Exercise 4: Settlement Scenario Matrix and Movement Options Using AI

Purpose

This exercise helps participants explore how AI can assist a mediator in moving from case analysis to settlement planning. Participants will use AI to:

1. organize the dispute into a small number of realistic settlement scenarios; and

2. generate practical mediator options for moving the negotiation forward.

Time

15 to 20 minutes total

- 10 to 12 minutes for the scenario matrix

- 5 to 8 minutes for movement options and discussion

Materials

Use only:

- the case summary for **Wilhemina Brown v. Jarrold Green**

- the plaintiff's confidential pre-mediation brief

- the defendant's confidential pre-mediation brief

Do not add outside facts, legal research, or assumptions not grounded in the materials.

Task

Using an AI tool, prepare:

1. a **settlement scenario matrix**; and

2. **three possible mediator movement options**

Part A. Settlement scenario matrix

Ask the AI to create a matrix that shows how settlement value might change depending on how the main disputed issues are resolved.

Your matrix should include at least these four scenarios:

1. **Plaintiff does well on most issues**
   The plaintiff largely overcomes the defense arguments on seatbelt non-use and pre-existing condition.

2. **Defense does well on the seatbelt issue**
   The defense persuades the factfinder that failure to wear a seatbelt materially increased the injuries.

3. **Defense does well on the pre-existing condition issue**
   The defense persuades the factfinder that a meaningful part of the breathing and smell impairment was pre-existing.

4. **Defense does well on both reduction issues**
   The defense gains traction on both seatbelt non-use and the pre-existing deviated septum.

For each scenario, include:

- the assumed findings

- the likely effect on damages

- the mediation significance of that scenario

Part B. Movement options

After completing the matrix, ask the AI to generate **three realistic mediator interventions** that could help move the case toward resolution.

Examples may include:

- a bracketed negotiation approach

- a structured discussion of damages reductions

- a mediator proposal concept

- phased bargaining tied to risk scenarios

- a way to reframe the dispute around likely outcomes rather than positions

Instructions

1. Review the case summary and both confidential briefs.

2. Prompt the AI to create a scenario matrix based on the disputed issues in the case.

3. Review the output carefully.

4. Edit the matrix as needed so that it:

   o stays grounded in the supplied facts

   o does not pretend to predict a verdict

   o clearly identifies assumptions

   o is useful to a mediator in real time

5. Then prompt the AI to suggest three movement options.

6. Review and refine those options so that they:

   o are realistic for a mediator

   o preserve neutrality

   o fit the facts of this case

   o would actually help narrow the gap

Suggested prompt

You may use this prompt or create your own:

"Using the case summary and confidential mediation briefs for Wilhemina Brown v. Jarrold Green, create a settlement scenario matrix with at least four scenarios based on different findings about seatbelt non-use and the pre-existing deviated septum. For each scenario, identify the assumed findings, likely impact on damages, and mediation significance. Then suggest three realistic mediator movement options to help narrow the gap between the parties. Use neutral language. Do not invent facts. Do not present the output as a prediction of the actual verdict."

Deliverable

Be prepared to share:

- your final scenario matrix

- your three movement options

- one thing the AI did well

- one thing that required human judgment or correction

What to watch for

As you review the AI output, ask:

- Did the AI identify realistic settlement scenarios?

- Did it clearly separate assumptions from predictions?

- Did it focus on the issues that actually drive value?

- Did it generate movement options a mediator could really use?

- Did it create false precision?

- Would this help you if the case stalled in caucus?

Debrief questions

Be ready to discuss:

1. Which scenario seems most likely to drive settlement discussion?

2. Which disputed issue had the biggest effect on value?

3. Did the AI help generate useful movement options?

4. Where did the AI overstate certainty?

5. What part of this task still depended on mediator judgment?