

# ARBITRATION DOs AND DONTs

PRESENTED BY:

**Kathy Fragnoli, Esq.**

Arbitrator/Mediator

San Diego/Dallas

[www.TheResolutionGroup.org](http://www.TheResolutionGroup.org)

817-371-8623

**Audrey B. Eide, Esq.**

Arbitrator & Mediator

[audeyb@gmail.com](mailto:audeyb@gmail.com)

(360) 870-4477

# TEN WAYS TO LOSE YOUR ARBITRATION

- 1. Vetoing a reasonable settlement offer and gambling on a better result from the Arbitrator.**
- 2. Being unable to simplify the theory of your case.**
- 3. Not having prepared corroboration for your key facts.**
- 4. Failing to anticipate the opposing party's theory of the case.**
- 5. Failing to ensure all potential witnesses are available and prepared.**

# TEN WAYS TO LOSE YOUR ARBITRATION

6. **Deferring opening statements.**
7. **Overstating your case in opening statements.**
8. **Failing to listen to a witness and follow up properly.**
9. **Allowing an opponent or witness to upset you to the extent you lose focus.**
10. **Failing to summarize the key facts, arguments and authorities in closing.**