



Lawsuit Settlement

7 Ways to Get There Faster, Better and Cheaper

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Intro



i. A lesson on the bus to Hertz

What did she say?

How is satisfaction judged?

Are you a good driver?

Why you can't just "cut to the chase."

October 27th.

Intro



7 Ways to Get There – One Client’s Perspective

- i. A lesson on the bus to Hertz
- ii. It starts before it starts.
- iii. Trees are the answer.
- iv. Settle it halfway.
- v. The forgotten rule
- vi. Would a mediator’s proposal help?
- vii. Is it ever over?

Way 2



ii. It starts before it starts.

Before 9:30 on mediation day
You only get ready once.
Mediation position statements
A phone call away
The outlier -- and why I go back

Way 3



iii. Trees are the answer.

They're easier than you think.

Build a decision tree together.

When?

One Mouse Click Away

Do you really understand your chances?

Way 4



iv. Settle it halfway.

“If the two of you value the case differently,
at least one of you is wrong.”

Some stones can be left unturned.

Some examples:

Really halfway.

High/Low Agreement

Non-binding arbitration.

Post-Dispute Arbitration

90% Got It Done

Way 5



v. The forgotten Rule.

Rule 68 (The Series)
Just Send Them a Check

Way 6



vi. Would a mediator's proposal help?

Not to wade into the debate

Pick a number that will get it settled

Consider a cease-fire until the time has expired.

If you shoot at the King

Way 7



vii. Is it ever over?

Follow up.

ECA and return

ECA: The series

Try a Partner Focus Group

The art of the callback.

My own follow-up

More Ways



Because 7 Isn't Enough

[Blind Bidding Enhancement](#)

[Mind Maps](#)

Mix and Match

Bio

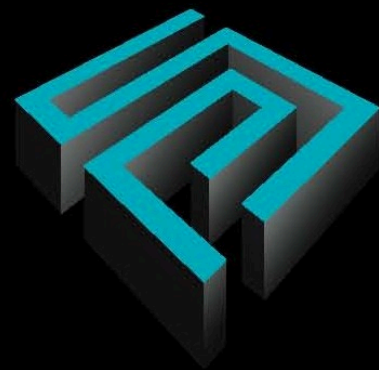


John DeGroote

John DeGroote serves as President, Chief Legal Officer and Secretary to BearingPoint, Inc., a global management and technology consulting firm that began 2009 with over 15,000 employees doing business worldwide. As the Company's Chief Legal Officer Mr. DeGroote led all legal aspects of the Company's Chapter 11 filing in February of 2009 and the subsequent sale of substantially all its businesses around the world.

Mr. DeGroote served as BearingPoint's Chief Litigation Counsel from 2000 through 2008, with responsibility for the Company's global litigation docket and litigation prevention strategies. He previously practiced with the law firms of McKool Smith, P.C. and Jackson Walker, L.L.P. and as Vice President and Counsel to nationwide financial concern First USA, Inc.

Mr. DeGroote received his mediation training from Pepperdine University's Straus Institute for Dispute Resolution in 2005 and has mediated cases as a client and as an advocate in approximately 20 states. In addition to his duties at BearingPoint, John maintains a website on settlement techniques and negotiation strategies at www.settlementperspectives.com. He received his J.D. from the Duke University School of Law in 1990 and his B.A. from Mississippi State University in 1986. He lives in Dallas with his wife Hillary and sons Jack, Luke and Max.



settlement
PERSPECTIVES