



Date: October 15th, 2019

Re: Class Action vs Expedia, Inc., Hotels.com, Orbitz LLC - **Case No.16-CV-04721-VC**

From: Association of Independent Hospitality Professionals (AIHP)

May it please the court to accept this submission in support of the above referenced Class Action suit.

I – Robert Fulton – am the President / CEO of the Association of Independent Hospitality Professionals (AIHP), and have been in this position since January of 2016. AIHP is a not-for-profit organization, representing over 600 innkeeping-related businesses throughout the US, including 435 Bed and Breakfast Inn establishments. We focus on issues important to the small independent hospitality professionals, aspiring innkeepers or allied partner who provide products or services to the hospitality industry. We are an educational and advocacy focused association.

Our members are concerned and aware of the practice of Expedia and related OTA's in which they are taking the name and information of a Bed & Breakfast / Inn property and listing it on their site without any contractual or business relationship. The result is an unauthorized advertisement with false information, since Expedia has not been given room inventory by the property, and the egregious statement of "rooms sold out" (or variation) diverts the potential guest from attempting to make a reservation.

AIHP was made aware of the Class Action Suit in June 2018. We then surveyed our membership regarding whether or not they had a business relationship with Expedia and whether their property was/is falsely advertised.

- Of those surveyed 56% stated that the verbiage "Rooms Sold Out" was displayed for their property, even when they used different date searches.
- 53% stated they had contacted Expedia about this issue.
- 94% of those surveyed were willing to share their experience with the law firm bringing the Class Action suit, since individually they did not get any relief from Expedia.

A second online survey of innkeepers was made available from August 6th thru August 19, 2019. Of the 46 responses, 43 agreed (replied "Yes") to this statement regarding their listing on Expedia. ***"Rooms Unavailable" or some variation is falsely listed for our property when we do have rooms available.***

Innkeeper comments include:

- "We have had a dramatic loss of business"
- "They are actually steering potential guests away from us"
- "They make it look like I list with them and folks can buy rooms from me but actually there is never any inventory"
- "Misleading to potential guests and also to past guests looking to book again"
- "I am not part of the Expedia family yet they list my property on their website and they don't have my permission."

After thoroughly reading and studying the Class Action suit document, AIHP supports the relief sought by the Plaintiffs as described in the five prohibitions and mandates.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Fulton', is positioned above a horizontal line that serves as a separator between the signature and the typed name below.

Rob Fulton, AIHP President/CEO

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