

Blinded golfer

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According to attorney John Candela of Livonia, Mich., who represented Clarkston Creek Golf Club, the case is not likely to set a precedent that other clubs should be concerned about.

"This case was very unusual," he said. "It was brought basically on a theory of premises liability, but Mr. Autio presented no expert to trial to show that the course was negligently designed.

"At the close of his case, I put in a motion for a directed verdict, since there had been no proof of any design defect," continued Candela. "That motion was actually granted, but the judge let the case go forward on the theory that there had been a failure by the club to warn visitors."

Candela is planning an appeal, which will include an argument that a failure to warn by the club is irrelevant since there was no showing of a course design defect at all.

As for the other golfer who was sued, he will not have to pay a cent because he was able to get himself dismissed from the case before trial. Under Michigan law, according to Candela, damages could still be proportioned against him by a jury for the purpose of comparative negligence, but he does not have to pay any amount.

In the meantime the club has been sold for reasons unrelated to the lawsuit, but insurance should cover any damages that are upheld by an appeals court. Candela said the course was designed in-house by previous owners several years ago.

"The important thing to remember is that no expert ever said that this course was designed defectively and I don't think other clubs will be impacted by this decision. Each course has its own unique design," he said.

In general, experts would still be necessary in lawsuits to prove any allegations involving defective course layouts. Club managers should be aware, however, that court decisions like the one in this case could occasionally bypass the need for an expert. ■

Hyatt to open Chesapeake Bay Golf Resort in March

CHESAPEAKE BAY, Md. — The East Coast's newest luxury resort, the Hyatt Regency Chesapeake Bay Golf Resort, Spa and Marina, will open here March 1.

The first full-service luxury resort on Maryland's eastern shore will feature an 18-hole golf course designed by Keith Foster, an 18,000 square-foot Euro-

pean Spa, a 150-slip marina and over 40,000 square-feet of indoor and outdoor meeting space.

The resort's golf course plays through 150-year-old hardwood groves and finishes in dramatic fashion. The par-3 17th hole requires a 175 yard tee shot over water to a narrow green banked by bunkers and trees and the

18th hole winds along the Choptank River from tee to green. Hyatt has 15 other golf resorts in its U.S. portfolio.

"With more than 50 events pre-booked, we're anxious to open our doors," said general manager Mike Walsh, who came to the resort from the Hyatt Dorado Beach Resort and Country Club

in Puerto Rico.

The resort will draw upon the diverse ecology and recreational opportunities that the Eastern Shore of Maryland offers. Guests will be able to stroll through the 18-acre wildlife preserve, relax poolside in the glass-enclosed arboretum, or charter a fishing boat from the resort's marina.

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