

Meet and Confer Preparation

(in no particular order)

- ❖ **COMMUNICATE YOUR POSITION IN WRITING TO THE OTHER SIDE**
- ❖ **COMMUNICATE YOUR POSITION TO THE OTHER SIDE ORALLY**
- ❖ **REREAD PLEADINGS**
- ❖ **ASK OTHER SIDE TO EXPLAIN ITS POSITION**
- ❖ **REVIEW RELATED RULINGS**
- ❖ **REVIEW RELEVANT RULES/CASE LAW**
- ❖ **PUT YOURSELF IN YOUR OPPONENT'S SHOES:** What does your opponent really want and why
- ❖ **DEVELOP AT LEAST THREE POSSIBLE ALTERNATIVES:** For each dispute
- ❖ **COLLECT A FEW EXAMPLES OF EACH PROBLEM**
- ❖ **DEFINE TERMS**
- ❖ **TALK WITH CLIENT ABOUT REALITY, MEANS, PRESSURE POINTS, OPTIONS**
- ❖ **KNOW WHAT YOUR BOTTOM LINE IS:** What can't I leave this meet and confer without?