

Brim Mediation

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PREPARING FOR YOUR BUSINESS DISPUTE MEDIATION

1. Understand the Mediation Process

- Familiarize yourself with how mediation works in business disputes.
- Know the roles of the mediator and the parties involved.

2. Gather Relevant Documentation

- Collect all pertinent contracts and agreements related to the dispute.
- Assemble financial statements, invoices, and receipts.
- Compile correspondence between parties (emails, letters).

3. Identify Goals and Desired Outcomes

- Clearly outline your objectives for the mediation.
- Determine non-negotiable points and areas where you can be flexible.

4. Develop a Negotiation Strategy

- Consider potential counterarguments from the other party and weaknesses in your own position.
- Prepare a list of concessions you are willing to make.

5. Consult with Counsel

- Consult with your attorney to review your case and strategy.
- Discuss potential outcomes and legal implications of various agreements.

6. Create a Summary of Your Position

- Draft a concise summary of your perspective on the dispute.
- Include key facts, figures, and supporting evidence to present during mediation.

7. Prepare for Questions and Counterarguments

- Anticipate questions the mediator or opposing party may ask.
- Prepare responses to potential counterarguments.

8. Plan for Practical Considerations

- Choose appropriate attire that reflects professionalism.
- Arrive early to the mediation location to settle in and reduce stress.

9. Stay Emotionally Prepared

- Acknowledge potential emotional triggers and prepare to manage them.

- Consider techniques for remaining calm and focused.

10. Develop Active Listening Skills

- Practice active listening techniques to fully understand opposing viewpoints.
- Be ready to acknowledge and address concerns raised by others.

11. Follow-Up After Mediation

- Take notes during the mediation about agreements and next steps.
- Discuss outcomes with your attorney and plan for any necessary actions.

By following this checklist, you can approach your business mediation with a clear understanding and readiness, ultimately leading to a more productive negotiation process.