

1. Record Nr.	UNINA9910815731503321
Autore	Trask Andrew
Titolo	Betting the company : complex negotiation strategies for law and business // Andrew Trask, Andrew DeGuire
Pubbl/distr/stampa	Oxford, England ; ; New York, : Oxford University Press, c2013
ISBN	0-19-932398-4 0-19-996758-X 0-19-026005-X
Edizione	[1st ed.]
Descrizione fisica	xiii, 347p
Altri autori (Persone)	DeGuireAndrew
Disciplina	346.7307
Soggetti	Commercial law - United States Negotiation in business - United States
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Cover -- Contents -- Acknowledgments -- 1. Elements of Complex Negotiation -- 1.1 When Good Deals Go Bad -- 1.2 The Nature of Negotiation -- 1.3 The Problem of Complex Negotiations -- 2. Nonrational Judgments -- 2.1 Heuristics-When Our Mental Shortcuts Get Us into Trouble -- 2.1.1 Priming and Anchoring-Taking Cues from Context -- 2.1.2 Hyperbolic Discounting-Birds in Hands -- 2.1.3 Loss Aversion -- 2.1.4 Herding Behavior and Normality Bias- The Lemming Urge -- 2.2 Professional Biases-How Training Colors Our World -- 2.2.1 Businesspeople -- 2.2.2 Lawyers -- 2.3 Personality and Emotion- Nobody Is Spock -- 2.3.1 Personal Attraction-Don't Fall in Love with the Deal -- 2.3.2 Personal Animosity-"That F@%ing Guy" -- 2.3.3 Overconfidence-Everyone's Above Average -- 2.4 Conclusion -- 3. Multiparty Negotiations -- 3.1 Multilateral Negotiations-More People, More Problems -- 3.1.1 Auctions-What's Your Bet on the Future? -- 3.1.2 Necessary Third Parties-You Can't Avoid the Tollbooths -- 3.1.3 Spoilers-The People from Left Field -- 3.2 Team Negotiations-I Love My Team/I Hate My Team -- 3.3 Negotiations with Organizational Constituents- Behind the Table -- 3.3.1 Board of Directors -- 3.3.2 Lawyer-Client Relationship -- 3.3.3 Shareholders -- 3.3.4 The Other Side's Constituents -- 3.4 Practical Applications -- 3.5 Conclusion -- 4. Multiple Decisions -- 4.1 Multiple Options -- 4.1.1 More Options,

More Problems -- 4.1.2 Filtering -- 4.1.3 Information Leaks -- 4.2  
Multiple Issues -- 4.2.1 Contingent Issues-Do Not Pass Go -- 4.2.2  
Linking Issues-Leverage -- 4.2.3 Subtracting Issues-Making Things  
Simpler -- 4.3 Agendas-The Secret Weapon -- 4.3.1 Sequential vs.  
Simultaneous Negotiations- Chess vs. "Rock, Paper, Scissors" -- 4.3.2  
Strategic Ordering -- 4.4 Practical Applications -- 4.5 Conclusion -- 5.  
Transactions Over Time -- 5.1 Path Dependence-Starting Points Matter.  
5.2 Time Asymmetries-Why Someone Prefers to Go Slow -- 5.3  
Exogenous Shocks-What Happens When Stuff Happens -- 5.4  
Learning-Why Some Conflict May Not Be So Bad -- 5.5 Sequential  
Strategy-Why It Pays to Be Nice -- 5.6 Practical Implications -- 5.7  
Conclusion -- 6. Regulated Negotiations -- 6.1 Information and  
Disclosure-Basic Concepts -- 6.2 Obligations/Duties to Constituents  
(Corporate Law) -- 6.2.1 The Corporate Form -- 6.2.2 The Duty of  
Loyalty -- 6.2.3 The Duty of Care -- 6.2.4 The Business Judgment Rule  
-- 6.2.5 Other Duties to Constituents (Lawyers' Duty to Clients) -- 6.3  
Conduct of Negotiations -- 6.3.1 Anticorruption Laws -- 6.3.2 Class  
Action Settlements -- 6.4 What Written Agreement Looks Like (Contract  
Law/ Rules of Evidence) -- 6.4.1 Contract Law -- 6.4.2 Evidence -- 6.5  
Content of Deal (Tax/Specific Regulations) -- 6.6 Practical Implications  
-- 6.7 Conclusion -- 7. Intercultural Negotiations -- 7.1  
Organizational Culture-The Personality of the Organization -- 7.1.1  
Values-The Principles that Guide -- 7.1.2 Practices-How to Go to the  
Bathroom -- 7.1.3 Language-The Dangers of In-Jokes -- 7.2 National  
Culture-You Can Take the Boy Out of Iowa . . . -- 7.2.1 Signaling  
Behavior -- 7.2.2 "Legitimate" Tactics -- 7.2.3 The Meanings of Actions  
-- 7.3 Practical Applications -- 7.4 Conclusion -- 8. Grand Strategy --  
8.1 Primary Purpose -- 8.2 Scorecard -- 8.3 Internal Capacity  
Assessment -- 8.4 Best Alternatives -- 8.5 Materiality/Leverage -- 8.6  
Conclusion -- 9. Intelligence -- 9.1 What to Look For -- 9.1.1 Market  
Conditions -- 9.1.2 Market-Specific Drivers -- 9.1.3 Legal/Regulatory  
Regime -- 9.1.4 Competitive Dynamics -- 9.1.5 Social Factors/End  
Customers -- 9.1.6 Technology Changes -- 9.2 How to Find It -- 9.2.1  
Public Sources -- 9.2.2 Private Information -- 9.2.3 Experts -- 9.3  
Conclusion -- 10. Tactical Moves -- 10.1 Deploying Resources.  
10.2 Process-The Importance of Project Management -- 10.3  
Approaching the Other Side -- 10.4 Putting Things in Motion -- 10.5 In  
the Room -- 10.5.1 Cooperative Tactics -- 10.5.2 Coercive Tactics --  
10.6 Putting the Agreement into Action -- INDEX -- A -- B -- C -- D  
-- E -- F -- G -- H -- I -- J -- K -- L -- M -- N -- O -- P -- Q -- R --  
S -- T -- U -- V -- W -- Z.

---

## Sommario/riassunto

Betting the Company: Complex Negotiation Strategies for Law and Business provides a thorough introduction to the concepts and tools required by lawyers and business people to successfully conduct a multi-faceted negotiation.

---