



2ND VIRTUAL INTERNATIONAL MEDIATION COMPETITION

22nd June 2023 - 25th June 2023

hosted by



**Newcastle
University**

Knowledge Partner



NEGOTIATION PROBLEMS

DISCLAIMER

This is a work of fiction. Names, characters, places and incidents either are products of the authors' imagination or are used fictitiously. Any resemblance to actual events or locales or persons, living or dead, is entirely coincidental. Any resemblance to actual firms, institutions, organizations or any other entities is entirely coincidental and in exercise of the authors' attempt to further academic research. Nothing in the proposition is intended to defame any living or dead person.

CLARIFICATIONS

In case participating team has any questions, clarifications or interpretations in relation to one or more Negotiation Simulations then these can be submitted to the organizers at admin@mediateguru.com by 17th June, 2023 at the latest.

• Problem 1

Please note that this problem will be used for Preliminary Round 1 and Preliminary Round 2. Each team would have to play the roles of both Requesting and Responding Party. Participants are required to submit Negotiation Plan ONLY for Problem 1, from both the sides, in accordance with the official brochure of the competition.

• Problem 2

Please note that this problem will be used for Quarter Finals. Each qualifying team would have to play the role of either Requesting party or Responding Party, which is to be decided by Draw of Lots.

• Problem 3

Please note that this problem will be used for Semi Finals. Both Qualifying teams would have to play the role of either Requesting party or Responding Party, which is to be decided by Draw of Lots.

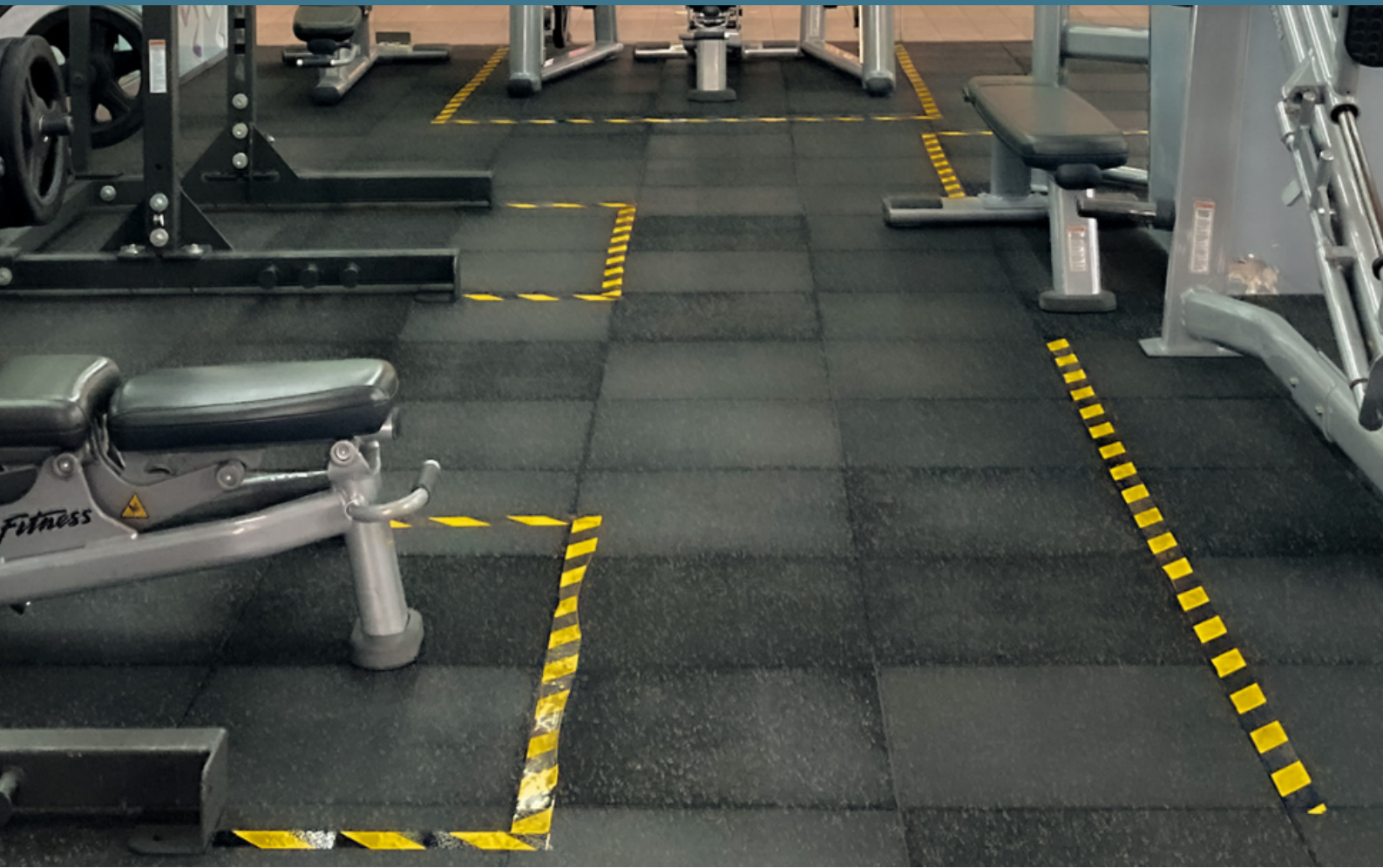
• Problem 4

Please note that this problem will be used for Finals. Both Qualifying teams would have to play the role of either Requesting party or Responding Party, which is to be decided by Draw of Lots.



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PROBLEM 1



PROBLEM 1

Sam & Abhi are gym-trainers in Core Gym, a high-class gym in the city of Agrabah. They are employed by Swapnil. The gym was running smooth and all the members were also happy. Both Sam & Abhi were very hard working and dedicated employees. As the popularity of the gym soared the number of members also increased. Initially, it was manageable. The number of members didn't affect the working of the gym at all. Swapnil tried to use the soaring popularity to attract as many people as possible. He didn't consult with Sam & Abhi regarding the intake of members. There were 20 people who were given the same time slot but because of less number of equipments, everybody at gym could not get a chance to workout fully.

This became a problem as the members started complaining about it. Sam & Abhi told Swapnil about the same and he gave assurance that everything will be managed. Meanwhile, swapnil opened a new branch in the city and moved some machinery from the core Gym. The salary being paid to both the gym trainers was nonetheless insufficient to meet their daily needs. Shifting of machinery created more problem for Sam & Abhi as the members started complaining frequently. Both of them had to face the wrath of members as Swapnil was busy in the new branch. It was beyond their control to handle the situation. Even after repeated reminders Swapnil did not take any action to curb the uprising & take corrective measures.

Both Sam & Abhi decided to leave the job and have asked Swapnil to clear all their dues, if the dues are not cleared on time they will be forced to take the matter to court. Threatened by this Swapnil consulted his friend who was a Practising advocate and told him his story. On the advice of his friend, Swapnil invited Sam & Abhi for Negotiation. They accepted.



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PROBLEM 2



PROBLEM 2

Reema & Shyam had an arranged marriage although they had met on a matrimonial website named Vaada.com, they only interacted a couple of times. They were somehow under pressure from their family's side to get married and both agreed eventually. Even after being married for almost a year both were not able to adjust with each other. There were a lot of complaints from both regarding each other. Shyam's profile on Vaada.com stated that his height was 5'8" which in reality was 5'6. It also stated that he has a big business and has an influential background, but the reality was completely different. He used to work as a store manager and had a middle-class status in the society. Reema on the other hand had also concealed a few things about her personal life. Her family hid the fact that she had taken a debt for her recent marriage & also that she had been married earlier and this is her second marriage.

All these issues created a lot of hatred amongst them and it was a not possible for them to live together. It was clear that the marriage was not going to work and both decided that separating was the best option for them. Reema left Shyam and went back to live with her parents. A couple of months later, Reema's parents contacted Shyam's family and told them that they had spent almost 10 lakhs on their daughter's wedding. They asked for certain gifts back, but Shyam's family told them that they had also spent money on the event, which would have not happened if they had told the truth.

After some time had passed Reema's family received notice for a legal action being brought against the family for the charge of misrepresentation & Inducing Shyam into the marriage deceitfully. Reema's family was furious and wanted to file a counter claim for misrepresentation and also to seek all the list of items that her parents wanted returned. Equally, they desired the money instead of the items since they could not be returned due to their use. Just before formal proceedings were instigated, the parties agreed to Negotiate.



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PROBLEM 3



PROBLEM 3

A famous Franish (Frane is a democratic republic country like India) football club F.C. Temorselona has a great modern history in football. The credit for their success goes to their star player 6-time “player of the year” in football Mr. Espionage Fanta. Mr Fanta was made captain in 2020 & since been the captain for the last 3 years. During this period FC Temorselona has been deteriorating, facing continuous knockouts. Recently, in the Continental Championship Football, F.C. Temorselona suffered a humiliating defeat against Harmony 's (Harmony is a neighbouring country of Frane) opposition side F.C. Bavarian by a margin of of 7-2. Since the defeat, Mr Fanta has been very upset and unhappy with the deteriorating state of the club. The trainers for FC Temorselona have been changed over frequently, resulting in poor team management and game tactics. Additionally, no new players were signed by the club in recent transfer markets, resulting in a pathetic player performance chart.

Post their loss by the hands of F.C. Bavarian, Mr Fanta pushed forward his resignation from FC Temorselona to the management. He said that since the contract terminates after every tournament, he must be allowed to leave without a transfer fee. The contract stipulated that if Mr Fanta were to leave in the middle, the requesting club would have to pay \$600 Million.

The club management argued that Mr. Fanta should have asked to leave in the month of March as the contract ended in that month. But due to the sudden cancellation of matches because of unavoidable reasons, the Continental Championship Football had to be played in the month of July. Hence, Mr Fanta cannot be allowed to leave for free and the requesting club will have to pay \$600 Million.

PROBLEM 3

Mr Fanta through his father reportedly conveyed to the club management that due to the cancellation of matches, the contract stands extended. In lieu of the same, he has the authority to leave the club unconditionally. After negotiations were failing, Fanta gave a statement to the media that he was not happy at the club and the club had no future in the current leadership which is corrupt and power-hungry. He also said that he would go to court against the club.

The news of his resigning from the club and Public statement caused widespread panic amongst the fans of the football club, who had the utmost faith in Mr. Fanta. Reports of protests and riots started coming up in the city. Seeing the escalating situation, the club management through their legal team requested Fanta through his lawyer for a negotiation to resolve the dispute, to which he readily agreed.



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PROBLEM 4

Twitter

PROBLEM 4

Background

The Undivided States of Ajmeria (USA),, which is divided into two states, has the highest concentration of billionaires in the world. Since its inception, the country has been regarded as the leader in all fields of human activity. It is also known for leading some of the most notable civil rights movements.

The USA was the first country to grant its citizens the right to free speech. Its mission has not only expanded the freedoms of individuals but also pursued scientific and technological advancement. The rise of social media platforms has been regarded as one of the many gifts that the country has given humanity.

Despite the various difficulties that people may believe that they encounter before reaching the one-percent, it is still very important for the rich to maintain their position at the top. The ability to influence the public and influence other people is very important for the one percent.

The Parties

The richest individual in West Coast is Thomas Houstan, who is known for his bold and innovative approach to business. He is known for taking risks and achieving his goals. Some of his notable achievements include establishing a space exploration company known as SpaceBOY, as well as improving the payment process.

Due to the success of SpaceBOY, which helped reduce the cost of space travel, Mr. Houstan has gained the position of the richest individual in Ajmeria. He is the youngest person to reach this prestigious position.

PROBLEM 4

The electric vehicle manufacturer known as Timarsh is owned by Mr. Houston. Through its patented technology, it has been able to gain an advantage over its competitors. The value of the patent for this technology is reportedly worth billions of dollars. Mr. Tan Summ is the richest person in East Coast.

The money runs in the family of Mr. Summ, who made his first billion in the car industry. Due to their continuous efforts and focus on finding the most lucrative opportunities, he has maintained his position as the world's richest man for several decades.

Due to the technological advancements that have occurred in the last few decades, Mr. Tan Summ had to face off against other individuals for the first time in his life to regain his position as the world's richest person. His grandfather, William, is known as the father figure of the automobile industry. After enjoying several decades of success, the sales of his cars, which are sold under multiple brands under the William Motors umbrella, have started to decrease as more people started to prefer electric cars.

Although social media has been around for a long time, the rapid emergence and growth of these platforms have been unprecedented. One of the most prominent examples of this is the platform known as Fixture. It has been estimated that over two billion people use this platform every day to share ideas and form connections. In addition to being able to connect with people across the world, it has also been able to influence public opinion by allowing users to discuss various points of view.

Despite the existence of social media platforms for a long time, the growth of these platforms during the last decade has been exceptional. One of the most prominent platforms that has been able to influence public opinion is the one known as Fixture. Through this platform, users have been able to discuss various points of view and connect with people across the world.

PROBLEM 4

Ronda East, the creator of the revolutionary social media platform, Fixture, is now a publicly-traded company. He left college to pursue his dream of creating a simple and effective user interface for social media. Mr. Summ, who was an early supporter of West, now owns 25% of the company. Mr West, on the other hand, is mainly focused on his new venture and doesn't manage the day-to-day operations of the company.

The Dispute

One of the most prominent users of the social media platform Fixture is Mr. Houston. On April 17, 2023, he stated that he would buy the company if he got a billion likes on it. Due to his controversial and highly contagious tweets, the share price of the company increased significantly. On May 30, 2023, he announced that he would be buying the company and would be making it a private limited organization.

At the time of the announcement, Mr. Houston was unaware that Mr. Summ had acquired a significant portion of the company within the last few days following the tweet that occurred in May 2023. This prevented the sale from happening. During the final days of the year, the World Economic Forum was held in Beedome, near Johannesburg, South Africa.

The Balcony is a resort located in the Maldives. It is held once every four years. The event's guest list includes world leaders, celebrities, and some of the wealthiest individuals in the world. Mr. Houston was invited to the event for the first time, while a representative of the Summ family had been a regular attendee. The event features various conferences and meetings. It also has various interviews with prominent celebrities and journalists. To try and attract younger individuals, Mr. Summ had agreed to participate in an interview with Shah-O, a youth icon known for his blunt interviewing style.

PROBLEM 4

During the interview, Mr. Summ was asked about the controversial twist that occurred during the course of the discussion. He then stated that Mr. Houston should have realized that he was not a great marriage candidate. This angered the rapper, who was present during the interview. After getting up, he kicked his chair and rushed to the stage. The two had a heated exchange.

A day after Mr. Houston's twist, the news about a bidding war for Fixture caused its share price to surge. This was because the market was expecting the billionaires to make a move, and it increased the value of the shares of the company. In order to maintain the bullish trend, Mr. Houston made a bid for the company and intends to take it private. He believes that by making Fixture a platform that encourages free speech, people will feel more comfortable expressing their opinions. He believes that by taking the company's fate away from the public's hands, he can protect its future from conservative ideas and external factors.

Mr. Summ's counsel, Mr. Peter Brandan, informed him that he believed negotiation was the best option due to their past animosity. Mr. Houston then agreed to participate in the negotiation with Mr. Summ and Mr. Emanuel Saint.

DRAFTERS OF THE NEGOTIATION PROBLEMS

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Please note that any attempt to contact the drafters of the negotiation problem, in relation to the problem of this competition, would lead to immediate disqualification.