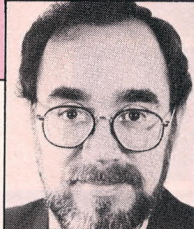


ATTORNEY AT LARGE

BY RICHARD HARTZMAN



The Case of The Big Noise

Hotel renovations can be much more than a simple nuisance. Take the case of a planner who had booked hotel and meeting space in Las Vegas a year in advance for a small group of medical specialists—50 international authorities convening at great expense to share the knowledge developing at the frontiers of their specialty. The proceedings were to be taped and transcribed for publication.

When the group arrived at the hotel, renovations were all too obviously in

progress. Jackhammers and other heavy equipment were creating noise and vibrations that made it impossible to tape the meeting sessions. Alternative meeting space in the hotel was unavailable because of heavy booking, and hotel management, concerned about the high cost of delaying the renovation, would not cooperate with the group. The primary goal of the meeting was in jeopardy because of this unanticipated disruption. The group's meeting contract was silent on the problem. What could be done?

The quick-thinking meeting planner, facing the prospect of disaster, decided to consult a local lawyer, who then came in to negotiate with the hotel's management. The entry of the lawyer made the management realize the seriousness of the situation, and they softened their position. A few hours and several telephone calls later, the hotel agreed to schedule the renovation work and the taped meeting sessions at different times.

This incident demonstrates the valuable role lawyers can play in averting disasters at critical moments. Though the contract did not address the situation, basic legal doctrine did. Armed with this tool, the lawyer could act as a mediator and move the parties in the dispute to a suitable resolution. Without the effective intervention of the lawyer, the hotel would probably not have relented, and the meeting planner would have been forced to find alternative meeting space at a moment's notice, foregoing the taping and publication of the proceedings, or to cancel the whole event.

If an accommodation had not been worked out, damages could have been sought in court for the losses resulting from the hotel's failure to provide adequate meeting facilities. But money damages would not have been a complete substitute for the lost taping or possible cancellation of the meeting. In this instance, alert action by the meeting planner saved the day and avoided a lawsuit no one wanted.

Litigation cannot always be avoided, of course, and in future columns I will describe situations that did end up in court. Because these cases clarify the rights and obligations of parties in conflict, they are excellent object lessons for meeting planners.

The column also will provide advice about such matters as contract provisions, liability for injuries and rights and responsibilities in dealing with hotels, airlines and suppliers.

But you, the reader, will be the lifeblood of this column. We must work together if I am to provide the information you need as a meeting planner. I ask that you write me about problems you have encountered that raised legal questions. In turn, I will seek out information on matters of concern to you.

Rather than my simply "laying down the law," I urge you to write if you have a concern you think might be legal in nature. If it is of interest to other meeting planners, I will make it the focus of a future column. Through this process, I hope to be able to unscramble some of the questions about the meetings business you have always wanted answered but were afraid to ask. □

Richard Hartzman is a member of the bar in New York and Colorado. He practices law in New York City and writes for *M&C* on a variety of subjects.

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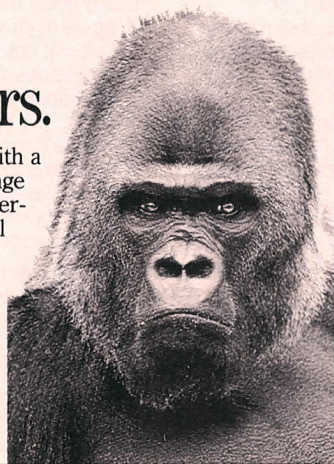
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