



My most humorous situation and what distinct qualities make me most successful

November 26, 2007 - Spotlights

The most humorous story that comes to mind occurred years ago when I was representing an "older" couple in a large arbitration. They lived in and occupied an entire townhouse in New York City. I won the arbitration and we all went out for lunch to celebrate. I ordered a sandwich, had a few bites and left the rest. I could see them staring at my dish as we spoke. Finally, the wife asked, "Can I take that home for my daughter?" and she did.

I think the most distinctive quality that makes me successful is my ability to "size up" a situation early on and "see" where it is going to go. I often compare litigation to a chess match, even though it is by no means a game. However, there are "moves" that you make and you can anticipate "moves" that your opposition will make and you can try to be a few moves ahead. When a client describes a situation in our first meeting, I can quickly understand the personalities of the people involved, which helps me to advise on the best course of action. It's like you can see the end from the beginning.

Recently a client of mine had a falling out with a client. My client had a former partner who has also worked on the project in question, but had not been as involved since they broke up their partnership. My client had a quick temper and the client had reacted strongly to that by basically saying, "I never want to hear from or see you again. I'm calling my lawyer."

I met with both partners and realized that they were like night and day. One was very calm and dressed in a suit and tie. The other was more of an "artiste" in jeans and a T-shirt. I saw that what was needed was to have the other client (the former partner) step into the situation as the calmer voice of reason. I had him call the client on speaker phone, so that I could hear the conversation and add my comments in the background. When he said he was going to step in and "take care of things" (as I had instructed him to say), you could hear the client's sigh of relief. The client did some venting. The partner stayed calm and listened and the client allowed him back to finish the project. All in a good day's work.

C. Jaye Berger is the founder of Law Offices C. Jaye Berger, New York, N.Y.

New York Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540