

## **F. (MINI) INTERGLOBAL HOTELS INC. V. THE BAND KNOWN AS STRAIGHTSHOOTERS**

### Interglobal Hotels Inc. v. The Band Known as Straightshooters

The well-known rock band Straightshooters was playing a concert at the Mellowlands Arena in the state of Confusion. To accommodate themselves, their “associates” and their whole crew, they rented an entire wing on the 6<sup>th</sup> floor of the nearby Interglobal Hotel. At the time they rented the room, the band’s manager, Oscar Maginello directed the hotel manager not to accept room service orders from anyone but a member of the band or himself. Apparently the band had had trouble at previous hotels where people only tangentially associated with the band had run up ridiculously large room service bills.

Someone in one of the band’s rooms made a large room service order. When the order was delivered, it was signed for by a man claiming to be the band’s associate manager. The band is now refusing to pay for the room order, as they claim the order was never properly authorized. Additionally, the rooms the band rented were left trashed, items broken and debris strewn about.

The hotel is suing the band for breach of contract for failing to pay for the room service items and for the damage done to the rooms during the band’s stay.

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### Assignments 1 and 2

John Paradon is in charge of room service for the hotel. A summary of his deposition is as follows:

On May 23<sup>rd</sup> at 11:15 p.m., I received a call from the room registered to Camelback Slim, the lead singer of the Straightshooters band. The caller, identifying himself as Slim, made a very large order of food, drink and equipment for his room and all those rented by the band. I am or was a big fan of the Shooters and have heard Slim not only sing, but also speak many times in person and during television interviews. I recognized Slim's deep throaty voice.

It took almost an hour to get the whole order ready, so it was shortly after midnight that two members of my staff and I delivered the order to Slim's room and the others. There were about a dozen people in Slim's room partying when I arrived. A man who identified himself as Jersey Mike O'Brien, the band's associate manager, told me that Slim was "busy in the bedroom if you know what I mean", and that he would sign the bill for all the rooms. I asked for proof of identification from O'Brien, and he showed me his driver's license and a business card identifying him as the band's associate manager. O'Brien then signed both the original handwritten detailed bill and the bill summary we had prepared. We then dropped off the rest of the order in the other rooms.

Because the bill was so large, we thought it a good idea to show to Slim when he checked out the original handwritten listing of all the items delivered to the rooms assigned to the band. When he saw the bill, Slim ripped it to shreds saying he didn't order those items. We hadn't yet prepared a computer record of the entire bill, but had made a summary of the items ordered. We could not thereafter prepare a detailed room service bill because Slim destroyed the only record of it. We are sure however that our summary accurately reflects the kinds and value of the items ordered. Sometimes when orders are particularly large, we like to double check our inventory before entering the precise handwritten bill onto the computer. In such cases, we always prepare a computer summary of the bill, as we did here

After the band checked out, my staff and I went to the rooms registered to the band to clean them and retrieve our serving trays, glasses, dishes and silverware. All of the rooms were a total disaster. Rooms 610, 611, 612 and 614 particularly were left in terrible condition. In each of these rooms there were damaged chairs, broken glass, stains on the carpets and in 610 and 612, the walls had huge holes and gouge marks. In Room 614 the headboard of the bed was destroyed. The television set in Room 611 was totally destroyed, the glass television screen in shards all over the floor. I took photographs of Room 612 because it was typical of how they left the rooms. Also I saw in that room 2 plastic bags, one of which looked like cocaine, the other of which looked and smelled like marijuana. My intention was to turn these over to the police, but I later learned they were thrown out by the staff member who cleaned the room.

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The service attendant who was supposed to service the rooms each day, Catherine Arkin, told me that Slim had ordered her to stay out of the rooms during the band's stay. As in the past, we followed our policy of generally honoring such requests. Now I see why they didn't want us to enter their rooms beyond just bringing the food to the door.

THIS DEPOSITION ACCURATELY REFLECTS MY RESPONSES.

SIGNED

John Paradon

This deposition was taken in the office of the Defendant's attorney on October 14<sup>th</sup> of the same year, and Paradon will testify at trial consistent with his deposition testimony.

On May 26th, the morning after the concert, the band checked out of the hotel. They paid only for the basic cost of the rooms (\$4810) and \$375 in room service bills that Slim signed for. Interglobal is suing Straightshooters for the \$72,000 cost of the food and drink that was listed as going to the band's rooms as well as an additional \$75,000 in property damage observed by the hotel manager when he found the band's rooms trashed after they checked out. The band's answer denies the extent of damage to the rooms and claims the additional room service expenses if they exist were never authorized by anyone in authority for the band.

In deposition, Jersey Mike O'Brien stated that he had signed for room service orders for the band in the past and was unaware that the band manager, Maginello, had informed the hotel manager that only Maginello or a band member were authorized to sign for an order.

### ASSIGNMENTS

1. For the Plaintiff, conduct a direct examination of Paradon on all matters related to the breach of contract action based on failure to pay the room service bill. This includes getting the overall hotel bill and the summary of the room service bill into evidence. Do NOT cover matters related to the cause of action for the damage to the room. The Defense attorney should oppose the offer and cross examine the witness on the areas covered in the direct.
2. For the Plaintiff, conduct a direct examination of Paradon limited to those matters related to the cause of action for damages done to the hotel rooms. Introduce into evidence any or all of the photographs taken by Paradon shortly after the band checked out. For the Defendant, cross-examine Paradon on these same issues and oppose the introduction of the photographs. Each side should consider whether and how to introduce the Damage Report into evidence.

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**INTERGLOBAL HOTELS, INC.**

*Where the World Sleeps*

**Bill Summary**

**Rooms:** 610, 611, 612, 613, 614, 615

**Date:** 5/26

**Check in:** 5/23

**Check out:** 5/26

**Cost of Rooms:** \$250.00 per room, 6 rooms, 3 nights

Room Cost: \$4,500.00

Tax: \$ 310.00

Total: \$4,810.00

**Service:** Food and alcohol served to all six rooms

Cost: \$74,850.00

Total after discount: \$72,450.00

**Total Hotel Bill:** \$77,260.00



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INTERGLOBAL HOTELS Inc.**

Where the world  
sleeps

Summary of Cumulative Room  
Service Bill

**Rooms: 610,  
611, 612, 613,  
614, 615**

**Date:** 5/23

Assorted platters of meat,  
cheese, lobster, pastries and  
desserts

**Service:**

Alcohol-cases of beer, scotch,  
cognac, champagne and vodka  
Non alcoholic beverages-soda,  
water, juice, mixers

**Total Cost:**

\$ 74,850  
Discount- \$2400  
Total Amount Owed- \$72,450

**Signed:**

Mike O'Brien, associate manager,  
Straightshooters  
Party signing above  
accepts the room service  
charge

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INTERGLOBAL HOTELS INC.  
Where the World Sleeps

Form 176a : PRELIMINARY REPORT OF DAMAGE

Location: IG Hotel #425 Laertes City, Confusion  
Rooms 610, 611, 612, 613, 614 and 615.

Date: May 26<sup>th</sup>,

Extent of Damage: All of the rooms referred to above suffered significant damage. There were stains on all of the walls, broken chairs and all sorts of debris throughout the rooms. In Room 614, the headboard was disconnected from the bed frame. Additionally, I saw some broken glass on the floor in several rooms, most prominently in Rooms 611 and 614.

I have never seen so many rooms damaged to this extent. Slim's band and their hangers-on must have had some party. It is my recommendation that the entire 6<sup>th</sup> floor be shut down until repairs can be made.

Action Taken: This report was forwarded to the Maintenance Supervisor for further assessment and repair.

Reporter: John Paradon, Director of Room Service

Signed:

John L. Paradon

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