



Cross-Cultural Conflict: Anticipate the Minefield

Case Study Setting

Part 1: Spot the Culture

Setting: *Kobu*, upscale Asian Fusion restaurant in Beverly Hills.

Characters:

- ▶ William T. Fitzgerald, III Grandson of one of the founders of Fitzgerald & Knight, a Wall Street boutique firm recently acquired by international law firm Case & Porter. Reluctantly moved from the New England family estate to Los Angeles to lead the growth of Case & Porter's newly established West Coast mergers & acquisitions group.
- ▶ Derek Taylor Senior Associate at Fitzgerald & Knight. Reluctantly followed his mentor William to Los Angeles. Grew up in London, where his family's import/export business is based. Graduate of Oxford and Harvard Law School.
- ▶ Chase Beckford Jr. Senior Associate, up for partnership consideration next year. African American. Yale Political Science undergrad (on an athletic scholarship). Stanford Law School. Posterchild of the diversity committee at Case & Porter.
- ▶ Hans Meierhofer Junior Associate in the firm's Houston office.
- ▶ Sam Kaplan Junior Associate. Yeshiva University, Duke Law. Youngest of seven siblings. His family moved from Israel to New York when Sam was 9.
- ▶ Naveen Ali Summer Associate. 2L at UCLA. Lives at home with his parents, three siblings, and grandmother.
- ▶ Yuko Morinaga Only daughter of Yoshio Morinaga, the founder and Chairman of Japan's largest electronics manufacturer and a major client of the firm. Raised in Tokyo.

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Case Study Scenario

Part 2: Spot the Cues

Yuko Morinaga takes a deep breath as she enters *Kobu*, the latest Beverly Hills venture of celebrity chef Kobu Kobayashi. Yuko glances around the room. She hates power lunches, and hopes that some celebrity sightings would make this a bit easier to endure. Her eyes settle on the corner table, and the hint of a smile softens her stern expression. *Maybe I'll be able to put up with a bunch of lawyers for the next two hours after all*, she thinks.

Her smile disappears as she spots William T. Fitzgerald III, her father's long-time U.S. attorney, already seated at the biggest round table in the restaurant with four young men, one of whom she recognizes as Derek Taylor, William's protégé who acts and sounds like James Bond. Yuko instantly nicknames the other three as The Tank, The Nerd, and Michael Jordan, a highly effective trick she uses to help her remember people's names. Ignoring the seat ostensibly reserved for her between William and Derek, she quickly occupies the empty chair next to a bespectacled young lawyer who introduces himself as Sam Kaplan. The tall, slender and handsome fellow on her left presents Yuko with his business card. Chase Beckford, Jr.—Senior Attorney, Mergers & Acquisitions. The Tank turns out to be Hans Meierhofer, a real estate attorney from the firm's Houston office.

Yuko's thoughts on the mini-U.N. around the table, courtesy of the recent "merger" of William's stuffy Wall Street firm with international powerhouse Case & Porter, are interrupted by a menu appearing in front of her face. She bites her lip and remains silent at William's announcement that he would order for everyone. Chase requests a large order of seaweed salad, earning a disapproving look from William and a relieved expression from Sam. Derek looks bored, while The Tank intently studies the right hand side of the menu.

A dark-skinned energetic young man appears at the table, apologizing profusely for being late on account of him just becoming an uncle. A more detailed explanation is stopped in its tracks by William brusquely introducing Naveen Ali, one of the firm's summer associates, and then rattling off a seemingly endless list of exotic sounding dishes. Yuko tries to stay calm. *When will this personification of ignorant arrogance learn that most Japanese people are not into this trying-to-pass-for-authentic-yet-hip-from-who-knows-where-in-Asia cuisine?* At least he remembered not to order sake this time, Yuko sighs to herself. She smiles again as she looks past William at the corner table.

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Case Study Scenario, continued

Part 3: Spot the Landmines

William [with a slight bow to *Yuko*]: “We are delighted to assist your father with another one of his visionary acquisitions. The addition of this research facility to his portfolio is a brilliant business strategy, indeed. We have assembled a team of our best and brightest, and we will continue to provide the quality representation to which he is accustomed from Fitzgerald & Knight.”

Chase [addressing *Yuko*]: “I have developed an innovative transaction structure that will allow for completion of the acquisition on an accelerated time frame.”

Hans [turning to *William*]: “The location of the research facility will require intense scrutiny, and this particular transaction is not a good candidate for an accelerated time table.”

Derek [to *Chase*, with a smile]: “Once an All-American track & field star, always in the fast lane, eh? Let’s first find out from our client whether he wants to be the hare or the tortoise on this one.” [then turning to *Hans*, still with a smile]: “That being said, surely it wouldn’t be the end of civilization as we know it if a few dumplings and sausages are not lined up correctly.”

Naveen [in a tentative tone, facing *Derek*]: “My due diligence review so far has unearthed a few documents that may be of concern. I have already discussed this with *Sam*, who is working with me on this assignment.”

Sam [nodding to *Yuko*, and turning to *William*]: “I am in the process of preparing a memo detailing any potential issues.”

Yuko [addressing nobody in particular, in a soft voice]: “Please discuss all this amongst yourselves. I will report to my father that his legal team is working very hard and preparing a thorough memorandum that he can present to the board of directors for consideration. Now, please, everyone enjoy their lunch!”

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Case Study Scenario, additional background

Yuko Morinaga is 31 and, much to her mother's dismay, still single. She feels that her father never quite forgave her for being a girl, and she has tried to impress him for as long as she can remember. From a young age, she frequently came to the U.S. to visit her aunt and her cousins and speaks impeccable English.

She has learned the ins and outs of her father's company from the ground up, and even obtained an MBA from Stanford. Yuko struggles with understanding her role in her father's business. She resents that her father chose his nephew (her cousin) over her as his deputy, despite her superior qualifications and business acumen.

Yuko is tired of not receiving credit for her contribution's to her father's business (she was the one who identified the research facility as a potential acquisition target, and laid the groundwork for the current negotiations), and she is tired of being stereotyped as a quiet and meek Japanese woman.

She has been training in several martial arts styles for years to manage her anger and has watched every martial arts movie ever released. She is thrilled to finally have caught a glimpse of her idol, Jet Li, at *Kobu*.

How does this additional information change your perception of Yuko?