



**MICHAEL R. DILIBERTO, ESQ.**



## **Let Them Have Your Way**

***“Diplomacy is the art of letting someone have your way.”***

**Daniele Vare (Italian Diplomat)**

Your negotiation opponent has invested substantial time and money litigating his case. He has lived with his story for so long that he now believes his own “press release” of the facts and his odds of winning. In other words, he is psychologically and financially committed to his position and demands. How do you change this person’s mind and make him see things your way?

There are two ways to do that. The hard way is to try to convert your opponent to see the lawsuit from your point of view. This is about as likely to happen as it is for you to see your lawsuit from his point of view. That usually won’t work, because people tend to behave in ways that are consistent with their previous actions and statements. Remember, this vested person believes in a world where he is right.

A more effective approach is not to convert your opponent to a different worldview. Instead, show the opponent that the desired settlement is a logical consequence of the worldview he or she already has. Settlements are easier to get and more likely to be complied with when they grow out of who your opponent is. Let them have your way. You let them have your way when you gently let them see that your way is their way.

If your opponent is a “time-is-money,” no-nonsense businessperson, show him that an early settlement saves him money. Settlement affirms a value he already holds and is consistent with his view of himself. If your opponent is motivated by family values, charity work, or even skiing, show how an early settlement can free up time so he can get back to what’s really important in his life.

Don’t make extra work for yourself trying to change your opponent’s values. Instead, use your opponent’s values as a lever.