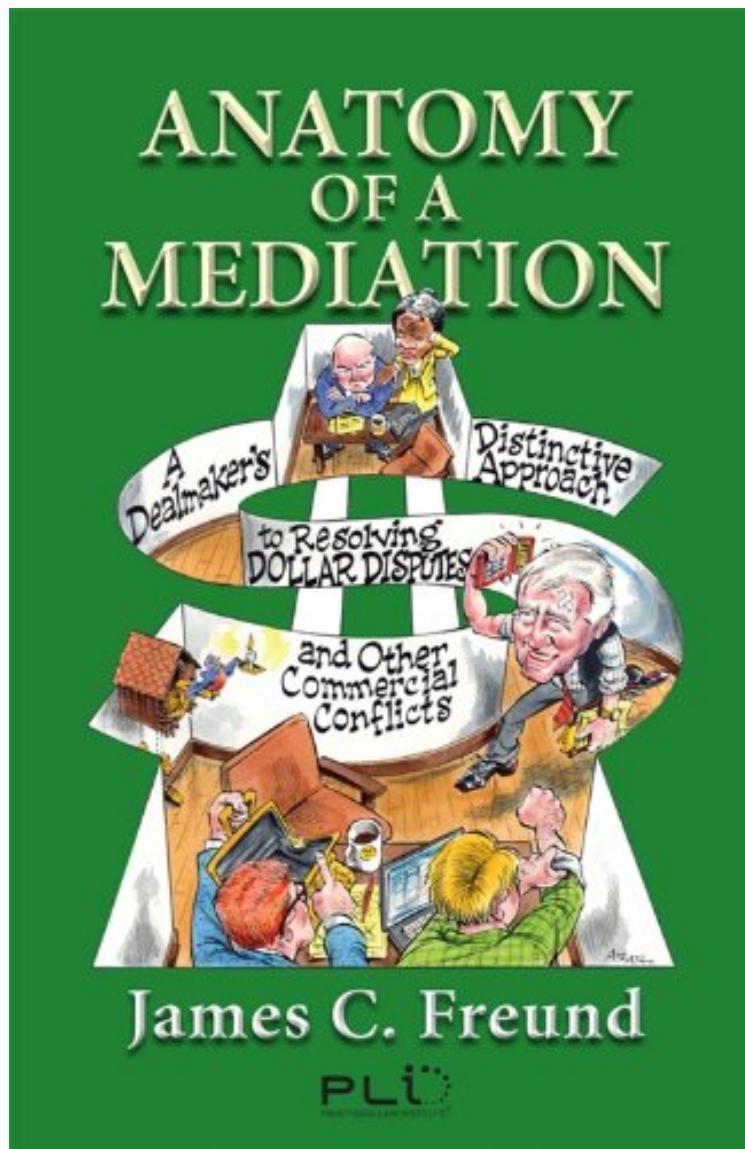


[Mobile book] Anatomy of a Mediation: A Dealmaker's Distinctive Approach to Resolving Dollar Disputes and Other Commercial Conflicts: 1

Anatomy of a Mediation: A Dealmaker's Distinctive Approach to Resolving Dollar Disputes and Other Commercial Conflicts: 1

James C. Freund

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1 of 1 people found the following review helpful. Interesting Approach to MediationBy Paul in ColoradoI am a facilitative mediator who sees mostly domestic disputes: separation, divorce, parental quarrels. Freund has little respect for facilitative mediation and does not go near domestic disputes. His approach more closely resembles arbitration than mediation. Nevertheless, he has several good ideas that just might work for facilitative mediators like me.1 of 1 people found the following review helpful. Superb guide to evaluative commercial mediationBy Richard S GreenOutstanding book on a complex subject. Clear, well-written and practical. Very, very readable. Would recommend to anyone who is either thinking about becoming a commercial mediator or is going to be going through a commercial mediation process.0 of 0 people found the following review helpful. Pick a different one.By WinkleDifficult reading and really dull.

For his tenth book, James C. Freund has crossed over from a lifetime of negotiating MA and other business deals to tackle the equally demanding task a mediator confronts in resolving disputes. Jim has been honing his mediator's craft over the past two decades, with particular emphasis on the toughest of all cases to settle -- the classic zero sum game of a sizeable one-shot dollar dispute over hotly contested issues between sophisticated, well-represented parties. Freund's problem-solving approach -- rooted in his transactional experience and dealmaking mentality is distinctive and has proved its effectiveness on a regular basis. In *Anatomy of a Mediation*, Jim describes his technique in detail and takes the reader step-by-step through its application in resolving four expansive hypothetical situations, each focusing on a different type of dispute -- such as a case involving multiple parties and another with significant deal elements and forward-looking considerations. You'll learn: How to convert that super-charged emotional interplay between adversaries into lower-pressure but more constructive bargaining. Why, in dollar disputes, Jim rarely adopts the usual method of carrying offers and counters back and forth, in order to conduct confidential negotiations with each party to arrive at a common resolution level. How the mediator recognizes and goes about dealing with the most pervasive deal-killers certain parties present -- indifference to achieving compromise and a lack of reality in appraising the situation. What's crucial when you represent a party -- including the need to educate your client that what a successful mediation produces is often less of a win-win result and more of a mutually satisfactory outcome that's at least preferable to ongoing litigation. How an unabashedly evaluative mediator goes about his work -- generating real movement from a standing start, prodding the parties toward a feasible settlement, and if that proves unavailing, then persuading the parties to come to terms on the basis of the mediator's proposed resolution of the dispute.

Anatomy of a Mediation is a cherished one-on-one tutorial by a master of the art. The quintessential deal maker/problem solver Jim Freund believes that mediation is the most straightforward, best resolution for the parties -- particularly for one-shot dollar disputes and other commercial matters -- and amply proves his point. ---- Judith S. Kaye, Former Chief Judge of the State of New York; Of Counsel, Skadden Arps, Slate, Meagher Flom LLPJames Freund has enjoyed an illustrious career as a lawyer -- a masterful deal maker -- widely read author lecturer -- and a popular law professor. For more than 20 years Freund has applied his learning and experience to the successful mediation of commercial disputes of every variety. *Anatomy of a Mediation* brings it all together. The book is beautifully written and is a kind of tour de force for a lawyer who has given so much of himself to others -- a book not to be without for mediators, mediation participants, and teachers. ---- John D. Feerick, Former Dean of Fordham University School of Law, and Director of its Feerick Center for Social Justice and Dispute Resolution*Anatomy of a Mediation* is a superb job. I have seen no book about mediation which compares with it. First and foremost, it is the best analysis emphasizing the positive role of an evaluative mediator. It makes a persuasive assertion that the extensive negotiations required are best conducted between each of the parties and the mediator separately. *Anatomy of a Mediation* should be read not only by mediators and aspiring mediators but by lawyers who represent clients in mediation, and it should be in the library of all commercial lawyers who need to be aware of the availability of evaluative mediation. ---- Charles B. Renfrew, Chairman Emeritus of the Board of the CPR Institute for Dispute Resolution; Former Federal District Court Judge, San FranciscoAbout the AuthorLegendary dealmaker James C. Freund is a retired partner of Skadden, Arps (presently of counsel to the firm). During his 30 years of active practice, Mr. Freund's primary focus was on representing clients in mergers and acquisitions. Since then, his main professional activity has been in the field of dispute resolution, serving as a mediator and, in some cases, an arbitrator of commercial disputes. In addition to 10 books, including *Smart Negotiating: How to Make Good Deals in the Real World* (Simon Schuster, 1992) he has written and lectured extensively in the field of mediation. Mr. Freund taught negotiating as an adjunct professor at Fordham University School of Law for many years; served as chairman and participated in numerous professional seminars; and wrote, narrated and dramatized videos on negotiating, lawyering and acquisition topics. He resides and works in New York City.