

RESOLUTION STRATEGIES LLP

Executive Summary

The Question: Lawsuits are expensive, disruptive, and involve uncertainty and risk. If over 98% of all lawsuits are settled, are you focusing sufficient resources on the most likely outcome—a negotiated resolution?

The answer to this question led to the formation of Resolution Strategies, a practice focused on the role of settlement counsel and strategic advisor to executive management in dispute matters. Each of the firm's three attorneys has extensive trial experience and has served as General Counsel and in senior management with publicly held companies. Drawing on this broad legal and business experience, we assist clients in developing and executing early resolution strategies—both before and after litigation is commenced.

Typically, we work side-by-side with our client's existing counsel and internal management team to coordinate efforts and maximize leverage. We focus on assisting clients with critical evaluations, formulation of exit strategies and execution through conclusion. Our methods align efforts and allow our clients to better assess what might be achievable in a negotiated resolution.

The addition of Resolution Strategies to the mix does a number of things:

- It opens the door to principled discussions minimizing the risk that engaging in settlement discussions is perceived as a sign of "weakness" in either the trial team or the client.
- It avoids the acrimony often present between opposing counsel that sometimes chills resolution-oriented communications – fostering an environment which allows safe, productive exploration of resolution options.
- It leads to a realistic understanding of what an opposing party will or will not do and, as a result, prepares the client for the tough business decisions that determine the route to resolution – whether that be a negotiated settlement or a trial.

Serving as settlement counsel over the past 20 years, we have consistently broken through communication barriers and have established productive settlement negotiations – often in parallel with ongoing litigation. Working closely with our client's executive team and trial counsel, we form a strategic partnership to define and execute an exit strategy that makes sense for the client. We understand the often-critical role of aggressive trial counsel in high-stakes litigation and are able to keep this role fully intact and undiluted.

Results? We have successfully resolved over 90% of the cases on which we have been engaged. We are often engaged on a success fee basis with our compensation contingent upon resolution of the matter, but we structure our engagements to accommodate our client's preferences, including traditional hourly or fixed fee approaches.

We encourage anyone involved in a dispute to consider the advantages of involving Resolution Strategies before or after a case is filed. We are available to work with your legal advisors and management team to quickly assess your situation and whether we might be of assistance.