

## BLOGS

Jurisdiction and Procedure

# New York Federal Court Grants Hotel Franchisors' Motion to Dismiss for Lack of Jurisdiction on Negligence Claims

A federal court in New York recently granted a motion to dismiss for lack of personal jurisdiction in an action asserting claims that franchisor Hyatt Corporation acted with negligence in connection with assaults to guests that occurred at a resort in the Dominican Republic. *Christie v. Hyatt Corp.*, 2024 WL 2387513 (E.D.N.Y. May 23, 2024).

A federal court in New York recently granted a motion to dismiss for lack of personal jurisdiction in an action asserting claims that franchisor Hyatt Corporation acted with negligence in connection with assaults to guests that occurred at a resort in the Dominican Republic. *Christie v. Hyatt Corp.*, 2024 WL 2387513 (E.D.N.Y. May 23, 2024). Plaintiffs Nickolas and Donna Christie, residents of New York, were guests at the resort when they were assaulted, giving rise to various claims of negligence. Hyatt moved to dismiss for failure to state a claim, improper venue, and lack of jurisdiction, arguing that the court lacked personal jurisdiction over the defendants.

The court granted the motion because the Christies failed to show both general and specific jurisdiction. The Christies could not prove that Hyatt was incorporated in New York or that its principal place of business was located in the state, failing to show that the court could exercise general jurisdiction. In addition, the Christies did not present sufficient evidence to show that the court could exercise specific jurisdiction. To establish specific jurisdiction, the Christies were required to show that the duty that was allegedly breached by Hyatt, or the injury to the Christies, originated in New York, which they could not do. The Christies also argued for the application of New York's long-arm statute, reasoning that since they booked their reservation in New York, it was sufficient contact to enforce the long-arm statute. The court rejected the argument because the claims stemmed from actions that took place in the Dominican Republic and not by the reservation actions in New York. As a result, the court dismissed the case before reaching any other issues raised by the motion.

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