

# REAL EXAMPLES OF SUCCESSFUL NEGOTIATION

In our last article on June 19 we discussed some techniques for successful negotiation. Do these really work?

## Using a common point as a

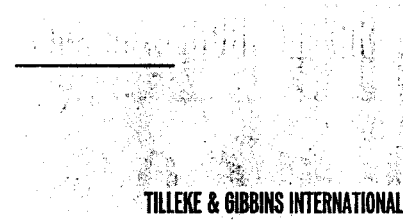
**foundation:** In the story of King Solomon, two women claimed to be the mother of a newborn baby. No one could say for sure who was telling the truth. King Solomon drew his sword and decided he would cut the infant in half, at which point one of the two women cried out to let the other woman have the child. King Solomon knew from her reaction that she was the true mother — for only the true mother would rather give her child away than see it come to harm.

Negotiating child custody agreements uses this principle. If both parents recognise that the well-being of their children comes ahead of their own need to be with their children, then you consider the facts of the situation and ask: which parent would be a better “custodial” parent? Which parent is the one who stayed at home in the past? Which parent has more available time to spend with the children when they are not in school? Which parent travels less often?

Soon it becomes clear to the parents themselves which one the children are better off with. A parent who loves his or her child would rather give up custody than see the child “cut in two”.

In the above example, by finding a common point where both sides agree a good negotiator can create a platform from which to build an agreement.

**Let the other side speak but pay close attention:** Last time we also spoke of letting the other side speak. But listen intently — not only to what they say but also take note of how they say it. By observing the other side closely, you will be able to gauge whether they are



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sincere about what they say. People will frequently say things they do not really believe, or threaten to take actions they never intend to take. Sometimes, they simply wish to mask the truth. Observing a person’s body language is an important way to understand what they are really thinking.

For example, I was at the last Comart with my friend Chris Byrd, who runs the Tour de Thailand charity bicycle ride. He was looking to purchase a new computer. We found the one he wanted and began negotiating a price. The salesman began by saying the prices were already as low as they could go, and he could not discount any further. Privately, I asked Chris what price he was willing to pay. I turned to the salesman and told him we wanted that price. He paused and looked at his calculator — in that instant, I had my answer.

Every good salesman knows his prices inside and out — they know the bottom line on everything they sell. Had he said “no” immediately and in a firm voice, that may have made me think differently. But he didn’t do that. Instead from the moment he paused, I knew we were above his bottom line.

By observing him, I could tell what he was thinking and what he was willing to agree to.

**Aggressive negotiations:** Walt Disney is remembered by many as someone who loved children. Few people know

that during the 1941 Disney cartoonists’ strike, he was very belligerent in his negotiations with striking employees. He held a hard line, often not letting his opponents speak. On one occasion, he even punched one of the main strike organisers.

Mediators later ruled in favour of the workers on every issue. It became clear that the mediators were significantly influenced by the stubbornness of Walt Disney, to the point of granting more than they would have had Disney been a bit more flexible.

**Establish realistic goals:** In our final example, our office had been hired to meet with the other side’s lawyer to make a settlement. In preparation, we reviewed with our client what he needed to accept the deal. We asked that he give us a range, from the lowest he would accept up to the highest. The sums he asked for were fair.

When we sat down with the other side, we did not give our client’s real figures. We took his highest figure and doubled it as a starting point. But to our surprise, the other side accepted our first offer without a moment’s pause. Pleased that we had got twice as much as our client’s highest expectation, we immediately contacted our client and gave him the good news.

Our client was disappointed. Why? Because in his mind, the opposing side had agreed so quickly that our client felt he would have agreed to an even higher amount. This proves our closing point that in a successful negotiation, both sides win but can still be unhappy.

**Written by Edward Chen, summer associate, and John Fotiadis, senior consultant, of Tilleke & Gibbins International. Please send comments and suggestions to Andrew Stoutley at Andrew.S@tillekeandgibbins.com**