

[<Back](#) [Print](#)

Digging Deeper

First Mediation Corporation Newsletter

December 2005

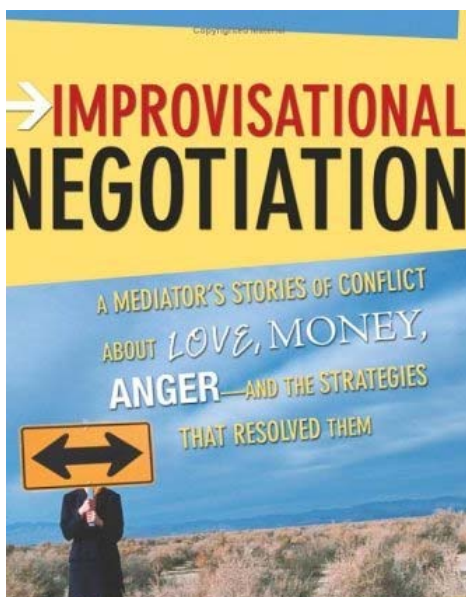
Greetings!

Welcome to our bimonthly Digging Deeper newsletter where we discuss cutting-edge mediation topics that go below the surface toward the heart of achieving resolution. We will provide you an inside look into the industry and of course, welcome your comments and feedback for future issues.

In this issue

- Calendar of Events
- Improvisational Negotiation: Stories About Love, Money, Anger and the Strategies that Resolved Them
- Independence Day - Chapter One
- Mariam Zadeh Joins First Mediation
- Have Something to Say? Join Our Blog!

Improvisational Negotiation: Stories About Love, Money, Anger and the Strategies that Resolved Them



We are pleased to announce that Jeffrey Kravis' new book is scheduled to be released for publication by Jossey-Bass on January 8, 2006, and is available now on amazon.com and barnesandnoble.com. The book is jam packed with heartfelt stories and sophisticated negotiation techniques so mark your calendars with the release date! In the meantime, we've included a sample chapter from the book for your reading pleasure.

[Learn More about Jeff's](#)

Calendar of Events



This is where you can learn about the latest events that are being sponsored by First Mediation Corporation. If you want to make sure to receive an invitation to one of our upcoming events or seminars, be sure to join our mailing list below.

You can find Jeffrey Kravis at the following upcoming events:

January 10 - April 18:
Professor, Pepperdine Law School Advanced Mediation Class (Malibu, CA)

February 7 - 12: CEDR,
The Center for Effective Dispute Resolution,
Advanced Workshop for

[New Book](#)

British Mediators
(London, England)

April 5 - 8: Presenter,
ABA Dispute Resolution
Conference (Atlanta,
GA)

April 26 - 30: Presenter,
Int'l Academy of
Mediators Conference at
Harvard Law School
(Boston, MA)

June 22 - 24: Professor,
Pepperdine Law School
Specialized Mediation
Course (Malibu, CA)

Video interview by
www.Booklook.tv on
Yahoo and MSN

Independence Day - Chapter One

When Dan was suddenly fired from his job as a systems analyst "due to a reduction in workforce," he felt as if he'd been kicked in the stomach. He had worked at the high-tech firm Expantec for more than ten years—



from the very beginning of the company. But for Dan, this was more than a good job: He thought of his co-workers as his family. Now he felt that he'd been betrayed and abandoned by that family, and he was ready to go to court for wrongful termination.

Before the case went to trial, however, the court encouraged both sides to try mediation. Now the parties found themselves staring at each other across the polished expanse of a green marble conference table in a downtown law firm, wondering what went wrong. Although they had an outside mediator, they agreed to meet in the offices of Expantec's law firm because it was more convenient for Dan and offered all the room they would need. Settling into the dark red leather chair, however, and taking in the opulent scene, Dan began to wonder if he'd put himself at a disadvantage by coming into the "enemy's" camp.

On the other side of the table the company's three representatives looked pretty comfortable. His ex-boss and old friend—he'd thought—Bill, Expantec's corporate attorney, and the head of human resources were huddled together, probably discussing strategy. Displayed prominently in front of them was a laptop and projector for the Power Point presentation they'd prepared to detail his supposed failings in the workplace.

Dan got tired of waiting for the meeting to start, took out his cell phone called his fiancée, Jennifer. He wished she was here with him now.

The Mediator, a former litigator, sized up Dan as he sat rigidly in his chair. Dan's buzz-cut, tightly knotted tie, and buttoned up suit gave him a military look that was somewhat incongruous in the high-tech world. I wonder if he has many friends.

As soon as Dan got off the phone, the Mediator explained that they would begin by making their opening statements. This would give them a base from which to proceed. Dan's lawyer was blunt:

Quick Links...

[More About Us](#)

[Improvisational
Negotiation](#)

Join our mailing list!

"We intend to make Expantec pay for firing my client. They didn't fire him because of a 'reduction in force.' This was nothing less than a cold and calculated effort to ruin a life's work." The Mediator, sensing Dan's fragile emotional state, was concerned about the impact this presentation would have on the settlement discussions. He knew it would be a potential minefield if the mediation went forward with this agenda, so he called a time out to talk to the parties. First, he wanted to learn more about how Dan perceived his relationship to the company. In today's volatile economy, high-tech employees were let go all the time. Why was he taking this so hard?

Dan nodded vigorously in agreement. "That's right," he said, looking fixedly at Bill. "If only they had talked to me first, I would have been able to do things differently before I was let go." Dan's clear anger, and the anger behind his lawyer's message, took Bill by surprise. Until this moment he had not realized the lawsuit was personal. Ex-employees had taken him to court before. It was almost expected.

Expantec's attorney explained that they had had planned an extensive presentation, including a computerized summary of the case presented by a large accounting firm, intending to prove statistical support for their reduction in force. They intended to back it up with aggressive legal support by the litigation team confirming Expantec's right to lay Dan off.

The Mediator, sensing Dan's fragile emotional state, was concerned about the impact this presentation would have on the settlement discussions. He knew it would be a potential minefield if the mediation went forward with this agenda, so he called a time out to talk to the parties. First, he wanted to learn more about how Dan perceived his relationship to the company. In today's volatile economy, high-tech employees were let go all the time. Why was he taking this so hard?

[Read the Complete Chapter](#)

Mariam Zadeh Joins First Mediation



We are excited to have Mariam join us at First Mediation. She specializes in mediating cases in the areas of Life, Health & Disability (ERISA), malpractice, employment, tort and commercial matters and has an excellent track record.

Mariam and Jeff met at the Straus Institute for Dispute Resolution where she was studying for her LLM in Dispute Resolution. While working together for the past 2 1/2 years, she trained and co-mediated extensively with Krivis in a wide

array of cases.

Before joining First Mediation, Mariam spent 10 years as a trial lawyer handling a variety of litigated disputes in California, New York and New Jersey for both the plaintiff and defense bar.

If you ask Jeff, he'll tell you that Mariam is the kind of person who will have an immediate impact on people and is ambitious and enterprising enough to help shape the next level of our field.

If you ask Mariam, she'll tell you that Jeff is an exceptional mentor and has given her unparalleled hands-on training necessary for all who wish to be a part of the next generation of mediators.

[Find out more about Mariam...](#)

Have Something to Say? Join Our Blog!

We invite you to check out our Blog where you can contribute your thoughts, ideas, and experiences. It's a way to shed light and create dialog about issues that are of importance to you and your colleagues.



[To the Blog!](#)

email: postmaster2@firstmediation.com

phone: 818-784-4544

web: <http://www.firstmediation.com>

[Forward email](#)

✉ SafeUnsubscribe®

This email was sent to mzadeh@firstmediation.com, by postmaster2@firstmediation.com
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Email Marketing by



First Mediation Corporation | 16501 Ventura Boulevard, Suite 606 | Encino | CA | 91436