

DELIVERABLES

REMEMBER — Each student represents a client from the Client List. Check the Client List on the project page.

1. **Negotiation Strategy Document** — Objective: to negotiate an agreeable 4-party settlement to the issues given your client's position and interests to avoid court. Your goal is to ultimately negotiate a *Settlement Agreement* made up of proposed clauses that outline what has been agreed to over the course of negotiations and in particular the **Final Settlement Round**. Proposed clauses must be unanimously supported by the *Kitkatla, Hutchinson Logging Ltd.*, the *Provincial Crown*, and the *Federal Crown*. **Strategy Document Details** – Choose only **ONE round** to develop your strategy document around (i.e., either round 1, 2, 3, 4). Submit **ONE Strategy Document** as a group via the Google Classroom no later than 11:59 p.m. on the day of negotiations (i.e., last in-person class). Keep your document organized and concise. Your document **MUST** include a copy of the 2-3 clauses you prepared for the Final Settlement Round.
2. **Peer & Self Evaluation** – There will be an opportunity to peer and self evaluate that **will count for marks**. Submit your evaluation to me no later than 11:59 p.m. via the Google Classroom on the day of negotiations (i.e., last in-person class). It must be *fully* completed to count as part of the evaluation mark.
3. **Negotiation Performance** — See the rubrics and negotiation schedule for details.

Negotiation Strategy Document Details

Your document is a critical planning and preparation document to the development of a compelling strategy and ultimately an effective representation of your client's interests during negotiation Rounds 1 to 5. It serves as an action plan for the negotiation rounds and a basis for supporting documentation and research. Remember, researching and using case law is critical to strong preparation and round execution.

Format

Your notes **must** contain analysis under the following topics.

ROUND # (1 or 2 or 3 or 4) **YOU MUST ONLY PRODUCE NOTES FOR A SPECIFIC ROUND AND INCLUDE THEM IN YOUR GROUPS SINGLE STRATEGY DOCUMENT.**

- A. **Position & Interests** – What are your client's goals in this round? Be as specific as possible in both identifying and explaining them. What are the goals of the other parties? Are there conflicting goals? Is there any common ground? Your client wants, above all else, to achieve its goals in the negotiation.
- B. **Relevant Facts** (this may be point-form) – Provide a summary of key facts you may need to refer to during your round (limit the facts to the parties at the table in your round). Facts are mainly derived from the Negotiation File, but may also come from research.
- C. **Relevant Law** – Provide a summary of the law(s) and leading cases that you may need to refer to during your round. What is the strength of your client's legal position, given the case law, constitutional rights or powers, and relevant statutes?

- D. **Negotiation Strategy & Outline of Round** – What are the main issues in your round going to be for your client and the other parties? Preliminarily identify some possible solutions to these issues that may satisfy your client and the other parties. Include other negotiation planning points (i.e., your planned strategies, tactics, critical information, etc.). Identify your best alternative to a negotiated settlement and your worst alternative to a negotiated settlement.
- E. **Footnotes** – you **MUST** directly reference the content from the Negotiation File and other academic/authoritative sources DURING YOUR ROUND including the *Delgamuukw*, *Tsilhqot'in*, *Sparrow*, & *Haida* cases. A consistent citation format is required.

SAMPLE FORMAT

CLIENT NAME

ROUND 1, 2, 3, 4 – Choose to develop only **ONE** round.

Notes on Requirements A to E Research Directly Referenced Throughout.

You MUST directly reference research in sections A, B, C, and D