

Hospitality Litigation with DO&CB

On behalf of our clients, including a large hotel corporation and several other smaller boutique hotels and owners with properties in New York City, Westchester, Long Island and New Jersey, DO&CB litigates all types of civil matters involving contract disputes, real estate, licensing agreements and other commercial litigation. Additionally, DO&CB appears in criminal court and before state agencies, including the Environmental Control Board of the City of New York, to dispute or resolve a wide variety of violations issued by the FDNY and the Department of Buildings.

Here's what we do...

- We negotiate reduced fines on behalf of clients with both criminal courts and the Environmental Control Board of the City of New York.
- We monitor whether clients have been cited for violations of which they are unaware for whatever reason, including service of notice of the violation upon an incorrect entity.
- We represent hospitality clients on a wide array of lawsuits, including licensing agreements, service contracts, class action suits, and real estate development.

...and here are some of the successes we've had:

- We represented a major hotel in connection with resolving a class action brought seeking payment of penalties due to alleged ATM notice defects.
- We represent hotels and/or property owners regarding all types of violations of City and State regulations, including fire code, building code, and environmental violations, before both criminal courts and local agencies. Representation includes assistance with compliance, proof of compliance, disputing violations and negotiating the resolution of violations.
- We obtained dismissal of an action alleging unjust enrichment and quantum meruit in connection with identifying a potential real estate development for a hospitality corporation.
- We obtained dismissal of criminal court actions against corporate client through proof that client did not own the property listed in the violation.
- We successfully defended breach of duty of good faith and fair dealing case arising from a major food manufacturer's termination of a licensing agreement with a hospitality corporation.



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About d'Arcambal, Ousley & Cuyler Burk LLP

For over twenty years, d'Arcambal Ousley & Cuyler Burk, LLP (DO&CB) has provided exceptional legal counsel to Fortune 500 companies and large financial institutions. For each client engagement, DO&CB emphasizes cost-effective approaches, early case assessments, and strategic planning and expertise. Our lawyers previously practiced in corporate legal departments and large law firms, so we understand the voice of the customer and its business and legal objectives. DO&CB is women-owned with offices in New York City, New Jersey and Philadelphia.

Featured Partners and Associates Handling Hospitality Litigation

Michelle J. d'Arcambal (Partner)

Ms. d'Arcambal has more than 25 years of experience defending companies in all aspects of commercial litigation, including class actions, mediations, arbitrations, appeals, and trial. Ms. d'Arcambal has represented hospitality clients on a wide array of lawsuits, including licensing agreements, class action suits, and real estate development. Ms. d'Arcambal was previously a commercial litigation partner in the New York City office of Ross & Hardies, now known as McGuire Woods LLP. Ms. d'Arcambal began her legal career in the litigation department of Brown & Wood, LLP, now known as Sidley Austin, LLP. She is a graduate of the University of Wisconsin Law School and Smith College.



Jodie L. Ousley (Partner)

Ms. Ousley represents hotels and owners with properties in New York and New Jersey in criminal court and before state agencies, including the Environmental Control Board of the City of New York, with respect to a wide variety of violations issued by the FDNY and the Department of Buildings. She began her legal career in New York City as an examining attorney for the Public Assistance and Grants Unit of the New York City Department of Investigation (DOI). While with DOI, Ms. Ousley investigated and referred for prosecution cases of fraud, corruption, and unethical conduct. In addition, she studied and analyzed procedures to identify corruption hazards and recommended improvements in order to reduce the city's vulnerability to fraud, waste, and corruption. Ms. Ousley attended Oxford University and Southern Methodist University School of Law, where she graduated cum laude in 1997. She received a B.A. degree in 1992 from the University of Texas.



Kimberly A. O'Toole (Partner)

Ms. O'Toole has practiced for over sixteen years. Among matters at DO&CB, she defends hotel clients and property owners in various civil and criminal matters relating to violations and complaints issued by the FDNY and ECB. Ms. O'Toole previously practiced law for more than six years as a litigator with Shearman & Sterling, representing financial institutions in complex civil litigations, and for two years as a transactional real estate attorney in solo practice. She graduated cum laude from Georgetown's Law Center in 1991, where she was a Notes and Comments Editor on the Georgetown Law Review, and graduated summa cum laude from Georgetown University's McDonough School of Business in 1988.



Dierdre A. Connolly (Associate)

Ms. Connolly represents hotels and owners with properties in New York and New Jersey in criminal court and before state agencies, including the Environmental Control Board of the City of New York, with respect to a wide variety of violations issued by the FDNY and the Department of Buildings. She has extensive domestic and international experience as an attorney, policy analyst, and program manager and has worked closely with the United Nations to develop and implement administrative and legal reform policy. Ms. Connolly began her legal career with Wright & Manning, where Ms. Connolly participated in all aspects of the Firm's litigation practice, with a concentration on securities and environmental criminal defense, contracts, and landlord-tenant. Ms. Connolly has both a B.A. (Wells College) and an M.A. (Columbia University) in Classics and a J.D. from Fordham University School of Law.

