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**EARLY RETENTION OF HOTEL EXPERT
IS EFFICIENT AND COST EFFECTIVE**

The early retention of a hotel expert most often leads to improved discovery results and a comprehensive understanding of the expert's industry specialty, often unknown or appreciated by the attorney. Real estate is a broad and well documented discipline with substantial case history. However, the hotel industry is very specialized encompassing the basics of real estate coupled with financing, labor and operations. The hotel industry, unlike other disciplines, experience numerous ownership, franchise, management and other personnel changes often resulting in great difficulty in producing complete discovery documentation. Property damage has often impeded discovery efforts. The early and timely designation of a hotel expert can help compress the discovery time.

Experienced hotel experts clearly define needed discovery routinely used daily throughout the industry, often adding significant clarity to the discovery requests. Moreover, a hotel experts experience supplement interrogatory responses and assist in crafting deposition and trial examination for the retaining attorney.

It is assumed that the attorney and the hotel expert clearly understand the theme of the case for which the hotel expert is to provide an independent industry opinion. While this may appear obvious, it is not always the situation and can result in wasted time costs. For example, most hotel assault cases are based on the initial assumption that security was the key issue. However, an experienced hotel expert, regardless of plaintiff or defense retention, would examine negligent retention, employee training, discipline procedures, employee review practices and security standards all possibly embraced by mismanagement and duty of care as the case theme. The knowledgeable hotel expert has provided the attorney with a comprehensive presentation of hotel industry standards and practices allowing the attorney greater flexibility in managing the case.

Similarly, hotel wrongful death cases almost always entail numerous operating issues but attorneys often single out only one hotel element. An experienced hotel expert with operational experience can fully understand the essential causal issues and fairly present, for plaintiff or defense cases, a comprehensive analysis of operating responsibilities and accepted practices allowing the attorney to be more fully educated to the hotel industry and better prepared.

Hotel contract disputes also require an in depth understanding of the hotel industry by the expert. For example, a parking easement-contract dispute requires knowledge of hotel operations, scheduling, leases and development agreements to explain and comment upon various hotel parking practices and reporting procedures. This knowledge will assist the attorney in completely appreciating the many unique practices employed throughout the industry.

By the early retention of an expert, and in particular an expert whose specialty maybe somewhat specific as with a hotel expert, the attorney has the benefit to fully appreciate nuisances of the industry and to better focus on key issues which might not have been identified or understood to be significant to the dispute. Early expert retention almost always is cost justified and time beneficial to the attorney and usually results in a better managed assignment for the expert.

R. Britton Colbert, CHA has over 35 years experience in the hotel industry. He holds the Certified Hotel Administrator certification, the highest certification from the AH&LA. He has developed and financed hotels and operated a national hotel portfolio of 9 hotels. He holds real estate licenses in California and Pennsylvania. He may be contacted through JurisPro.
