



# Negotiation Tricks and Traps

Don Philbin

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



PICTURE IT SETTLED  
NEGOTIATION ART INFORMED BY SCIENCE

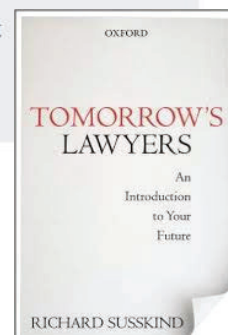
## Negotiation Key Legal Task: Transactions and Litigation (Susskind)

### LITIGATION TASKS

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

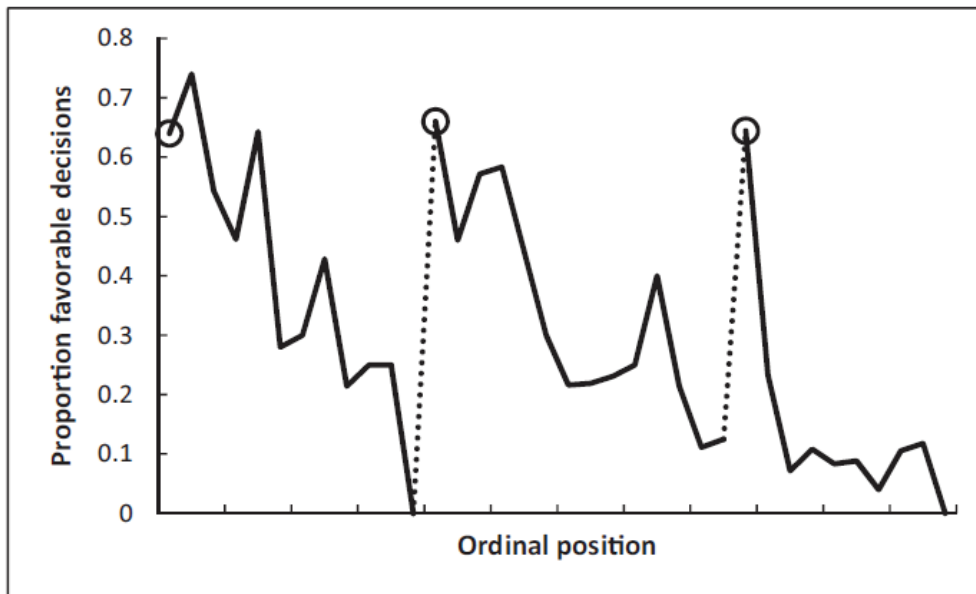
### TRANSACTIONAL TASKS

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



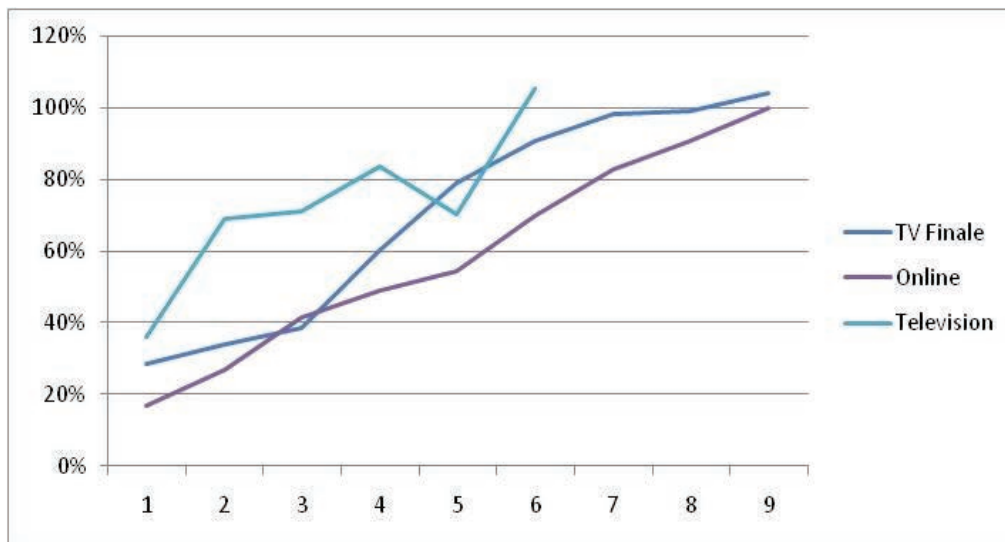
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# Timing May Not Be Everything, But . . .



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# . . . in Deals and Mediation



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

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**Crafting and Drafting The Win-Win Deal**

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