



### Lynn Cadwalader

Partner

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Lynn K. Cadwalader represents clients investing in acquiring, developing and operating hotels and mixed-use projects in the United States and internationally, including Asia, Latin America and the Caribbean. Lynn's practice also includes providing legal and business advice to foreign investors seeking to invest in hospitality and real estate assets in the US, as well as representing hotel owners and developers in structuring investments through the EB-5 immigrant visa program.

Lynn represents private equity firms, developers, owners and operators in all facets of hospitality and mixed-use real estate investment and development, including both single property and complex multi-state portfolio transactions. Through her many years of practice in this hospitality sector, she understands the business, operational and legal aspects involved in negotiating the key transaction documents involved in this area, including purchase and sale agreements, hotel management agreements and related sales and marketing, pre-opening and technical service, and development agreements. Lynn is well known for her ability to craft workable solutions to tough legal and business issues. Her clients think of her as a business advisor as much as a lawyer. Many of her projects in the mixed-use area involve a sophisticated blend of concepts and uses contained in one integrated campus, requiring extensive planning and coordination of all components of the project to insure seamless operation. Lynn is adept at creating hotel mixed-use legal structures that take into account varying uses and operational needs.

More specifically, her work in the hotel and mixed-use development area involves structuring the relationship between the hotel operator, the developer, key retail tenants, the master condominium and residential unit owners, and the owners associations governing the project, drafting and negotiating the hotel management and license agreements the CC&Rs and other documents that implement this structure and govern the complex relationships between the interested parties, structuring unit rental programs and related agreements, and advising on applicable real estate and securities law involved in the offer and sale of any project residential units, as appropriate.

Internationally, this work has involved structuring and implementing mixed-use condominium and hotel projects in countries with laws that do not anticipate such structures or the hotel's need for control over the entire project in connection with hotel operations and maintenance of hotel brand standards. Lynn's practice in this area has involved representation of hotel owners and operators in structuring and negotiating branded mixed-use communities and hotel projects, including the negotiation of the hotel management agreements, license agreements, pre-opening agreements and technical service agreements. She has been

#### RELATED SERVICES

- Real Estate

#### RELATED SECTORS

- Hospitality and Leisure
- Real Estate

highly sought after by hotel operators and developers entering foreign countries and adapting local laws to the needs of hotel operations. Lynn, working with local counsel in foreign jurisdictions, has created and implemented novel structures to address these hotel operational concerns.

Lynn's representation of clients in the master planned community area involves all phases of project development, including negotiation of government entitlements, concessions and leases, financing the phases of the project (joint venture, debt and equity), creating the necessary master community and project documents, such as the master covenants, conditions, easements and restrictions which establish and govern the overall resort (CC&Rs), shared facilities agreements, use and access agreements, condominium, timeshare and club regime documents, golf and beach club membership plans, conservation easements, environmental and historic preservation restrictions, and purchase and sale agreements. Her representation also includes representing hotel owners and operators in establishing structures to protect their brand and management interests. Her work often involves appearing before planning and zoning commissions, regulatory and political bodies and governmental agencies on behalf of her clients.

Lynn is a frequent speaker at hotel, hospitality and mixed-use development industry conferences.

## CREDENTIALS

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### Admissions

- California

### Recognitions

- *Chambers USA, Leisure & Hospitality*, 2011 - 2018
- *Northern California Super Lawyers*, 2013 - 2016,
- *Los Angeles Daily Journal, Top Dealmaker*, 2011

### Education

- J.D., University of California, Hastings College of the Law
- B.A., University of California, Los Angeles

## INSIGHTS

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### Publications

#### Innovation in hotels and hospitality

22 November 2019

Hospitality is a dynamic industry, constantly changing to meet guest expectations. As a result, a premium is placed on innovation. Hotel owners and operators are always on the lookout for new products that can meet and even anticipate the evolving needs of guests.

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- "Creatively Adapting to Innovations in the Lodging Industry," *Hotel Executive*, December 17, 2017
  - "8 factors that have changed the way we travel," *Hotel Management*, November 10, 2017
  - "The EB-5 Visa Program: The Outlook for 2017," *Hotel Executive*, January 2017
  - "Recent Trends in Resort Mixed Use Developments in the US," February 29, 2016

- "Yearning for Yuan - Chinese Investment in the US Hospitality Sector," *Hotel Executive*, February 27, 2011

## Events

### Speaking Engagements

- Speaker, "Negotiating Management Contracts," ALIS Conference, January 29, 2019
- Chaired the panel, "Current Challenges In Negotiation Of Hotel Management Agreements And Franchise Agreements", Georgetown Law Hotel & Lodging Legal Summit, October 2016
- Chaired the panel, "Mixed Use Developments – Weaving the Pieces Together," at the Hotel Opportunities Latin America conference, Miami, May 11-13, 2016
- Hotel Management Agreement Terminations, Urban Land Institute Recreational Development Council Spring Meeting 2013

## NEWS

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### Lynn Cadwalader named a *Law360* Hospitality MVP

2 December 2019

DLA Piper is pleased to announce that Lynn Cadwalader has been named a 2019 *Law360* Hospitality MVP.

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## MEDIA MENTIONS

- Quoted, "After Another Last-Minute Extension, Legislators Focus on EB-5 Reform," *National Real Estate Investor*, May 4, 2017
- Quoted, "3 Things To Watch For As Congress Takes Up EB-5 Renewal," *Law360*, March 27, 2017