



ADR STRATEGIES

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You are receiving this communication as a result of your interest in alternative dispute resolution (ADR).

Sometimes in mediations, especially in a very emotional case, litigants say they want to teach the other side a lesson and be vindicated. Litigants sometimes even say, "I don't care what it takes to prove my point." Litigants and sometimes counsel ask, "Why compromise?" Many times it becomes a cost benefit analysis / business decision:

- Cost of experts / jury fees / attorney fees / cost of appeal.
- Witness deposition costs: reporter / deposition preparation.
- Risk of losing case / emotional toll.
- A plaintiffs' additional risk: defendants may be judgment proof.
- A defendants' additional risk: plaintiffs may make adverse law in California against an industry.

So as you consider "Why compromise?" think about these issues.

40 years ago I received a Ph.D. from the University of Michigan in Communications. Before I went to law school I taught interpersonal relations, group interaction, conflict resolution, intercultural communication courses and served as a jury consultant. I apply the communication issues and solutions I taught, coupled with over 25 years of legal practice experience to my alternative dispute resolution practice.

THINK ABOUT THIS PRIOR TO YOUR NEXT MEDIATION/ARBITRATION

Please contact me to discuss your next mediation. You may call me on my direct line: (310) 552-9800 or e-mail me on my personal e-mail: jkessler@kesslerandkessler.com.

To schedule a mediation or arbitration with me, please call my Case Manager Ethan Evans at (310) 552-9800 and **WE WILL MAKE IT HAPPEN**. Ms. Kessler is, also, available on the USDC Panel and through the American Arbitration Association. Ms. Kessler is pleased to announce that she has been named to the Board of Governors of Loyola Law School.

Please visit my website: www.joanbkessler.com

To change your address or remove your name from my list call me at (310) 552-9800 or just send me an email to jkessler@kesslerandkessler.com.

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