

## LET'S MAKE A DEAL: STRATEGIES FOR RESOLVING PERSONAL INJURY CLAIMS

1. Being Responsible for Yourself
    - Be \_\_\_\_\_
    - Be \_\_\_\_\_
    - Be \_\_\_\_\_
      - And ALWAYS
    - Be \_\_\_\_\_
  2. Skill Set
    - 1/3 Lawyer
    - 1/3 Psychologist
    - 1/3 Poker Player
  3. Talking to Plaintiff's Room
    - Liability Issues
    - Damage Issues
    - Settlement Expectations
    - Opening Demand
  4. Talking to Defendant's Room
    - Liability Issues
    - Damage Issues
    - Settlement Expectations
    - Opening Offer
  5. Don't Skip the Stages of Mediation
    - Impasse: The signal you need to back up
    - You can't negotiate until you communicate
    - How do you handle sandbagging?
  6. The Deceptive Mediator – Do the ends justify the means?
    - What is “deception” in the context of mediation?
    - What's okay / what's not okay?
    - Hypotheticals
  7. Negotiation Coach – How to get difficult negotiations going in the right direction
    - Use of brackets
    - Use of hypotheticals
    - Using one side's expectations to define the moves of the other side
    - Giving cover to each person in the negotiation to get the deal done
    - Mediator's Proposals
    - 998's
    - Baseball and Other Techniques For Breaking Impasse
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