



MEETING RECAPITULATION

THE PAULINE NEWMAN IP AMERICAN INN OF COURT

THURSDAY,
MARCH 17, 2016

The third Inn meeting of the 2016 calendar year was again held in the auditorium under the atrium in the central Madison Building of the headquarters of the U.S. Patent & Trademark Office in Alexandria, Virginia. A reception with food and drink began at 6:00 p.m.

The subject of the program was negotiation. It began shortly after 7:00 p.m.



The program was led by Laurin H. Mills. He said that his most successful negotiations were not successful because of what he did during the negotiations themselves, but because of what he did to prepare for the negotiations.

The featured presenter was Alan Kelly, the CEO of Playmaker Systems, who has spent his career developing a systematic approach to the art of influence

and has developed a “periodic table” of influence, with each element in the table being either a “play” or “counterplay”. Other panelists were Laurie Fulton, the former Ambassador to Denmark, and Dave Warrington, who was outside general counsel to the 2012 Ron Paul Presidential Campaign.

Alan Kelly said that he has not had the opportunity before to present his system to attorneys in this way. His system is a classification of the basic deals that anyone whose business is persuasion uses, whether they are lawyers or in some other profession. The “Standard Table of Influence” is the centerpiece





of the system. There are three classes of deals: assess, condition and engage. There are eight subclasses: Test (under Assess); Divert, Frame and Freeze (under Condition); and Press, Preempt and Provoke (under Engage). There are plays under each subclass, with 24 plays in all.

The main part of the program was a hypothetical based on what may happen at the Republican National Convention this summer. Kasich has been running the Pause play; sometimes it is to your advantage to stop and listen. He also runs the Recast play. Cruz has been running the Draft play, feeding off of Trump's momentum, while waiting for his opportunity to pull ahead. Trump runs Peacock and Bait plays. He also likes the Trump play (though it is not named after him). In response to the President of Mexico saying that Mexico would not pay for a wall along the border, he made a Trump play when he said, "The wall just got ten feet higher."

The audience was divided into four teams seated at four separate tables, playing supporters of Trump, Cruz and Kasich, and the Republican National Committee ("RNC"). Each team was to decide what plays they will run at the convention, and pick a spokesperson.



Trump's spokesperson Charity Swift said that his strategy is to say, "everyone come together" and "O.K., I've said some nasty things, but now I'm going to be Presidential." Kasich's pitch is that he is the only one who can beat the Democratic nominee. This may be a "Crazy Ivan" play. Cruz's argument is that Kasich does not have the votes and Trump will be a disaster. He offers to give the RNC the choice of the Vice-Presidential candidate. This is a challenge play, as it is in the RNC's interest. (A bait play is not in the interest of the party to whom it is offered.) The RNC proposed that Cruz and Kasich's delegates vote together (for Kasich) on the first ballot, to prevent Trump from moving forward. This is a challenge to Cruz, a bait to Trump.



The Cruz team's counterplay was to offer to make Kasich Cruz's running mate, but if this offer is rejected, then to offer to make Trump Cruz's running mate. Trump's response was to offer to make Cruz his V.P. The RNC changes the rules to require the nominee to have been a member of the Republican Party for the last four Presidential elections (thus disqualifying Trump). [The RNC had actually changed the rules during the 2012 convention to prevent Ron Paul from speaking, but their rule change will prevent anyone but Trump from speaking in 2016.] Kasich gives the RNC a Bear Hug, and suggests putting Cruz on the Supreme Court.

The RNC decides to unbind all the delegates at the convention, so they can vote for whomever they want to, regardless of whom they are pledged to. The Kascich teams says this “sounds great”, and asks state delegations to nominate favorite sons. The Cruz team proposes a Trump-Cruz third party. The Trump team walks out of the convention. The RNC proposes that the nominee must divest himself of his wealth (but Trump has already walked out).

The program ended shortly after 8:00 p.m.

Respectfully submitted,

Stephen Christopher Swift
Secretary

