

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

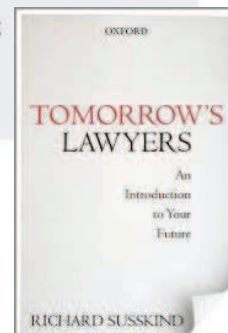
Negotiation Key Legal Task: Transactions and Litigation (Susskind)

LITIGATION TASKS

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

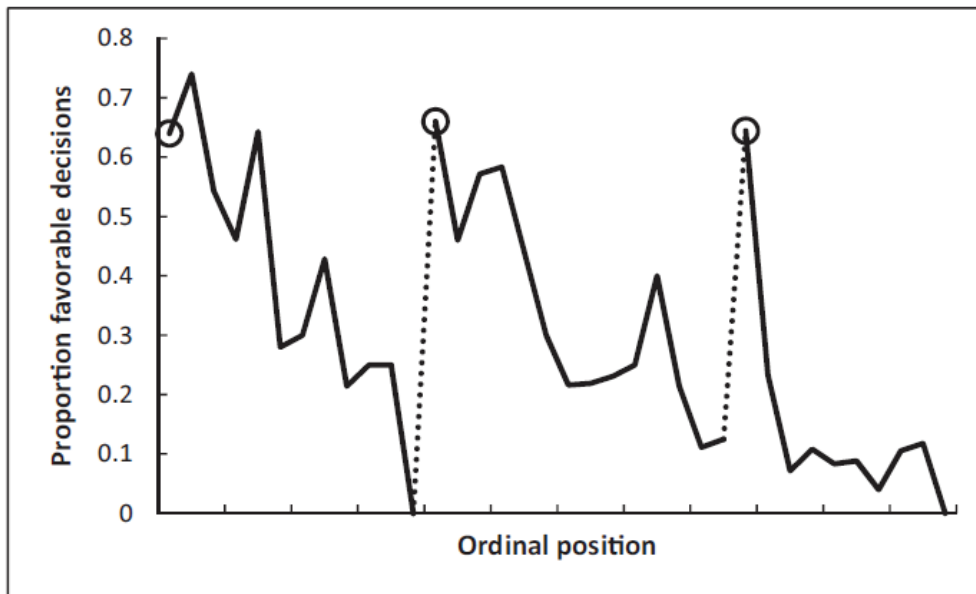
TRANSACTIONAL TASKS

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

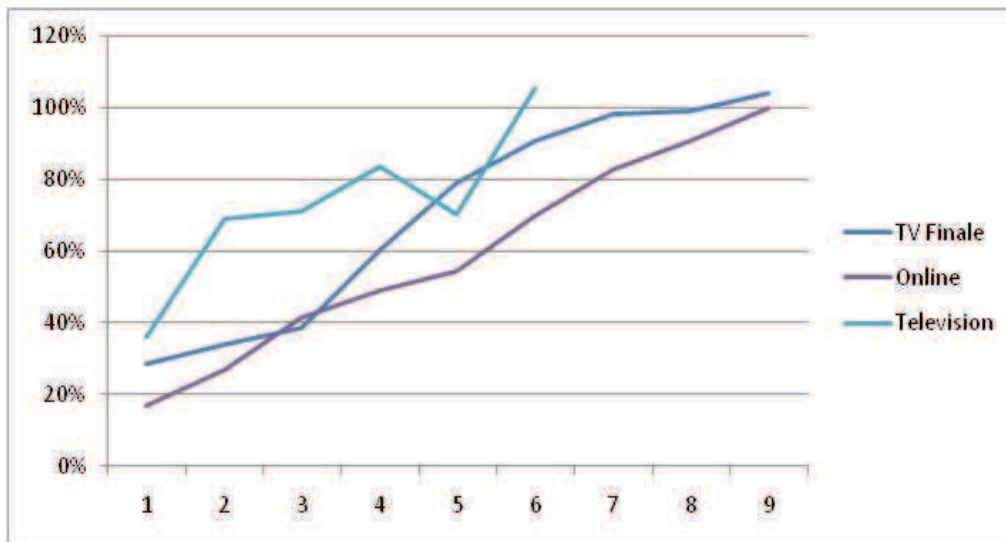


PICTURE IT SETTLED
NEGOTIATION ART INFORMED BY SCIENCE

Timing May Not Be Everything, But . . .



. . . in Deals and Mediation



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41st Annual Corporate Counsel Institute session

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Crafting and Drafting The Win-Win Deal

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