



In the hospitality, leisure and entertainment industry, customer service and satisfaction mean everything. At Duane Morris, we share that dedication and understand that businesses require comprehensive legal services to enable them to deliver top-rated services and experiences. Over the years, the firm has helped clients from all areas of this diverse industry, with a specific focus on hotels, restaurants, resorts, vacation-ownership properties, entertainment venues, casinos and mixed-use developments. Our clients, including some of the world's most recognizable brands, trust us to help them manage their legal and business challenges.

SERVICES PROVIDED

- ▶ Business Reorganization and Financial Restructuring
- ▶ Class Action Defense
- ▶ Construction
- ▶ Consumer Protection Laws
- ▶ Contracts
- ▶ Corporate Transactions
- ▶ Cybersecurity, Privacy and Data Protection
- ▶ Employment, Labor, Benefits and Immigration
- ▶ Financing
- ▶ Gaming
- ▶ International
- ▶ IP and Brand Portfolio Management
- ▶ Litigation and Alternative Dispute Resolution
- ▶ Mergers and Acquisitions
- ▶ Real Estate
- ▶ Wage-and-Hour Litigation

REPRESENTATIVE CLIENTS

- ▶ Barefoot Luxury Inc.
- ▶ Bowlero
- ▶ Carlson Resort Group
- ▶ Diamond Resorts International
- ▶ Las Vegas Sands
- ▶ Marriott
- ▶ Papa John's
- ▶ Philadelphia Zoo
- ▶ Roku
- ▶ Royal Blues Hotel
- ▶ Sagamore Pendry
- ▶ Venetian Resorts

EXAMPLES OF OUR WORK

- ▶ Represented [ESPN](#) with its agreement with PENN Entertainment to launch ESPN BET, a branded sportsbook, in at least 16 legalized sports betting states. The agreement includes a rebrand of PENN Entertainment's current sportsbook and the relaunch as ESPN BET.
- ▶ Represented [American Racing and Entertainment](#), the owner and operator of Tioga Downs Casino Resort and Vernon Downs Casino Hotel, in its \$175 million sale and leaseback of the real estate assets of Tioga Downs to Gaming and Leisure Properties Inc. (Nasdaq: GLPI), a real estate investment trust focused on owning real estate property that is leased to gaming operators.
- ▶ Represented [Golden Entertainment Inc.](#) in its sale of Rocky Gap Casino Resort in Flintstone, Maryland, to Century Casinos Inc. and VICI Properties Inc.
- ▶ Represented [CenPer Holdings LLC](#) in its opening, in collaboration with Warner Bros. Themed Entertainment, of Central Perk Coffeehouses, a modern-day coffeehouse inspired by Central Perk from the hit TV series "Friends," and the launch of an e-commerce site, centralperk.com, through which Central Perk coffee varietals are now available for purchase.
- ▶ Represented the [Philadelphia Phillies](#) in settling a two-year copyright dispute with the designers of the Phillie Phanatic mascot costume, keeping the original Phanatic at home in Philadelphia forever.
- ▶ Represented [Fubo Gaming Inc.](#), a subsidiary of leading sports-first live TV streaming platform FuboTV Inc., in a market access agreement with The Cordish Companies, the owner and operator of Live! Casino & Hotel Philadelphia.
- ▶ Represented [Deep Sea Charters](#) in an administrative appeal of a sales tax assessment issued on the cost of repairs made to its charter boat where the repairer stated the tax was included but failed to pay that tax to the Department of Revenue. The tax conferee ultimately eliminated that portion of the assessment.
- ▶ Represented [Tropicana Entertainment Inc.](#) in entering into a management agreement pursuant to which it would manage the Trump Taj Mahal Casino Hotel and provide consulting services relating to the former Plaza Hotel and Casino in Atlantic City, New Jersey.
- ▶ Represented [Stan Lee Media Inc.](#) in a dispute in Philadelphia federal court against the Walt Disney Co. and Marvel Comics concerning ownership of the copyrights and trademarks to Spider-Man and other superhero characters created by Stan Lee.
- ▶ *Hershey Entertainment & Resorts Company v. Radisson Hotels International, Inc. et al.*, 11-cv-1159 (M.D. Pa. 2011). Represented the defendant hotel in a trademark infringement suit concerning the name used in posters and displays.
- ▶ Obtained an injunction on behalf of [Travelport LP](#) precluding American Airlines from terminating its contracts with Orbitz.com and reinstating Orbitz's ability to display and ticket American Airlines flights. Decision affirmed on appeal.

- ▶ Currently representing **Papa John's** in one of the largest wage-and-hour class actions of its kind, *Durling, et al. v. Papa John's International, Inc.*, No. 16-CV-3592 (S.D.N.Y.). This case involved over 120,000 putative class members consisting of current and former drivers at 3,290 stores. We beat plaintiffs' motion for conditional certification for the second time in March 2018. Further, we defended Papa John's in *Hubbard, et al. v. Papa John's International, Inc.*, No. 19-CV-22 (W.D. Ky.) (defense of a wage-and-hour class action by delivery drivers alleging FLSA violations), *Thomas, et al. v. Papa John's International, Inc., et al.*, No. 17-CV-411 (S.D. Ohio) (defense in wage-and-hour class action by delivery drivers alleging FLSA violations) and *Willich, et al. v. Star Papa, LP*, No. 21-CV-1044 (W.D. Tex.). Our experience also includes obtaining partial summary judgment on the merits in a nationwide wage-and-hour case involving workers at over 2,750 Jimmy John's franchises, *In Re Jimmy John's Overtime Litigation*, No. 14-CV-5509 (N.D. Ill.). Our result in this collective action set novel legal precedent and was recognized in publications such as the *Chicago Tribune*, *Law360* and *National Law Journal*.
- ▶ Represented the **Las Vegas Sands Corp.**, the eminent developer and operator of world-class integrated resorts, in the \$1.3 billion sale of its Sands Bethlehem Casino Resort to the PCI Gaming Authority dba Wind Creek Hospitality, providing gaming regulatory and real estate guidance in the transaction.
- ▶ Represented the operator of a marine park in a putative class action brought under consumer protection and false advertising laws alleging that plaintiffs made purchases of tickets and merchandise in reliance on false or misleading statements regarding the company's animals.
- ▶ Represent an aerospace client on compliance with the International Traffic in Arms Regulations, Export Administration Regulations and Office of Foreign Assets Control regulations.
- ▶ Represented one of the largest live entertainment producers in the world in a Department of Labor investigation into the classification of its concession workers as independent contractors.
- ▶ Represented a professional soccer club, its parent corporation and the club's stadium in multiple litigations and administrative matters brought both by the client and against the client concerning independent parking lots operating in the vicinity of the stadium in violation of the city zoning ordinances.
- ▶ Participated in the **\$140 million** refinancing of a hotel in New York City's Times Square, the mortgage of which encumbered ground lease, developments rights lease and fee ownership interests covering the property, together with \$130 million in layered mezzanine financing.
- ▶ Negotiated a hotel management agreement for the operation of the **Sagamore Pendry** in Baltimore, Maryland, by Montage International.

Fashion, Retail and Consumer Branded Products Blog

Duane Morris attorneys share insights on the legal landscape and business dynamics of the rapidly changing fashion, retail and consumer branded products industries.

blogs.duanemorris.com/fashionretailbrandedconsumergoods

Class Action Defense Blog

Duane Morris attorneys share insights on the defense of class actions, including workplace and employment claims, consumer fraud/protection, shareholder and derivative suits, and the many other issues.

blogs.duanemorris.com/classactiondefense

GLOBAL NETWORK

Clients benefit from Duane Morris' global network of resources. We represent clients based in, or with a presence in, many regions throughout the United States and globally.

OFFICE LOCATIONS & REACH



UNITED STATES

Atlanta	Miami
Austin	New Jersey North
Baltimore	New Jersey South
Boca Raton	New York
Boston	Philadelphia
Chicago	Pittsburgh
Dallas	San Diego
Fort Worth	San Francisco
Houston	Silicon Valley
Las Vegas	Washington, D.C.
Los Angeles	Wilmington

INTERNATIONAL

Hanoi	Shanghai
Ho Chi Minh City	Singapore
London	Sydney
Myanmar	

- > Also satellite offices, including Portland, Maine; Berwyn, Pennsylvania; and Seattle, Washington
- > Alliances in Mexico and throughout Latin America
- > Leadership position with international network of independent law firms

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