

# CURRICULUM VITAE

Fred Del Marva, PI, PPO

Standard of Care Expert

Premises Liability, Premises Security and Liquor Liability

Legal Consultant and Testifying Expert

Hotels, Casinos, Bars, Restaurants, Sports Complexes, Cruise Ships, etc.

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Fred Del Marva is a court qualified expert specializing in cases of "Acts of Violence," "Slips/Trips and Falls," "Liquor Liability," and "Overall Industry Standards Compliance" in the lodging and foodservice industries. During litigation, his opinions are used to determine the foreseeability of malfeasance and adequacy of security. Since 1986, he has been retained in over 900 cases (plaintiff & defense) in 48 of the contiguous states: Hawaii, Alaska, Jamaica, Dominican Republic, Puerto Rico, Grand Cayman, Canada, Nova Scotia, Mexico, Bahamas, St. Croix Virgin Islands, Pakistan, Saipan and Australia, and has been qualified in both state and federal courts.

His association with prominent law firms (Gerry Spence, Melvin Belli and Johnnie Cochran), his consulting as an expert in the Denny's shooting [46.4 million dollar verdict], Hilton Tailhook Case in Las Vegas, I Can't Believe It's Yogurt murders in Austin, Harris murder in Houston, Giants Stadium's Verni v. Aramark [135 million dollar dram shop verdict], Yosemite murders in California, "The McDonald Murders" in Nova Scotia and New York's Happy Land Fire have led to his appearances as an industry expert on numerous nationally syndicated and local television/radio shows (e.g. "Geraldo," "The Reporters," etc.).

He is a licensed private investigator, forensic investigator, legal consultant, security consultant, security guard company owner and operator, expert witness, and Chairman/CEO of Food and Beverage Investigations, Del Marva Investigative Group, Special Events Security, and Del Marva Corporation.

These companies are retained by the country's leading hotel and restaurant chains, and independent operators to perform a variety of surveys including "Safety & Security," "Quality Assurance," and "Foreseeability Planning for Liability Exposure". Properties are surveyed to determine whether they comply with corporate policies, procedures, and industry standards.

Mr. Del Marva is a lecturer, educator, and trainer. He is a nationally acclaimed industry expert and an acknowledged authority on standards of care, management training, guest security, responsible service of alcohol training, and policy and procedure development and implementation for hotels, discos, bars, restaurants, sport complexes, race tracks, casinos, convention facilities, and cruise ships.

He is certified in Security Professional Training Techniques by the National Association of Investigative Specialists; a previously certified TIPS trainer for the responsible service of alcohol; a "Neutral Evaluator" for a California Bar Association (ADR); and a past commissioner of a Drug and Alcohol Task Force. He served as an Executive Advisory Board Member at two distinguished colleges with Hotel & Restaurant Departments, and has been published in hospitality trade journals.

He has been in the hospitality industry for over 45 years. Twenty-five of those years as an employee, manager, 20 as an industry consultant, and over 20 years as a liability consultant and liability expert. Having owned and operated numerous businesses, the experiences he brings to his training programs, consulting and expert testimony are based on acceptable industry principles and methods needed to insure a safe and secure environment.

As part of his continuing efforts to educate, he conducts corporate and military club management training programs; lectures at colleges, universities, and hotel and restaurant associations in the United States and Canada. He discloses the mistakes and the successes he has encountered while dealing with the country's leading hotels and restaurant companies; and teaches attendees to develop proactive and reactive instincts that lead to the anticipation, recognition, and elimination of potential areas of liability.

Hilton Hotel & Casinos (LV), Isle of Capri (LA), Casino Magic (MS), Sands (NJ, LV), Stardust (LV), OK Casino (NM), Bally's (LV), Golden Nugget (LV), Players (LA), Mirage Hotel (LV), San Remo (LV), Harrah's (LA, LV, KS), MGM (LV), Treasure Island (LV), Silver Star (MS), Splash (MS), Treasure Bay (LV), Jubilee Casino (MS), Grand Casino (LA, MS), Biloxi Belle Casino (MS), Mesquite Casino (LV), Golden Strike (MS) Casino Queen (IL), Fitzgerald's (MS), Hollywood Casino (MS), Colorado Belle (NV), Rio Casino (LV), Vegas World (LV), Flamingo (LV), Caesars Palace (LV & AC), Trump Castle (AC), Resorts International (AC), Luxor (NV), Wyndham Crystal Palace (Bahamas) and the Taj Mahal (AC) are only some of the casinos where Mr. Del Marva has been retained to render expert opinions in plaintiff and defense litigation./

## **2006 – PRESENT (Covert Investigations)**

Arizona State licensed company specializing in civil and criminal sub-rosa investigations.

### **1985 -- Present (Food and Beverage Investigations)**

Owner of FBI, a California licensed investigative firm specializing in the food service and hospitality industries. Clients are bars, restaurants, hotels, casinos, sports complexes, convention centers, cruise ships, etc. The company provides spotting and shopping services, property safety surveys, quality assurance inspections, management training programs, security evaluations, beverage management training, and a variety of other industry related services. FBI is retained by its clients to insure that their property and staff are complying with and adhering to company policies, procedures, and industry standards.

### **1986 – 2006 (Del Marva Corporation) Presently Changed to Fred Del Marva P.I., PPO**

President of DMC, a hotel and leisure time industry consulting firm providing a variety of services specializing in Quality Assurance Surveys, Safety and Security Inspections, Risk Management Workshops, Policy & Procedure Development, and Foreseeability Planning for Liability Exposure. DMC also provides legal consultation, and as President, Fred Del Marva provides expert testimony for premises liability, premises security and liquor liability litigation.

### **1996 to Present (Special Events Security)**

SES is a state licensed private patrol company providing security guard services, security guard training, security program development, policy and procedure development, security guard training manual development, and security consulting.

### **1986 -- Present (Del Marva Investigative Group)**

DIG is state licensed private investigative firm providing general investigative services for a select group of attorneys in civil and criminal litigation. It also provides pre-employment screening and internal theft investigative services for the leisure time industry.

### **1980 -- 1985 (Bottom Line Hospitality Consulting)**

President/CEO, and Senior Consultant. Bottom Line provided a complete consulting service to hotels and restaurants specializing in management training (all levels), management/work manual development, departmental policy and procedure development, security evaluations, and hiring and firing procedures.

### **1971 to 1986 & 1993**

Owned (operated and managed) numerous bars, lounges, restaurants, discos, and catering facilities: Turf Club, Jockey Club and Club House - 1993; La Scala Restaurant #3 - 1980 to 1985; La Scala Restaurant #2 - 1978 to 1980; Silver Rose Saloon - 1979 to 1980; La Scala Restaurant #1 - 1976 to 1980; Stage Delicatessen & Theatre Lounge - 1974 to 1976; Eatcetera - 1971 to 1974.

### **TELEVISION, RADIO & PRINT MEDIA (APPEARANCES & INTERVIEWS)**

Geraldo Rivera Show --"Deadly Discos"

The Reporters -- "Beware of Bouncers".

San Francisco Channel 2 Morning Talk and KSFO Talk Radio ("Hotel Security").

Wall Street Journal

Trade Publications

ABC News [drunk driving – Glenn Campbell incident]

Fox News [Chicago/Phoenix] "Hotel Security"

London Tribune [Casino Security]

### **MAJOR SPEAKING ENGAGEMENTS**

### **Colleges & Universities**

University of San Francisco  
Washington State University  
Golden Gate University  
Diablo Valley College  
San Francisco City College  
California Culinary Academy

### **Major Hotel Corporations**

Holiday Inn Corporation  
Aircoa Hotel Corporation

### **Military**

Department of Navy

### **Legal Associations**

Association of Trial Lawyers of America (Premises Security, Casino Security & Liquor Liability)

### **State Restaurant & Hotel Associations**

Virginia Hotel & Restaurant Association (Richmond)  
California Restaurant Association (Los Angeles)  
Colorado Hotel & Restaurant Association (Denver)  
American Hotel & Motel Association (New York)  
Wyoming Hotel & Restaurant Association  
State of Washington Restaurant Association (Seattle)  
California Restaurant Association (Newport Beach)  
Canadian Hotel & Restaurant Association (Toronto)  
Wisconsin Hotel & Restaurant Association (Madison)  
Missouri Hotel & Restaurant Association (St. Louis)  
California Restaurant Association (Sacramento)  
National Restaurant Association (Chicago)  
New Jersey Restaurant Association (Kearny)  
Texas Restaurant Association (Dallas)  
Michigan Restaurant Association (Detroit)  
California Hotel & Motel Association (Sacramento)  
Florida Restaurant Association (Orlando)  
Mississippi Restaurant Association (Jackson)  
Ohio Hotel & Restaurant Association (Columbus)  
Missouri Restaurant Association (1996 St. Louis)  
Ohio Restaurant Association (1996)

### **Security Associations**

American Society for Industrial Security (lodging security)

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### **LICENSES, PERMITS & CERTIFICATIONS**

CA Licensed Private Investigator (Food & Beverage Investigations -- 1986 to present)  
CA Licensed Private Investigator (Del Marva Investigative Group -- 1986 to present)  
AZ Licensed Private Investigator (Del Marva Detective Agency – 1998 to 2001)  
AZ Licensed Private Investigator (Covert Investigations – 2006 to present)

CA Licensed Security Guard (1986 to present)  
CA Licensed Private Patrol Operator (Special Events Security -- 1996 to present)  
Certified TIPS Trainer (responsible service of alcohol) – 1994 to 1995  
National Association of Investigative Service (Security Professional Training Techniques)  
832 P.C. – Use of Force, Arrest and Firearms  
Use of Deadly Force  
California Concealed Weapons Permit (1979 to 2003)  
Arizona Concealed Weapons Permit (2001 to present)

### **PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS PAST AND PRESENT**

Former Neutral Evaluator (Alternative Dispute Resolution Section) Marin County Bar Association  
Commissioner, Novato Drug and Alcohol Commission  
Chairman of the selection committee for the Hotel/Restaurant Department San Francisco City College  
Executive Advisory Board Member (Hotel/Restaurant Department) SF City College  
Advisory Board Member (Hotel/Restaurant Department) Diablo Valley College  
National Association of Legal Investigators (NALI)  
Registered Consultant -- Resolution Trust Corporation (RTC)  
National Forensic Center  
TASA Technical Advisor for Attorneys  
National Expert Resources  
DRI  
American Trial Lawyers Association (ATLA Exchange)  
California Trial Lawyers Association (CTLA Data Base)  
Legal Research Network  
Leisure Time Industries Litigation Consultants Exchange  
National Restaurant Association  
American Society for Industrial Security  
California Association of Licensed Investigators (CALI)

### **EDUCATION**

Northern California Criminal Justice Training and Educational System  
(Santa Rosa Junior College – 1977) Use of Force, Arrest & Firearms  
Northern California Criminal Justice Training and Educational System  
(Santa Rosa Junior College – 1987) Use of Force, Arrest & Firearms  
Anheuser-Busch (Health Educational Foundation) TIPS Program  
“Training for the Intervention Procedures by Servers of Alcohol”  
ATLA, College of Advocacy Seminar (Premises Liability & Premises Security)  
ASIS, American Society for Industrial Security (Lodging Security Workshop)  
National Rifle Association/AZ Dept. of Public Safety – Use of Deadly Force

### **ARTICLES & PUBLICATIONS**

Pay Now or Pay Later; Preventing Liability Suits  
Implementing Controls; the Secret to Success  
Employee Theft, Drug Abuse Should Put Restaurateurs on Guard Theft;  
The Skeleton in the Food-Service Industry’s Closet  
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### **RETAINER AGREEMENT, CONDITIONS AND FEE SCHEDULE** **(06/11)**

#### **Consulting:**

File review, discovery assistance, research, trial preparation, travel time, deposition preparation, and consultation -- \$250.00 per hour.

**Deposition or Arbitration:**

Billed at the rate of \$375 per hour with a four [4] hour minimum. Minimum to be paid prior to or at the time of deposition by either client or opposing counsel, balance will be invoiced. Client will be responsible for all deposition fees. (48-hour cancellation required). Travel time and expenses will be invoiced.

**Affidavits, Declarations or Opinion Reports**

Billed at the rate of \$350.00 per hour

**Trial Testimony, Binding Arbitration or Videotape Deposition – de bene esse:**

Rate is \$2,500.00 per day or partial day (48-hour cancellation required). Travel time and expenses will be invoiced.

**On-Site Evaluations:**

Billed at a flat rate of \$1,500.00 in the state of Arizona, \$2,000.00 out of state and \$2,500.00 for any trips requiring an over night stay. Travel time and expenses will be invoiced.

**Conditions:**

- A **non-refundable** \$2,500.00 retainer is required. **This will be used as either a fee for my disclosure as your expert, or a ten-hour minimum charge to be credited to billing hours. Your retainer check will represent your approval of this agreement.**
- Prepaid airfare and lodging are requested.
- Other expenses incurred are additional and payable upon billing.
- All outstanding invoices must be paid prior to deposition and trial.
- Any and all collection or legal costs for unpaid invoices shall be borne by the client.
- Invoices are due and payable upon receipt. A 1.5% monthly charge will be billed for invoices 30 days past due.
- A fee of \$500 per night will be charged for out-of-town travel requiring an overnight stay.

**The Employment Relationship:**

This agreement is between the law firm and Fred Del Marva, PI, PPO. The law firm, not the client, will be totally responsible for all services rendered and billing. **Fred Del Marva’s name cannot be disclosed until this agreement has been signed and received by Fred Del Marva, along with the retainer fee. Attorney’s designation of Fred Del Marva constitutes acceptance of this retainer agreement and acknowledgement that the specific retainer amount [\$2,500.00] is owed.**

Accepted: \_\_\_\_\_

Case Caption: \_\_\_\_\_

Date: \_\_\_\_\_

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