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Ethics in Negotiations: Making an Offer They Cannot Refuse without Becoming Don Corleone

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Avenatti Complaint

- Client is a coach of an amateur athletic union men?s basketball program based in California. For a number of years, the AAU program coached by Clientl had a sponsorship agreement with Nike pursuant to which Nike paid the AAU program approximately $72,000 annually.
- "AVENATTI further stated…that he would refrain from holding that press conference and damaging Nike if Nike agreed to two demands: (1) Nike must pay $1.5 million to Clientl as a settlement for any claims Clientl might have regarding Nike's decision not to renew its contract with the team coached by Clientl; and (2) Nike must hire AVENATTI and to conduct an internal investigation of Nike, [and pay at least $25 million]

Avenatti Complaint

- "AVENATTI made clear that his demand was not simply to be retained by Nike but to be paid at least $10 million dollars or more by Nike in return for not holding a press conference."
- "And I'll go and I'll go take ten billion dollars off your client's market cap. But I'm not fucking around."

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