

Negotiation Ethics



Meet the Speakers



Jayme Partridge
Principal



DJ Healey
Principal



General Considerations

General Considerations

- What rules govern attorney conduct in negotiations?
- What do those rules permit?
- What do those rules prohibit?
- What laws apply to attorney conduct in negotiations?
- What are consequences of unethical behavior?
- What is the benefit of behaving ethically in negotiations?

Why Be Ethical In Negotiations

- The law imposes penalties for dishonesty
- Lawyers have professional obligations
- Corporations have codes of conduct
- Your reputation depends on it

Legal Basis: Tort Law

- **Restatement (Second) of Torts §525:**

One who **fraudulently makes a misrepresentation of fact, opinion, intention or law for the purpose of inducing another to act or to refrain from action in reliance upon it**, is subject to liability to the other in deceit for pecuniary loss caused to him by his justifiable reliance upon the misrepresentation.

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: Ethics in Negotiation

Also available as part of the eCourse

[2021 Advanced Patent Law \(Austin\) eConference](#)

First appeared as part of the conference materials for the

26th Annual Advanced Patent Law Institute session

"Ethics in Negotiation"