

Charleston Area Claims Association's Business/Speaker Meeting Minutes 10/20/21

Location: Shem Creek Crab House, Charleston, SC



6:12pm Call to Order and Opening Invocation

- 1) **Introduction of Speaker:** Ben Pogue, Finkel Law Firm on "Claims Negotiations"



Ben's Book recommendations on negotiation:

- **Never split the difference**- by Chris Bass
- **The Art of War**- Sun Tzu
- **Patterns of Conflict**- John Boyd

Charleston Area Claims Association's Business/Speaker Meeting Minutes 10/20/21

One technique he recommended was to remember O.O.D.A- Observe, Orient, Decide and Act

If the party we are negotiating with also has another party that they are negotiating with, they are less likely to do the rational thing.

If we just start use words like **collaborate, cooperate, counterpart**, we are more likely to think rationally. It helps us think about why they are thinking the way they are thinking. Just by using those words, it helps make the other side think that you are making an effort. Even if the other side gets nothing, if we use those words, like collaborate, he will think if you as the collaborator in the future even after the deal is done...even if he lost a lot of the deal.

Tactical Empathy- the tactics for empathy help you 1) build trust, 2) help you get more information and 3) helps you lower the defensiveness of your counterpart.

Start asking questions that begin with "How" and "What" - "How am I supposed to do that?" "What are you basing that demand on?" If you ask those types of questions, you will build trust, get info, and lower the defensiveness.

Align himself physically with the person. Take a body position that is side by side, at least do not be straight on in front of the other person. Have hands that are open, not hands closed, or arms crossed. Those are defensive postures. We instinctively think of those as fighting stances. If we are side by side, we can focus on something else, looking at something in the distance together like we are on the same team. Arms down by side and arms on hips are fighting stances. Standing in front of the mirror and sticking out your chest is a way to build up confidence before a talk. Relieve the threat by standing side-by-side with the counterpart during a negotiation.

The 7-38-55 Rule of Communication- 7% of the communications that we receive, comes from the interpretation of the words; 38% comes from the tone of voice; 55% from body language.

Remember the quote in The Art of War by Sun Tzu, "If you know the enemy and know yourself, you need not fear the result of a hundred battles." We certainly want to know what is going on with our counterpart, not just ourselves.

Identify your counterparts' other counterparts, they might be having to negotiate also with a client, a boss, or other parties besides just you.

If I think that the counterpart is being irrational, I need to be aware that they are already having to deal with and communicate with two other counterparts. I must think through to the counterparts telling them what they can report back to their people, the client and boss.

Use What and How questions. He doesn't know what to do with the What and How questions accept answer them. He doesn't know that I'm and trying to win trust and get info and lower his defensiveness.

Give it back to them the way they say it to you. "The data just doesn't show us that we can...."

Give the counterpart something to use to go back to his counterpart than just saying that we aren't paying it or that that offer will never work. Respond with **"How am I supposed to do that?" or say "Sounds like you are having a difficult time with your client."**

Instead of just proposing a number, say **"What do you think about this number?"** You are not just throwing out a number, but you are asking what they think about it. It gets them to reply with something other than just another number.

Ask a question to get them to answer something or think about it in reverse. What kinds of things is this number going to mean to you? It makes them think that you are thinking about their feelings. Key takeaway: **Return a number with a question and a number.**

Charleston Area Claims Association's Business/Speaker Meeting Minutes 10/20/21

2. Committee Reports

a) Secretary's Report: by Matt Warren of WARREN Forensic Engineers, Check out the website <https://southcarolinaclaimsassociation.com/charleston-claims-assoc> for our upcoming meetings both in person and virtual webinars.

NOTE: Next webinar is November 17th by Cheri Zorzoli of Assured Relocation on "**Coverage D - Temporary Housing**" and Van Lewis of 1-800 Packouts of Charleston.

b) Treasurer's Report: by Alan Brown for Lorenda Feist of Sentry Insurance, Total balance at the time of the meeting: \$13,231.57; Regular Account: \$4,252.28 Scholarship: \$8,979.29

c) Oyster Roast: Robert Knight of Pivotal Restoration, Oyster Roast Committee Chair – we are less than 2 months out, going to be at same location as last year

December 3rd – Oyster Roast: Isle of Palms Exchange Club, 201 Palm Blvd, Isle of Palms
6:30-9:30pm with Live Music by The Shakin' Martinis; Low Country Boil, Chili, plus an open bar.

3. Old Business/New Business:

a) Bill for Adjuster CE did not make it this legislative session – suggested to contact our representatives

b) Ballot Vote for Proposed Changes to By-Laws in the membership section – trying to allow vendors and adjusters to vote. Yes, vote give vendors the right to vote. No, keeps it just the adjusters who can vote.

Vote results: 4 Yes's and 3 No's (motion failed because we didn't have 2/3rd majority vote)

c) Elections of Officers:

President – Alan Brown or Lauraleigh Weaver

Alan Brown won vote

Vice President – Matt Davies or Jennifer DiCenzo

Matt Davies won vote

Treasurer – Tracey Dripps, Origin Cause

Secretary – Matt Warren, WARREN Forensic Engineers

A special thanks to Lorenda Feist and Jennifer DiCenzo for your hard work and service this year!

d) Oyster Roast Sponsorship – Robert Knight – still room for more sponsorships; December 3rd, we hope to see everyone there. We have flyers and sponsorship info available. All the premier sponsor spots are taken. Find more info about the oyster roast on our website.

e) Membership Update: 16 adjusters, 44 associate members = Total of 60 members and associate members

4. Concerns/Celebrations:

- Concerns: Keep our members George and Mary Martin in your prayers. Their son passed away recently.

7:41pm Adjournment by Alan Brown

Great time and sunset view during Happy Hour on the **Shem Creek Crab House**. Lots of opportunities to network and get to know fellow members and associate members. Hope to see you at the next event!

Meeting minutes respectfully submitted by:

Matt Warren

WARREN Forensic Engineers & Consultants

Charleston Area Claims Association's Business/Speaker Meeting Minutes 10/20/21

