

## HOSPITALITY & RETAIL



### OVERVIEW

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Hospitality and retail companies have unique business needs that benefit from the coordination and depth of attorneys across our many practice areas. We have gained experience and knowledge working with many retail and hospitality clients in Kansas, Missouri and across the U.S., including real estate developers, retailers, hotel chains, restaurants and fast food chains, movie theatres, casinos, golf clubs, and resorts. Foulston Siefkin attorneys are able to help these companies grow and succeed by supporting their business needs across the diverse legal spectrum. We help clients acquire land or existing projects for development or redevelopment, entitle their development projects with appropriate annexations, master-planning, zoning and land plan approvals, obtain financial incentives from various federal, state, and city entities, negotiate and document leases and financing arrangements for their projects, including both bank and private party lenders and investors, and sell their projects. In addition, we protect our clients' developed brand equity from intellectual property infringement, defend against product defect claims, navigate the issues resulting from social media laws and regulations, and minimize risks associated with consumer privacy laws and data breaches. Our attorneys are also involved in creating a welcoming and rewarding environment for employees while complying with all federal and state laws; accelerating growth through financing and strategic partnerships, joint ventures, and mergers; dealing not only with real estate development and land use issues, but also assisting with operational vendor supplier contracts.

We are one of a select group of Midwest law firms recognized for a broad spectrum of legal experience. Our philosophy of top-notch client service and our recognized knowledge have earned our firm and our attorneys high marks for "outstanding" work from lawyer-ranking publications including *Best Lawyers in America*<sup>®</sup>, *Missouri & Kansas Super Lawyers* lists, *Chambers USA*, and *Best Law Firms*<sup>®</sup>. Our attorneys include Fellows elected to the American College of Real Estate Lawyers, the American College of Environmental Lawyers, the American College of Tax Counsel, and the American College of Trial Lawyers.

# FOULSTON

ATTORNEYS AT LAW

## AREAS OF REPRESENTATION

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### REAL ESTATE TRANSACTIONS

- Commercial and residential leasing
- Purchases and sales of commercial, industrial, and agricultural real estate
- Easements, rights of way, and other property interests
- Residential sellers, purchasers, tenants, and landlords

### REAL ESTATE DEVELOPMENT, PLANNING AND LAND USE

- Annexation
- Master planning
- Infrastructure approvals/development
- Zoning and plan approval
- Commercial and residential condominiums
- Entitlements and incentives
- Homeowners' and owners' associations
- Subdividing properties
- Condemnation
- Corporate property management services & leasing
- Eminent domain
- Joint ventures
- Partnerships

### FRANCHISING

- Structuring of franchise and dealership distribution systems
- Design and preparation of franchise documents
- Design and preparation of dealership documents
- Preparation of franchise disclosure documents
- Handling of all aspects of regulatory compliance
- Assisting clients with franchisee and distributor disputes
- Representing clients in the acquisition or sale of franchises and franchise systems
- Assisting franchise and distribution clients in raising capital

### LITIGATION

- Defense of consumer actions
- Privacy and data protection and data breach response
- Intra-company disputes

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- Insurance recovery
- Infectious diseases
- Collective action litigation

### RETAIL SERVICES

- Credit card processing agreements and standards
- Advertising and promotions
- Vendor-customer contracts

### CORPORATE, FINANCE & TAX

- Business incorporation
- Lines of credit & other financing
- Tax and structure planning
- State and local income, property, and sales taxation
- Taxation of real estate and real estate transactions
- Tax-deferred exchanges (“1031 exchanges”)
- Response to tax audits and investigations
- Business acquisitions / joint ventures/ partnerships
- Business succession
- Buy-sell agreements
- Syndications
- Contract & business agreements
- Intellectual property asset protection
- Licensing
- Consumer warranties
- E-commerce website terms and conditions and privacy policies

### CONSTRUCTION

- Construction Litigation
- ADA, accessibility, building, and life safety codes
- Environmental and land use
- Construction/development transactions and litigation
- Historic renovations
- Mechanic’s and other real property liens

### EMPLOYMENT & LABOR

- Employment agreements
- Non-compete agreements

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- FLSA wage and hour compliance
- FMLA compliance
- Employee benefits / ERISA
- Executive compensation

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