Exercise #3 Debrief

[Note: in some cases, I didn’t understand the language you chose—view this as the response of an outsider]

How many of you thought you “won” the negotiation?
  - what constitutes a “win”?

Time limit
  - How long did you spend?
    - Who had shortest negotiation?
    - Let’s talk about those who failed to finish
  - did anyone try to use the time limit to your advantage?
  - Was it frustrating to be under a time cap?
  - Typically, most work gets done in second half of allotted time

Negotiation strategies
  - were your negotiations friendly or antagonistic?
  - Did you have a strategy?
  - Did it work?
  - If you changed mid-stream, why, and how did that work?
  - Value of preparing a negotiation plan in advance
  - Tit-for-tat v. win at all costs

Negotiation without feedback from client
  - was that hard?
  - Very typical that clients will say “it’s a lawyer issue” and defer accordingly

Cheetah: was it hard to negotiate against language supplied by Acme?
  - Was there such a thing as “too many changes”?
  - power of controlling the draft

Acme: language was provided for you
  - were you unhappy with the starting point?
  - was it hard to negotiate this language?

Did anyone have difficulty scheduling a time?

Gender dynamics?

Lessons:
  - Negotiation process is substantive
    - Power of controlling the draft
  - Have a plan going into a negotiation—what do you need to get, and how will you get it?
  - It’s not about winning or losing, it’s about accomplishing your client goals