



CHLA Offers New Legal Support to Combat Drive-By ADA Claims

Attorney agrees to provide members with flat-fee defense of frivolous lawsuits

Dear California Hotelier,

CHLA has a new member program that could potentially save you thousands of dollars in legal fees and settlements.

We are pleased to announce that an attorney specializing in ADA law has agreed to provide flat-fee legal counsel for CHLA members who are victims of serial drive-by lawsuits that allege violations of the Americans with Disabilities Act. Members who have been sued for Unruh Act or ADA claims now can hire this attorney for a flat legal fee of \$2,000* per claim to defend them, dramatically less than the legal fees members otherwise would incur to defend such cases.

This attorney has a proven track record of defending these types of claims. Previously, CHLA successfully worked with his firm to shut down Jonathan Asselin-Normand, who sued more than 50 hotels for allegedly not renting rooms to minors. Asselin-Normand has been declared a "vexatious litigant" by the California Superior Court through the firm's and CHLA's efforts and, effectively, stopped.

Serial drive-by/call-in lawsuits against hotels have increased substantially this year, many now focused on website compliance (no accessibility description, no room description, no ability to reserve accessible rooms) and hearing impairment (failure to provide text telephones or assistive listening devices).

A handful of attorneys and plaintiffs are the primary source of these complaints, which target smaller independent property owners. Without an aggregated legal strategy, it has been less

expensive for hoteliers to settle dubious claims for roughly \$4,000, or much more depending on individual cases, than to engage in a protracted legal battle. Plaintiff attorneys take advantage of the potentially expensive litigation costs by offering hoteliers cost-effective settlement terms that encourage even more of this litigious activity.

CHLA believes that this arrangement will provide members with the option of a less-expensive and coordinated legal strategy to defend themselves against these claims. We are confident this approach will help to deter so-called high-volume litigants from using legitimate laws as a source of income.

Take advantage of this new benefit, along with the other CHLA resources when you join as a member.

CHLA continuously looks to protect our members and our industry. While we hope you have no need for this member benefit, we know that if you do, you're in good hands.

To join CHLA, please contact Sandra Oberle at sandra@calodging.com.

Sincerely,

The CHLA Team

*\$2,000 *legal fee* does not include possible court fees or expenses.

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