

Negotiation Tool Kit

(in no particular order)

- ❖ Set a date range
- ❖ Initial look, without giving up opportunity to come back
- ❖ Phase the discovery
- ❖ Define terms
- ❖ Provide/Accept a certification
- ❖ Bring IT person or Production Coordinator to answer questions informally, deposition
- ❖ The key people
- ❖ Search terms
- ❖ Types of docs to be searched—e.g. e-mail, policy, public
- ❖ Specific Docs Sought—e.g. audited financial statements, employee handbook, board meeting minutes
- ❖ Demonstrate the problem: returns X number of hits, would encompass completely unrelated stuff like Y
- ❖ Shift cost for portion, all, or based on a contingency
- ❖ Modify form of production—pdf, tiff, native format, inspection
- ❖ Work a trade -- we'll give you X if you give us Y
- ❖ Docs. summarizing information, rather than underlying information.
- ❖ Describe docs sought, i.e.—documents with we/you did x with.