pm

Boxed Lunch Distribution

12:15–1:15 pm

CONCURRENT SESSIONS

Session A

Conspiracy Theories: How Antitrust Affects Your Day-to-Day

Moderator

Lindsay C. Harrison, Jenner & Block

Panelists

Kay Caudle, General Counsel, STR, Inc.

Christine Hopkinson, Senior Corporate Counsel, Marketing & Commercial, InterContinental Hotels Group

Daniel A. Sasse, Crowell & Moring LLP

- » Learn how antitrust law affects the hotel industry and why hotel owners and operators should care
- » Explore how to walk a fine line between good business practices and sharing too much information with competitors
- » Discuss significant antitrust litigation affecting the industry today
- » Consider the role that third-party aggregators (e.g. STR) play in lawfully educating hotels about their competition

Session B

Loyalty Land Mines: Legal Issues Related to Brand Loyalty Programs

Moderator

Bret Lowell, DLA Piper

Panelists

Jennifer L. Crowder, K&L Gates LLP

Shazmah Hakim, Vice President & Assistant General Counsel, Marriott International, Inc.

David Moorhead, Vice President & Assistant General Counsel, Hyatt Hotels Corporation

Melissa Landau Steinman, Venable LLP

- » Learn about the new experiences and other benefits available through loyalty programs, and the role of apps
- » Explore legal issues related to establishment and modification of hotel loyalty programs, including the key provisions in program terms and conditions and the limitations on dilution
- » Discuss how to avoid contract, privacy, data security, consumer, and misrepresentation claims in the development and management of hotel loyalty programs
- » Examine the financial structure of loyalty programs, including franchisee participation costs and redemption compensation

- » Consider issues emerging from the intersection of credit card and hotel brand loyalty programs and the tension between OTA and hotel loyalty programs

1:15–1:30 pm

Networking Break

1:30–2:30 pm

Insurance 201

Nermine Demopoulos, Vice President, Risk Management and Insurance, Marriott Vacations Worldwide Corporation

- » Join a panel in which Nermine Demopoulos (back by popular demand) will continue last year's overview of insurance-related provisions in contracts
- » Discuss, among other things, cyber insurance and other policies that insure against technology-related risk

Missed last year's "Who's Covered for What? Making Sense of Insurance Provisions in Contracts"? Catch up* and view the recording:
<http://bit.ly/HLLSVideo>

**No CLE credit available for viewing last year's recording*

2:30 pm

Adjournment

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www.hotelgeorge.com

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OCTOBER 23–25, 2019

8th Annual Hotel and Lodging Legal Summit



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- 1. Gain** insights from a panel of chief legal officers representing hotel owners, brand companies, and management companies
- 2. Explore** the impact of emerging technologies on responsibilities and liabilities of companies that hold and use guest data
- 3. Consider** options for brands and other stakeholders to contribute to the financing of hotel developments, including joint ventures, key money, and mezzanine debt
- 4. Analyze** how antitrust law affects the hotel industry and why hotel owners and operators should care
- 5. Discuss** how to avoid contract, privacy, data security, consumer, and misrepresentation claims in the development and management of hotel loyalty programs
- 6. Learn** an attorney's duty to protect client data from a breach
- 7. Gain** insight into cyber insurance and other policies that insure against technology-related risk
- 8. Understand** the current state of labor relations in the hotel industry
- 9. Attend** a session for attorneys new to the hotel and lodging industry or considering a career within the industry
- 10. Hear** directly from the founder of a leading online legal research software company regarding use of artificial intelligence in the legal profession