

# HOW TO DEVELOP NEGOTIATION POWER FOR LAWYERS

CPD Eligible\*

The How to Develop Negotiation Power online training series is a 24 video, 3-part fully online negotiation training developed for the legal profession that teaches 12 powerful tools for addressing negotiation power imbalance and taking back the initiative in your dealmaking.

Developed by Neil Orvay and Joe Sevak of Evolution-U, who bring over 60 years of combined investment banking, legal, corporate and entrepreneurial experience, the Negotiation Power series is a unique offering that will help even experienced lawyers sharpen their skills and claim more value.

Each of the 12 modules comprise two videos: theory and application. The theory is not industry-specific while application modules have been developed with specific reference to the legal sector.



## COURSE DURATION

5 hours total  
Part 1: 90 minutes  
Part 2: 90 minutes  
Part 3: 120 minutes



## \*CPD ELIGIBLE

Part 1 is already approved by the Hong Kong and Ontario, Canada Law Societies for 1.5 CPD points. We expect all parts to be eligible for CPD credit and can make applications to relevant regulators where their pre-approval is required. Based on our experience in Hong Kong, we expect the total 3-part course to qualify for 5 CPD points.



## BLENDED TRAINING

The 'How to develop Negotiation Power' series is also available as a blended training whereby, after completing the online content, participants attend a two or three hour instructor-led application session. Application sessions can be offered in person or virtually using Webex, MS Teams or Zoom, and are customised to client requirements by use of role play, case study, online knowledge reviews and best practises sharing.

## TRAINERS

### NEIL ORVAY



With over 30 years experience in Investment Banking and as an entrepreneur, Neil Orvay has worked with financial and MNC clients globally for over a decade on communication, influence, sales and negotiation based projects and strategies. A graduate of the London School of Economics, Neil holds an Executive Masters in International Negotiation and Policy Making from the Graduate Institute in Geneva, and has studied negotiation at the Harvard Negotiation Institute. Neil is also a trainer of Neuro Linguistic Programming and a certified ICF coach.

### JOE SEVACK



Joe is a lawyer with more than 25 years of experience advising banks, sponsors, borrowers and issuers on complex debt and equity financings and restructurings, buyers and sellers on mergers and acquisitions and investments, and companies, financial institutions and funds on structuring and governance issues, regulatory compliance and interactions with regulators. He has regularly been recognized by his clients and peers as a leading lawyer in major industry publications, and has practiced at several leading firms including Cravath Swaine & Moore, Freshfields Bruckhaus Deringer, Paul Hastings and Troutman Pepper.

# COURSE CONTENT

## PART 1

🕒 90 minutes

- 1 When and how to use the 5 Negotiation Formats**

There are five principle negotiation styles. Understanding when to use each and recognising which you are facing, and how to respond to it, is an important step in effective negotiation preparation and operating with negotiation power.
- 2 Negotiation Preparation: The Expansive Approach**

Negotiation is an information game and effective pre-negotiation preparation using an expansive approach is critical if we are to operate from a position of strength.
- 3 Getting your body language right**

Your physiology can drive your psychology. A basic awareness of cross-party body language dynamics and how to use your own body language can improve your negotiation style and allow you to communicate with more confidence and authority.
- 4 Getting beyond price**

What's really driving decisions? It's rarely purely price. The ability to move discussions beyond price and uncover other factors that generate value for the client is a major source of developing negotiation power.

## PART 2

🕒 90 minutes

- 5 Challenge your Assumptions**

One of the biggest error's negotiators make is to not challenge their assumptions sufficiently. Asking the right questions and developing a strategy to do so both before and during negotiations can swing the negotiation power dial back in your favour.
- 6 BATNA & Bottom Line**

BATNA is arguably the single most important concept in commercial negotiation. Knowing when to walk away and how to generate more compelling options is at the very core of negotiation power, yet most negotiators spend little to no time considering or developing their BATNA!
- 7 The Constituency Concept**

We are rarely negotiating only for ourselves. Usually, we represent a hidden constituency and when used correctly, this can be a source of negotiation power.
- 8 The Fixed Pie Mindset**

One of the most common negotiation failures of inexperienced negotiators is that they adopt a fixed pie mindset. This closes the door to creating value and leaves more experienced negotiators in a prime position to claim more value than their position may merit.

## PART 3

🕒 120 minutes

- 9 Dovetailing Interests**

The ability to step back from a negotiation and analyse not only what is currently on the table, but also what is off the table, can lead to interests being uncovered which allow us to play comparative advantages in our favour and develop negotiation power.
- 10 Making the First Offer**

Most people's opinion on whether or not to make the first offer is based on feel and not analysis. Negotiation theory gives us clear guidance regarding this much debated "to do or not to do" and in so doing allows us to negotiate with more composure and authority.
- 11 Using ZOPA to your advantage**

The concept of ZOPA combines the analysis on BATNA and Making the First Offer. An understanding of the ZOPA provides a robust tool that can be applied in both negotiation preparation and actual negotiation to improve our ability to claim value.
- 12 The Information Game**

For the final module we return to the principle that negotiation is an information game and deliver additional tools around active listening and strategic questioning to allow trained practitioners to capture more value and operate from a position of negotiation power.

## TESTIMONIALS

I recently completed Evolution-U's online negotiation power training. Like most professionals, I have had my fair share of online content during 2020 however the video and content quality of this course make it one that I will remember. The quirky use of avatars and storyline to get across important points on how to develop negotiation power were a good reminder to me, even as a senior lawyer, how small things can have a significant impact. I recommend this online course not only to lawyers, but any professional that wants to get an edge in negotiation.

**MICHAEL CHIN**  
PARTNER, SIMMONS & SIMMONS

The online training is really good! I have been a partner at a corporate law firm for 15 years, winning countless clients and mandates, but your online training has given me a great refresher (and a lot of good tips) on negotiations. I could have avoided giving up a lot of fees over the years! The training is a great introduction for first-time negotiators as well as seasoned professionals. Highly recommended!

**CHRISTOPHER WONG**  
PARTNER, SIMPSON THACHER & BARTLETT

I have just completed the online CPD course, "How to develop negotiation power, Part 1". It was a very engaging way to cover the subject of the psychology and practice of successful negotiation, tailored for an audience in a law firm. Although I have prior experience of the theories behind the learning, I found it useful and pitched at the right level to avoid me feeling either patronised or fed technobabble. I would recommend the course to any solicitor in private practice, not only those working in dispute resolution but also those who have ever had to sell in a challenging market - and that's all of us.

**PETER BULLOCK**  
PARTNER, KING & WOOD MALLESONS

Evolution-U's online course on developing negotiation power was informative and well presented. I was introduced to some new concepts that can be applied to everyday situations.

**YUKI CHIU**  
LEGAL MANAGER (COMMERCIAL DISPUTES),  
RPC - LAW FIRM