

NEGOTIATING AN AGREEMENT

Speaking

ROLE-PLAYING

Lawyers are commonly requested to conduct contract negotiations on behalf of clients, especially in matters where strong negotiation skills are required.

Like this:

<http://www.youtube.com/watch?v=6u8AgUXPpLM>

3 min.

“The party in the first part should be known in this contract as the party in the first part.”

SPLIT INTO TWO GROUPS FOR NEGOTIATING OVER THE FOLLOWING AGREEMENT:

GROUP A

YOUR CLIENT WANTS TO BUY 5 BOTTLING MACHINES, TO BE DELIVERED IMMEDIATELY. THE PRICE IS TO INCLUDE A FULL GUARANTEE AND A FIVE-YEAR SERVICE PLAN.

THE BUDGET IS € 1m. YOUR CLIENT WANTS TO BE ABLE TO SPREAD THE PAYMENTS.

GROUP B

YOUR CLIENT SELLS BOTTLING MACHINES WHICH COST € 250 000 EACH. THEY ARE GUARANTEED FOR A YEAR AND HAVE A YEAR'S SERVICE PLAN INCLUDED IN THE PRICE. YOUR CLIENT DOESN'T USUALLY OFFER CREDIT AND CAN DELIVER THEM IN TWO MONTH'S TIME

USE THE CONTRACT TEMPLATE ON p. 79-80

MAKING A PROPOSAL

- WE'D LIKE TO
- WHAT WE'RE LOOKING FOR IS
- OUR PROPOSAL IS TO
- WE SUGGEST THAT
- WE'D LIKE TO OFFER
- WOULD YOU CONSIDER AN ALTERNATIVE

RESPONDING TO A PROPOSAL

- I'M AFRAID WE CAN'T GO ALONG WITH THAT
- I'M AFRAID THAT'S OUT OF THE QUESTION
- THAT WOULD BE DIFFICULT FOR US
- THAT'S CERTAINLY A STEP IN THE RIGHT DIRECTION
- WE COULD LIVE WITH THAT
- WE'RE (NOT ENTIRELY) HAPPY WITH THAT