

news

How to deal with negotiation tactics

Have you ever been manipulated by effective negotiation tactics? Of course you have. We all have.

It takes life experience to recognize negotiating tactics for what they are so as to avoid the manipulative effect.

If effectively used, you don't know that it's happening. You get a sick feeling in your stomach, after the fact, if it is pointed out to you or you otherwise come to the realization that you have been duped.

Achieving Justice

PAUL HERGOTT



to my client that it is just a tactic, it is likely to cause at least some feeling of pressure and anxiety.

It is only the trust and confidence that

my clients have in my advice that can keep those feelings of pressure and anxiety to a minimum so as to diffuse its effectiveness.

There are rare circumstances when a time deadline is not just a tactic and should therefore be taken seriously.

One is the two year limitation period deadline. If the second anniversary of a crash passes without a lawsuit being commenced to preserve your rights, those rights might be lost.

Different, shorter, limitation periods can apply to different types of legal claims, including some injury claims.

If you are the least bit uncertain about the limitation period that applies to your legal claim, please consult with a lawyer for clarification.

In my next column, I plan on advising about the lowball offer tactic, the mirror opposite of which was successfully used against me when I negotiated the purchase of a stone chess set in Mexico, which gave me that "sick feeling" in my stomach.

This column is intended to provide general information about injury claims. It is not a substitute for retaining a lawyer to provide legal advice specifically pertaining to your case. Paul Hergott is a personal injury lawyer at Hergott Law in West Kelowna.

paul@hlaw.ca

given 24 hours to accept an ICBC offer, with the consequence that the offer would be reduced if she did not accept it.

It's one of the oldest tricks in the book of negotiating, and it had the desired effect.

The young lady felt pressured, buying into the tactic and frantically reaching out for legal advice.

It can be difficult arranging a consultation with a lawyer within a 24 hour window.

Had she not connected with me or another personal injury lawyer, the tactic might well have been successful in manipulating her into accepting an offer that wasn't even in the ballpark of fair.

Providing a deadline for acceptance is a tactic that is used again and again and again by ICBC and other insurance companies, and it's almost always complete nonsense.

If they are prepared to pay a certain amount of financial compensation for injuries and losses on a Tuesday, why would the passage of another 24 hours (or any other time frame) have any impact on that?

Why do they continue to use that tactic even against me, even though they know that I can see right through it?

But they know that I have to inform my client about the imposed deadline.

They know that however clearly I explain

I have come to that "sick to my stomach" realization more often than I'd like to admit. It feels awful to realize that I've been manipulated, however it occurs.

Since I make a living negotiating personal injury claims, it has bitten particularly hard when I have been personally manipulated in a negotiation.

Every negotiation tactic in the book has been attempted against me and my clients over the years.

A lot of my work in a negotiation is explaining to my client that this or that move made by ICBC or another insurance company is just a tactic, and shouldn't distract them from insisting on fair, financial compensation for their injuries and losses.

Those same tactics are used against those who are attempting to negotiate their claims directly with ICBC or another insurance company without the assistance of a lawyer.

This is the first of a series of columns to help you recognize those tactics so that you are not manipulated like so many others have been.

Recognizing negotiation tactics in the context of the negotiation of a personal injury claim should also help you recognize them in other negotiations you encounter.

I was recently consulted by a young lady who was

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- #KC04000702 - 27 Papers
Cara Glen Way, Caramillo Rd. 8 to 20 EVEN, Clifton Rd. S. 323 to 399
- #KC04001806 - 22 Papers
Big Rock Cr, Long Ridge Dr. 307 to 867
- #KC04003700 - 36 Papers
Augusta Cr, Ryder Dr, Walker Dr.
- #KC04005300 - 72 Papers
Bernard Ave. 1640 to 1722 EVEN, Bing Ave, Braemar St, Cherry Cres. E, Cherry Cres. W, Elm St. E. 1579 to 1637, Leaside Ave. 1620 to 1646, Vineland St. 1330 to 1414
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- #KC02006300 - 38 Papers
Buckland Ave. 525 to 535, Ellis St. 1715 Only, Harvey Ave. 515 to 653 ODD, Marshall St, Rosemead Ave. 535 to 552, Rowcliffe Ave. 500 to 699, Sutherland Ave. 500 to 699
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- #KC03010502 - 57 Papers
Athalmer Rd, Barnes Ave. 1022 to 1088 EVEN, Francescotti Cr, Invermere Rd, Invermere Cr, Windermere Rd.
- #KC03011501 - 69 Papers
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- #KC03011701 - 57 Papers
Dunvegan Cr, Edinburgh Cr, Kensington Dr, Kirkby Cr, Lysons Cres, Metcalfe Ave.
- #KC03011702 - 20 Papers • Hobson Rd. 4200 to 4397
- #KC03011901 - 29 Papers
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Providence Ave. 412 to 435, Quilchena Dr. 351 to 453, Quilchena Cres, Thalia St.
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- #KC08001510 - 33 Papers
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- #KC08001610 - 34 Papers
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- #KC08002410 - 52 Papers
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- #KC08002510 - 80 Papers
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- #KC08002610 - 38 Papers
Addison Rd, Cox Rd, King Rd, Regal Rd, Thacker Dr. 3137 to 3194
- #KC08002910 - 50 Papers
Boucherle Rd. 3200 to 3299, Gregory Rd. 1100 to 1199, Mission View Cr, Sunnyview Rd, Vector Dr.
- #KC08003011 - 38 Papers
Menu Rd. 1105 to 1181 ODD, Neale Rd, Ourtoland Rd. 3000 to 3099, Saturn Rd.
- #KC08003012 - 53 Papers
McCallum Rd, Menu Rd. 1108 to 1435, Timothy Pl, Topham Rd.
- #KC08003110 - 14 Papers
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- #KC08003211 - 27 Papers
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- #KC08003212 - 44 Papers
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- #KC08003213 - 47 Papers
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Merlot Cr, Merlot Dr, Merlot Way

Norwegians celebrate St. Patrick's Day

Sons of Norway will host a chili and bun supper with green ice cream to celebrate St. Patrick's Day.

Fiddle music is planned to follow the supper. Participants are encouraged to wear green.

The celebration will take place

Wednesday, March 16, starting at 6 p.m., at the Club 17 Seniors Centre, 1353 Richter St. in Kelowna

The cost is \$5/person for non-members.

For more information contact Bev at 250-764-7478.

CENTRAL OKANAGAN WEATHER FORECAST

Central Okanagan
Unsettled Weekend Ahead

Fri	Sat	Sun	Mon	Tue
9° -1°	9° 3°	9° 0°	8° 2°	10° -2°
Evening 60% Showers	60% Showers	AM 40% PM Showers		

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