

The **Right Number** at the  
**Wrong Time** is the  
**Wrong Number**

Place	Time	=
Right	Right	Successful
Right	Wrong	Frustrated
Wrong	Right	Lost
Wrong	Wrong	Dead

Don Philbin



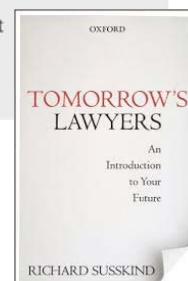
## Negotiation Key Legal Task: Transactions and Litigation (Susskind)

### LITIGATION TASKS

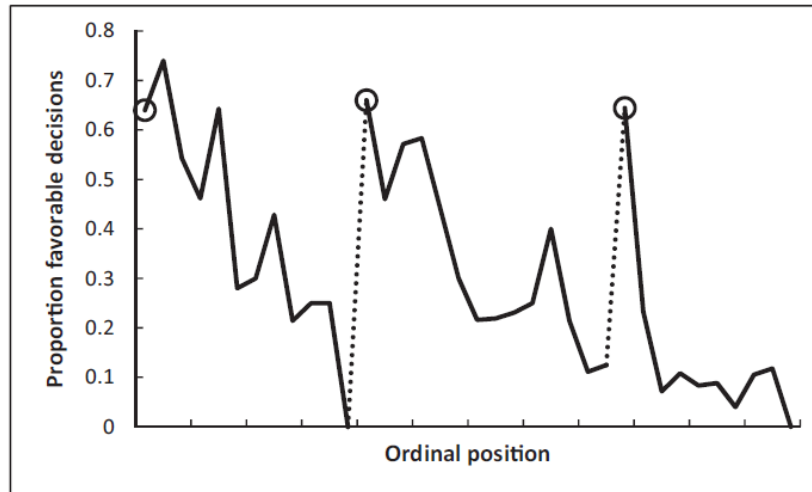
Document review  
Legal research  
Project management  
Litigation support  
(Electronic) disclosure  
Strategy  
Tactics  
*Negotiation*  
Advocacy

### TRANSACTIONAL TASKS

Due diligence  
Legal research  
Transaction management  
Template selection  
*Negotiation*  
Bespoke drafting  
Document management  
Legal advice  
Risk assessment

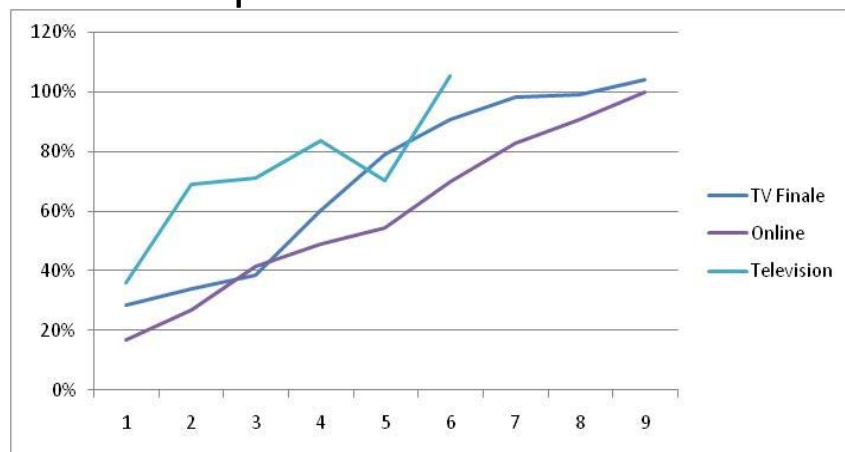


## Timing May Not Be Everything, But . . .



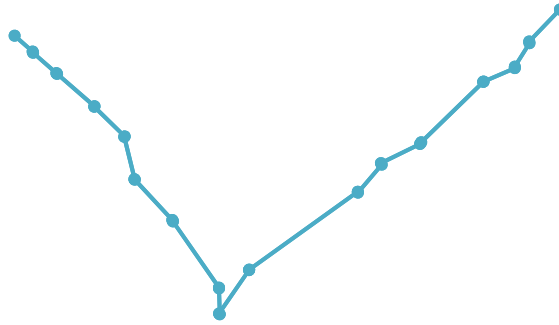
**PICTURE IT SETTLED**  
NEGOTIATION ART INFORMED BY SCIENCE

## Time and Information: Path-Dependent Reference Points



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## Test Case: Injury/Wrongful Death



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## Cut to the Chase



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## Title search: The Right Number at the Wrong Time is the Wrong Number

Also available as part of the eCourse  
[2017 Corporate Counsel eConference](#)

First appeared as part of the conference materials for the  
39<sup>th</sup> Annual Corporate Counsel Institute session

"Investigation and Settlement Strategies: The Right Number at the Wrong Time is the Wrong Number"