

## Respect really works - a case study in the power of being nice

### News Summary

Actually - lawyers have customers too, and not just the people who pay the bills. If a lawyer can successfully market her ideas to an adversary, she's far more likely to get a case settled quickly and to her client's advantage. Consider the case of Julie Greenberg and Hank Mishkoff. You'll see the entire case in detail at: [Taubman Sucks!](http://www.taubmansucks.com/index.html "Taubman Sucks!")

### News Text

Ms. Greenberg represented (or better: mis-represented) a giant chain of shopping malls. A few years ago, she and Taubman went after Hank Mishkoff, who controlled a domain Taubman wanted for one of its malls. Her opening salvo was a classic lawyer's demand letter, very formal and threatening. Of course, most people respond to a note like that with fear and trepidation and then anger. And it spirals from there. I wonder if any law firm has ever done testing as to whether letters like that are actually effective. What if she had called first, or sent a friendly, clearly written letter that outlined mutually beneficial options for both sides? Instead, Greenberg started mean and escalated from there. Classic litigator tactics, reflecting a "my typewriter is sterner than yours" age-old tactic. Sometimes people fold in the face of this approach (but even when they do, it's expensive for both sides).

Mishkoff responded by defending himself and taking the problem to court. In the end, he won. It cost Taubman k-thousands of dollars. Yet, it's clear to me by watching the correspondence, if the very first interaction had been civil or even pleasant, Jill Greenberg could have ended with a win for 1% of what the loss cost her.

At the end the lesson of this little story is pretty clear: It doesn't matter who's "right". What matters is that giving people the benefit of the doubt and treating them with respect is not only more fun, it works better too - especially for lawyers! (Thx to Doc Searls and S. Godin for this amazing story)

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