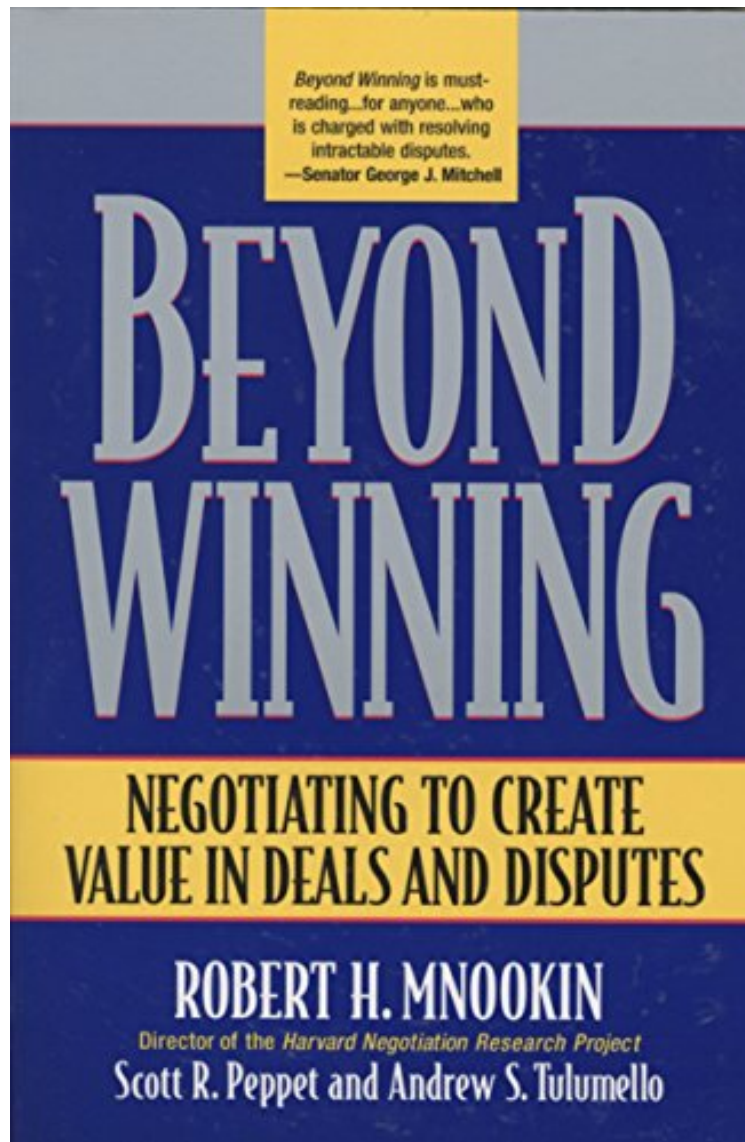


(Ebook pdf) Beyond Winning

Beyond Winning

Robert H. Mnookin

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Robert H. Mnookin : Beyond Winning before purchasing it in order to gage whether or not it would be worth my time, and all praised Beyond Winning:

0 of 0 people found the following review helpful. Here's a book with infinite shelf-lifeBy J. AdlamWritten for lawyers but something everyone involved with negotiation should read. Through his remarkable use of words metaphors and examples,Mr. Mnookin takes a potentially difficult process and humanizes it so that lawyer and layman, alike, can easily digest and employ the content.3 of 3 people found the following review helpful. Excellent!By paj88This is an excellent modern review and extended application of the principles included in the popular Getting To Yes.I am a

lawyer, and this is the book we used in the PIL (for Lawyers) at the Program of Negotiation in Harvard. After reading it, I kept it for regular and constant reviews. It is a MUST if you are interested in developing your negotiation knowledge and skills. In my opinion, this is definitively Robert H. Mnookin's best book yet in the negotiation field. 0 of 0 people found the following review helpful. CoolBy Hope Watson This is one of the best I ever had, Not expensive and it arrives early thank you for this

Conflict is inevitable, in both deals and disputes. Yet when clients call in the lawyers to haggle over who gets how much of the pie, traditional hard-bargaining tactics can lead to ruin. Too often, deals blow up, cases don't settle, relationships fall apart, justice is delayed. *Beyond Winning* charts a way out of our current crisis of confidence in the legal system. It offers a fresh look at negotiation, aimed at helping lawyers turn disputes into deals, and deals into better deals, through practical, tough-minded problem-solving techniques.

From Publishers Weekly Observing that today's tough, adversarial legal negotiations preempt mutually beneficial problem solving between parties, Mnookin (director of the Harvard Negotiation Research Project and a professor at Harvard Law School) and his coauthors urge lawyers to adopt a proactive, optimistic and realistic mindset to transform their practices. Though they are careful to acknowledge the difficulty of changing from the standard gladiatorial stance, Mnookin, Peppet and Tulumello present compelling examples of the advantages that such a change can bring in divorce cases, sales of existing companies, real estate deals and contract negotiations. Their comparison of litigation-gone-bad (e.g., the *Buchwald v. Paramount Pictures* lawsuit that benefited neither party) with more positive approaches (e.g., the problem-solving mode used in the once-nasty Digital Equipment Corp. patent infringement dispute with Intel) argues for serious consideration of their techniques. For those still resistant to giving up their Road Warrior ways, the authors provide tables of strategies with "Limiting Assumptions" contrasted with "More Helpful Assumptions" that dare even the most pigheaded to ignore common sense. Although Mnookin, Peppet and Tulumello have consciously aimed the book at attorneys who want to serve clients' broader needs better as well as to protect their interests, the authors' practical, straightforward and jargon-free style makes this a valuable resource for anybody who is about to hire an attorney, file a lawsuit or sign a contract. (Oct.) Copyright 2000 Reed Business Information, Inc. From Booklist Mnookin heads the Harvard Negotiation Research Project; both of his coauthors have been project research fellows. Conventional negotiating strategy often requires adversarial positions, but the authors propose viewing negotiating as a problem-solving task. They target lawyers (and, by extension, those who hire lawyers) who "feel sickened by the trench warfare and exhausted by cases that drag on" when opposing battle lines are drawn. They explain that creating value is the key to successful negotiating. The goal should not be to win the biggest piece of the pie but to make the pie bigger! The authors show how negotiation requires balancing three sets of tensions: those between winning and "making the pie bigger," between empathy and assertiveness, and between principals and agents. They suggest that lawyers are uniquely positioned to create value when resolving disputes and making deals. A major portion of the book is devoted to illustrating concrete problem-solving techniques, and the authors conclude with a consideration of the professional and ethical dilemmas posed by legal negotiations. David Rouse Copyright copy; American Library Association. All rights reserved Observing that today's tough, adversarial legal negotiations preempt mutually beneficial problem solving between parties, Mnookin and his coauthors urge lawyers to adopt a proactive, optimistic and realistic mindset to transform their practices...[Although] aimed...at attorneys who want to serve clients' broader needs better as well as to protect their interests, the authors' practical, straightforward and jargon-free style makes this a valuable resource for anybody who is about to hire an attorney, file a lawsuit or sign a contract. (Publishers Weekly) Conventional negotiating strategy often requires adversarial positions, but the authors propose viewing negotiating as a problem-solving task...They explain that creating value is the key to successful negotiating. The goal should not be to win the biggest piece of the pie but to make the pie bigger! (David Rouse Booklist) [Beyond Winning] rallies all of the [Harvard Negotiation Research Project's] prior gems of wisdom on negotiation around the central theme of creating value. [The book] should be required reading for all lawyers and law students, for all mediators and judges. It is a book that every lawyer should ask his or her client to read (or reread) prior to commencing any important transaction or dispute, negotiation or mediation. Crafted in a reader-friendly style, the book energetically promotes an interdisciplinary approach to problem-solving in negotiation...In contrast to other experts' advice to be reactive initially in a negotiation, the authors here encourage a proactive, 'take charge' approach to engaging negotiators across the table in problem-solving. This approach is not initially directed to the substance of the dispute or transaction, but rather to the nature and structure of the negotiation process that the parties might together design...This is a book for everyone who negotiates--a universe that includes all of us. Inevitably, it will move lawyers into a new paradigm of thinking about higher-quality solutions in negotiation and mediation, and about how to achieve the best possible results for their clients. It is bound to change the world of negotiation in this new millennium. (John W. Cooley ABA Journal 2000-11-02) The practice of law has become more contentious and competitive, not less. The authors of [Beyond Winning]...advocate that parties [instead] practice 'value creation' (i.e., the attempt to 'enlarge the pie') so that both parties to a negotiation receive bigger returns...The book does an excellent job of

breaking down relationships, players, tensions and organizations to lay bare the inner-workings of the actors in a negotiation and the situations they create. Because of its unique objective of educating attorneys and clients, *Beyond Winning* is a good addition to any library on negotiation. (William J. Estes *New York Law Journal* 2000-11-28)