

PRESENTED AT

The 2020 Car Crash Seminar:

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Live Webcast

Moving the Insurance Adjuster Needle:

Ross S. Crossland

Author Contact Information:
Ross S. Crossland
The Crossland Law Firm
Austin, Texas

Crosslandlaw@att.net

Moving the Insurance Adjuster Needle:

Question Presented:

How do you 'Move the Insurance Adjuster Needle'?

In other words, how, in a series of carefully considered and calculated steps during negotiations do you move the adjuster's evaluation of the case in the direction of your evaluation of this case.

This is **NOT** a collection of 'Closing statements', 'Home Run Balls', 'Smoking Guns' or 'Slam Dunks' to close the case for the sum of money you are seeking. There is always a place for such Gems but they are often played too early in the negotiation process resulting in a slowing or even halting of progress toward settlement.

This **IS** a discussion of an approach that can be most effective in slowing a negotiation that is moving in the wrong direction, starting a stalled negotiation in the right direction, and once headed in the right direction, keeping the negotiation moving on track until the time arrives to 'Close the Deal'.

The Parties:

Plaintiff:

Plaintiff's Counsel:

Defendant:

Defendant's Counsel:

The Insurance Adjuster!!!

Because we all deal in significant volume of cases and related workload, we can too easily allow ourselves to lump each of the aforementioned parties into convenient baskets labeled 'All the Same'.

The most significant parties to always see as unique are the plaintiff and the defendant. Identical fact patterns can produce strikingly different results before a jury simply because of the characteristics of the individuals.

Sun Tzu:

Sun Tzu wrote extensively concerning how to win a War without having to fight the Battle, while concurrently preparing for that Battle, if it became inevitable. His writings demonstrate how to multi track different techniques in a manner that they eventually converge in success.

We can learn from Sun Tzu:

Defining Terms: Concurrent Definitions:

The War: Your Case

The Battle: Trial

Preparing for Battle: All the pretrial preparation including Discovery.

Peace Talks: Settlement Negotiations.

Step One:

“Know your Enemy?”

What is an Insurance Adjuster?

Know your Insurance adjuster:

They are not all Graduates of Satan University

Plaintiff Attorneys and Plaintiff's Secret Society Bulletin Boards

Social Media

Google

Other Adjusters

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Moving the Insurance Adjuster Needle

Also available as part of the eCourse

[2020 The Car Crash eConference](#)

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"Moving the Insurance Adjuster Needle"