



Tim Corcoran Mediation

~Newsletter~
Spring 2018, Volume 14

REDLANDS ARBITRATION AND MEDIATION SERVICES, INC.



- Experienced Top 50 Neutral, over 7,000 ADR cases
- Pepperdine & Harvard Law Schools – ADR Training
- Beautifully themed conference rooms with great hospitality
- Free lunch, parking and Wi-Fi
- **Will travel** to other venues

The Art of Negotiation is letting the other side have it *your way!*

Avoiding Buyer's Remorse

Have you ever shopped and found the greatest looking briefcase or purse and after a little haggling, you were able to get the purchase price reduced from \$600 to \$425? Then the next day you found the same item for \$325! Buyer's remorse (you paid too much for something) is just as frustrating as seller's remorse (you sold for too little). The negotiation that took place over a period of ten minutes or less could haunt you for years.

People come to mediation for a processed negotiation. It is the neutral's responsibility to identify the interests, goals and strategy of each of the parties. After identifying what the parties want, the neutral can better able design a process for the parties to work through to resolution.

During the negotiation process, the parties will make constructive moves at their own pace, exercising *quid pro quo* moves to begin to establish confidence in the process. Whether the negotiation requires several moves or only a few moves, it is important that the parties perceive they have achieved something and that the negotiation is fair.

The mediator is responsible for the timing of the process. When done correctly, each of the parties will have the confidence that the negotiation process went well and they achieved a fair resolution.... And no buyer's or seller's remorse!

You can insist on using the mediator of your choice!

When selecting the mediator for your next case, insist the mediator of your choice be used. The other side may object and suggest someone else or refuse to use your choice. Don't let it end there, double-down and insist the other side agree to your choice AND explain to the other side WHY you want this neutral. Lawyers tell me I help them explain important things to the client well (e.g., Liability, Damages, Causation, Risks, Options, Costs of trial, Nuances of medical or legal issues, Perceptions of the Court or jury). They say that I have a unique ability to help clients temper expectations or broaden their perspective. And I know that the attorney recognizes my transparency in the negotiation and they trust any evaluative comments I make when asked. If your favorite mediator does this for you then insist the other side agree to your choice!

Super Lawyers



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Best Golf Movies

The Greatest Game Ever Played
2005, Shia Labeouf

Seven Days in Utopia
2011, Lucas Black, Robert Duvall

The Legend of Bagger Vance
2000, Will Smith, Matt Damon, Charlize Theron

Caddyshack
1980, Bill Murray, Chevy Chase

Tin Cup
1996, Kevin Costner, Rene Russo, Cheech Marin

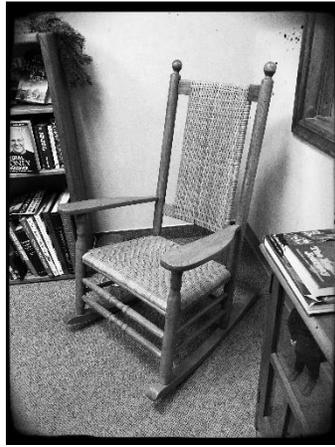


April 5-8, 2018

John F. Kennedy's rocking chair was auctioned off for \$442,000.



In the Oval Office



In Tim's office

Some Famous People Who Never Finished College

Mark Zuckerberg	-----	Harvard
Ted Turner	-----	Brown University
Steve Jobs	-----	Reed College
Bill Gates	-----	Harvard
John Lennon	-----	Liverpool College
Tom Hanks	-----	Sacramento State
Abe Lincoln	-----	Left school at 12yrs
Robert Redford	-----	Colorado
Edgar Allen Poe	-----	West Point
Timothy Leary	-----	West Point and Alabama

Mediators

- ... Do it until everyone is satisfied!
- ... Do it in separate rooms!
- ... Do it with flip charts!
- ... Won't tell anyone about it afterward!
- ... Won't do it for you but will help you do it yourself!



Last Minute Mediations

When Time is of the Essence

"Let's get this case mediated in the next two weeks! Who can we get?"
 Call Last Minute Mediations... We will locate an available mediator for you. Tell us your preferences, venue, price range and we will do the rest!
 Call (909) 798-4554

Negotiating with Difficult People

Whether you are negotiating with a family member, a colleague or the most obnoxious counterpart, there are some easy to use tools to overcome the most difficult conversations. In Getting Past No, William Ury sets forth five steps for dealing with the difficult opponent.

Go to the Balcony. When someone pushes your button, don't get angry. Instead, take yourself mentally to a higher place where you can look down objectively on the dispute and plan your response.

Disarm them by Stepping to Their side. Instead of listening, just to respond to the other side, listen carefully; ask questions to try to understand their perspective.

Change the Game: Reframe. When your difficult opponent is pushing you down a path, you don't want to go just change the game! Stop and simply go onto something else, i.e. what about those Dodgers???

Make it Easy to Say Yes. Look for ways to let your opponent save face and feel like he is getting his way! Build a Golden Bridge so he can gracefully retreat.

Make it hard to Say No! Bring the other side to their senses, not their knees. Help them understand consequences and your alternatives and they may be open to reason.

Corcoran Family News

Son, Shawn, completed his service with the Army and he and his family have moved to Columbus, Ohio. Shawn has accepted a position as an Assistant Professor of Medicine at The Ohio State University Medical School. His wife has accepted a position as legal counsel for a non-profit company in Columbus. Their three kids are acclimating to the snow and ice after spending the last three years in Hawaii. Daughter, Courtney, is deployed with the U. S. Army's 1st Armored Division to Kuwait. She is a 1st Lieutenant and is assigned to Brigade responsibilities. Son, Brad, is completing his first year at Boise State University. He is with the Army ROTC detachment. Brad recently competed with the unit's Ranger Challenge Team which did very well in all regional competition. Son, Alex, is a junior in high school and is preparing to get his driver's license. Linda and I are in the early stages of training for a half Ironman triathlon the December in La Quinta, CA. I am finding out how difficult it is to train this old, out of shape body for such and endurance event. I am still very involved with several ministries for the Catholic Church and in most particular, Catholics Returning Home.

Satisfied Law Firms Who Have Used My Services

Vititoe Law Group
 Alder Law
 Blomberg, Benson & Garrett
 Brian Ferber (L/O)
 Thomas E. Beck (L/O)
 Garo Mardirossian & Assoc's
 Girardi & Keese
 Greene, Broillet, et al.
 Walter Clark Legal Group
 Shawn Steele and Assoc's
 Kottler & Kottler
 Michael Sciffidi (L/O)
 Clay Sides (L/O)
 Younger & Associates
 Cameron Sanchez (L/O)

Hanson and Hanson
 Heiting & Irwin
 Fullerton, Lemann et. al.
 Sweeny & Sweeny
 Cota Cole LLP.
 Peterson, Oliver and Poll
 Musick, Peeler & Garrett
 Konoske, Akiyama & Brust
 Early, Maslach et. al.
 Wilson Elser
 Cummings, McClorey et. al.
 Lewis, Brisbois, Bisgard, et. al.
 Murchison & Cumming
 Homan & Stone
 Bonnie Moss & Associates

Kim Benson (L/O)
 George Muehar (L/O)
 Manning & Kass, Ellrod et. al.
 Marc Hawkins (L/O)
 Vivian Schwartz (L/O)
 Mark Julius (L/O)
 McClaugherty & Associates
 Winet, Patrick, Gayer et. al.
 The Hanover Law Office
 Graves & King
 Pettit Kohn et. al.
 Thompson & Colegate
 Homapour Law Firm
 Bill Van Order (L/O)
 Wacey Armstrong (L/O)

Olaf Landsgaard
 Michael Karisa
 The Ewaniszyk Firm
 Dani Mauri & Assoc's
 Robert Karwin (L/O)
 David Mayberry (L/O)
 Yoka & Smith
 Klute & Newton
 Borton Petrini
 Beck & Assoc's
 Fernandez & Lauby LLP.
 Belgum & Fry
 Ameer Shah (L/O)
 Richard Holdaway (L/O)
 Peach & Weathers