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Commercial Reputation and Judicial Negotiation: A Brazilian Agricultural Distribution Case

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ABSTRACT

This article analyses the judicial negotiation that took place between a wholesale watermelon distributor from Goiás and the produce wholesale box owner from Rio de Janeiro's CEASA market who had entered into an informal commercial transaction. The single-case study used a descriptive research design. The environment in which commercial transactions were conducted was characterized by a large number of informal transactions, which were conducted based on trust and an attempt to maintain a good name, in other words, a good reputation. In this type of negotiation, where significant uncertainties surrounded evidence admissibility, debt collection, and future business relations, the available data still allowed us to follow the stages of negotiation that concluded with a judicial agreement. The findings showed that, in the specific environment in which the negotiation took place, trust, reputation, credibility, emotions, and step-by-step agreements to settle the dispute were all crucial. The article thus contributes to the body of knowledge on negotiation, conflict management, commercial trust, and maintaining business relations. It also aims to provide research findings with practical implications for those involved in such disputes, as well as contributions to academic research, focusing on commercial reputation as a strategic asset in highly informal market environments.
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KeyWords Negotiation; Trust; Reputation; Agriculture Supply Chain; Judicial Settlement; Case Study.

1. INTRODUCTION

Trust and reputation are key intangible assets in business negotiations (Dias, 2016; Dias and Bastos, 2026), especially in markets with high levels of repeat business and limited formal guarantees, where transactions often depend on interpersonal relationships (Fisher & Ury, 1981; Salacuse, 2003). The distribution of fruits and vegetables in Brazil is developed in a great part through informal trade relationships, based on verbal agreements, face-to-face contacts and repeated interactions among the same parties, in which creditors rely on the good name and past behavior of their debtors to protect themselves against possible defaults (Dias & Lopes, 2021). The commercial distribution of agricultural products is a chain that links producers, distributors, wholesalers, and retailers. Formal and informal contractual agreements are most commonly settled based on commercial credit. Suppliers are paid after delivery. Consequently, the various linkages in the commercial distribution chain of agricultural products are highly vulnerable to default risk. In this context, trust is crucial for the continuity of commercial relationships and for transactions not formalized by extensive bureaucracy (Dias & Lopes, 2021; Santos & Dias, 2024).

Commercial debt and default issues frequently generate conflicts involving more than mere economic interests. In fact, a party's reputation and future commercial opportunities, as well as the other party's trust in it, may well be at stake in the negotiation and be crucial to the parties' respective interests and desired outcomes (Pruitt, 1981; Fisher & Ury, 1981; Geiger, 2017; Shell, 2006; Samartin & Dias, 2025; Valle et al., 2025). Thus, in business-to-business negotiations and disputes, not only the parties' financial interests but also their ongoing relationship and continued commercial dealings are likely to be significant (Aylmer et al., 2026). Many researchers have studied trust and negotiation extensively over the past decades. This article focuses on a commercial dispute between a watermelon distributor based in Goiás and a wholesale produce box owner operating in the CEASA[1] market in Rio de Janeiro. The conflict, involving more than R$50,000 (approximately $10,000) in unpaid deliveries, escalated into a judicial dispute. Although it was a formal legal conflict, the parties were able to end it through a negotiated settlement and resume trade. In such a situation, trust, reputation, and the relationship with the other party in dispute were critical to successfully ending the conflict.

The case is particularly relevant because, despite legal uncertainty and considerable risk for both parties, they resolved the conflict and returned to their normal way of doing business. This situation created considerable uncertainty, as substantial documentation was informally produced to support a debt of over R$50,000, with both parties risking an adverse judgment. The distributor could recover his expenses in full. In contrast, the debtor risked interest, late charges, lawsuit costs, possible conviction, and its subsequent effect on his credit and ability to do future business. In terms of academic contributions, this study expands previous research on trust-based negotiations, particularly how these negotiations may lead to further development of commercial relations, even in the event of judicial disputes. Negotiation has been studied in terms of decision-making, in construction projects (Dias et al., 2020; Dias et al., 2022), in government procurement (Lago et al., 2025), in software contracts (Oliveira et al., 2025), in real estate

[1] CEASA/RJ (Rio de Janeiro State Food Supply Centers) is the state's public supply hub for food and fresh produce.

transactions (Scheuer et al., 2025). However, research on the negotiation process in informal agricultural distribution systems remains limited.

This paper aims to investigate the way trust, reputation, and commercial credibility have influenced the negotiation processes of the parties involved in judicial proceedings that arose due to commercial default in the payment of deliveries of agricultural and vegetable produce, and also to discover the manner in which the interests of the parties that negotiated had been taken into consideration in search of a mutually acceptable solution to preserve the commercial relationship of both parties.

Figure 1 shows Dias (2020) Four-Type Negotiation Matrix (2020), where multiple parties negotiate multiple issues, a Type IV negotiation.

Figure 1 The Four-Type Negotiation Matrix
Source: Dias, 2020. Reprinted with permission

2. LITERATURE REVIEW

Negotiation is a decision-making process in which parties try to reach a mutually acceptable agreement (Dias et al., 2026). Classic negotiation research recognizes that disputes are not confined to distributive claims to economic value. Many disputes are shaped by interests, relationships, psychology, and strategy (Fisher & Ury, 1981; Lax & Sebenius, 1986; Shell, 2006). Negotiation also often happens without information. Many situations require parties to make decisions in a negotiation without knowing all available alternatives or the future consequences of their decisions (Zartman, 1988). Trust is an important factor in negotiations, as it reduces perceived risks and fosters information exchange and cooperation between the parties involved in the process (Dias & Lopes, 2021; Santos & Dias, 2024). This governs relations in commercial environments with recurrent interactions, as it reduces transaction costs and fosters long-lasting collaboration between the parties involved (Dias & Lopes, 2021).

Furthermore, the transformative trust conceived by Dias and Lopes (2021) shows that trust is not limited to improving negotiation performance; it can also transform relationships between parties in negotiation.

In this sense, trust can make negotiations more open, decrease opportunistic behavior, and facilitate conflict resolution (Santos & Dias, 2024). Studies have also found trust important in a wide variety of negotiation situations. Research on civil construction negotiations found that trust played a major role (Dias and Panzarini, 2025). A study on collaborative negotiations in small business also found that trust was a crucial factor (Scheuer and Dias, 2025). Reputation, as defined by Rubin and Brown (1975), is the collectively held image of a party's credibility, ability, and integrity. In commercial transactions, a party's reputation often serves as a surrogate for knowledge that would otherwise be unavailable under uncertainty. This element is highly relevant in the study of business negotiation, as all parties rely heavily on information about their counterparts' credibility and relationship history to make decisions during negotiations.

Business negotiations often rely on reputational signals to assess a counterpart's reliability. Research shows that in business-to-business negotiations, counterpart credibility and parties' prior relationship history strongly influence negotiation outcomes (Aylmer et al., 2026). The repeated nature of supplier-retailer negotiations makes reputational issues particularly salient in these exchanges (Samartin and Dias, 2025). This relationship is critical in informal markets because formal contracts, rules, and enforcement mechanisms are often lacking or inconsistent. Thus, social governance mechanisms, notably built on a company's or a manager's reputation, become highly relevant assets that can support market access and future negotiation opportunities (Dias & Lopes, 2021). The social and emotional dimensions of negotiations, including empathy, respect, and interpersonal understanding (Dias et al., 2026), cannot be neglected.

As mentioned, various studies support the idea that negotiation outcomes are not based only on economic aspects; many relationship-management aspects must also be considered. Moura and Dias (2025) studied family business disputes to analyze how they were resolved. The findings indicated that, to reach a successful agreement, the parties needed to focus on both the relationship and their economic interests. Lago et al. (2025), in a study of real estate negotiation, Domingues and Dias (2025) in telecommunications negotiation disputes, and Gadelha and Dias (2026) in construction negotiation also reached similar conclusions. In the civil and commercial contexts in which negotiators operate, disputes arising from failed negotiations are considerable, and the complexity of many of them makes escalation into formal litigation highly undesirable. Such disputes are often better resolved through Alternative Dispute Resolution (ADR) mechanisms such as mediation. Structured dialogue, facilitated communication, and collaborative problem-solving in these contexts can yield successful and sustainable agreements. One significant gap in negotiation research concerns commercial disputes in markets such as those developed for the informal distribution of agricultural products within farming communities. Existing negotiation studies have largely been conducted in formal organizations, government negotiations, construction, supply chain management, and other commercial negotiation settings. Research on negotiations in informal settings, where agricultural transactions are negotiated largely on a personal basis, remains limited. This study aims to improve understanding of business negotiation by analyzing a judicial negotiation in which an agricultural produce distributor is claiming against a wholesale market operator. In particular, this study explores how the issues of trust, reputation, uncertainty, and relationship maintenance were managed, and how these influenced the negotiation's outcome.

3. METHODOLOGY

To study and analyze this negotiation, we adopted an exploratory qualitative research design in the form of a single descriptive case study (Saunders et al., 2009; Yin, 2004). The case study methodology suits the study of contemporary phenomena within real-life settings (Yin, 2004). Given the complex legal, interpersonal trust, reputation, and uncertain context within which negotiations take place and economic decisions are made, the case study approach represents an appropriate research methodology for this investigation. Using inductive logic, the research moves from empirical observations to a conceptual understanding of how a trust-based negotiation unfolded and reached a successful conclusion within an informal market environment (Yin, 2004). This approach is particularly appropriate when the research area is under investigation and requires developing understanding (Saunders et al., 2009). Because few studies examine trust-based negotiation in informal markets for the distribution of agricultural produce. The data were produced through documentary evidence and a detailed description of the negotiations held by the parties involved in the dispute. These materials included information on the parties involved, their interests, the context of the negotiations, the origins of the dispute, how the dispute was resolved, the risks considered, and how the negotiations concluded. This study's unit of analysis is the judicial negotiation between a produce distributor and the wholesale market operator of the formal market where the latter operates (Yin, 2004). The analysis focuses on the interaction between the parties' economic interests and relational aspects, i.e., the trust being restored, the reputations being safeguarded, and the cooperation being nurtured for future commercial endeavors.

4. CASE DESCRIPTION

4.1. Background

This task addresses the history of a lawsuit that had to be filed as part of a negotiation for the distribution of agricultural products within CEASA/RJ. The product cycle, starting from farm to table, goes through some phases. The rural producer sells to distributors, distributors to owners of wholesale boxes, and owners of boxes to produce/bags. It should be noted that the largest flow of all goods remains on credit, where the DISTRIBUTOR sends the goods to the BOX OWNER, with the payment of the freight in cash and having the possibility of granting a deadline to pay the goods supplied, and this remains until the end of the production chain.

In the sphere of negotiations in the wholesale sector of fruit and vegetables, clients have the reputation and reference of the "capital of commercial credibility", their center of negotiations. In mid-2023, the firm's client, a wholesale distributor of watermelons in BRAZIL, was harmed for having supplied the amount referring to more than R$50,000.00 in watermelons to a wholesale box owner in Rio de Janeiro, because he had supplied his product and he had remained in default, despite his good reputation and reliability until then. Due to the breach of reputation and reliability, the DISTRIBUTOR of the State of Goiás was forced to initiate a legal dispute against the OWNER OF THE WHOLESALE BOX, claiming payment of the outstanding amounts, as well as compensation for moral damages for the damages caused.

4.2. The Negotiation Process and the Breakdown of Trust

At this point, the parties began a complicated negotiation, since all the commercial relations signed until then were based on informality, trust, and good reputation. Thus, when one party files a lawsuit, the terms agreed to in the negotiation are abruptly breached. The legal informality of these negotiations hinders the formalization of all amounts due from the debtor, making it difficult even for the judiciary to assess the evidence. When the debtor acts in good faith and has his reputation tarnished, he often gives up any questioning or legal defense, aiming to recover his reputation and restart his business relationship with the supplier. On the day of the respective hearing, coming from Goiás, the Distributor promptly identified the owner of the wholesale BOX before the hearing began. In the waiting room, the parties were completely cordial; the debtor stated that filing the lawsuit would not be necessary. In addition, although he had not been summoned, he voluntarily appeared in the forum and was fully in favor of reaching an agreement. At the hearing, the parties remained polite. Being aware that the non-execution of the agreement would generate more travel expenses for the DISTRIBUTOR, as well as that, in the respective process, there was a margin of risk for the court to condemn the debtor to pay R$ 0.00 or R$ 65,000.00 (original debt plus fines, interest and moral damages). This margin exists because the court may disregard the distributor's informal evidence of debt as a true obligation to pay the entire debt with accruals. In addition, the debtor may hide its assets and avoid making the required payments. The Debtor also risked losing access to the supplier, its credibility capital, and its other business partners, in addition to the risk of a court decision, which could compromise the company, its partners, and, in the future, its personal assets. Thus, despite the possibility of a more favorable medium-term result for the plaintiff, the parties preferred to agree because of the high risk.

4.3. Negotiation Outcome

The parties' agreement began before the hearing. The DEBTOR and the DISTRIBUTOR began to show affection, a good business relationship, and emotional openness, and to treat each other reasonably, while showing great respect for the commercial reputation of those involved. At this point, the plaintiff conveyed to his lawyer a clear message of interest in reaching an agreement. During the hearing, the conciliator was balanced, promoted dialogue, and immediately confirmed the possibility of reaching an agreement. The possible settlement range was R$45,000.00 (average of the original debt amount), R$51,000.00 (debt plus interest and correction), to R$60,000.00 (debt plus interest, correction, and moral damages).

In view of this, the negotiation agents formalized an installment payment agreement for R$ 50,450.00. As a guarantee, the lawyer requested only the application of a 30% fine in case of default under the agreement. Despite the risk, the amounts were duly paid through a PIX made a few days later, plus the delivery of post-dated checks that instrumented the payment in installments over up to 6 (six) months. It should be noted that everything was duly compensated, resulting in full payment of the debt. Three noteworthy post-settlement developments emerged:

1. The parties returned to their business relationship, even after the filing of the respective lawsuit, with the debtor still assuming the responsibility of taking the DISTRIBUTOR to the airport right after the hearing;

2. The owner of the box supported the DISTRIBUTOR, enabling contact with another owner of the box, to settle amounts that were open and that were later paid;

3. The owner of the BOX, realizing the seriousness, honesty, positioning, as well as urbanity with which the firm worked for the DISTRIBUTOR, hired him to assist in the collection of some receivables that he has, as well as recommended the firm to other fellow owners of boxes. The definition of the respective agreement reveals that, despite the informalities involved in negotiations in the sphere of fruit and vegetables, reputation and references in human commercial relations remain the safest means of negotiating. Despite the need for trust, it is always recommended that the respective distributors and negotiation agents be more careful in organizing their documentation and in establishing evidence of the products forwarded. Even so, this productive sphere continues to rely on the "reputation capital" of the respective buyers as its greatest guarantee. This is what made the negotiation evolve in a friendly, constructive, fast, and low-resistance way.

The final agreement was R **$ 50,450.00**, was duly paid and met the interest of all parties.

5. ANALYSIS OF FINDINGS

5.1. INTERESTS

DISTRIBUTOR:

- Settlement of outstanding amounts
- Imposition of respect on its buyers to avoid default
- Moral damage and reimbursement of flight expenses
- Keep the sales channel active

BOX OWNER:

- Maintain your good reputation as a good payer to continue to have credit
- Keep your product supply channel active
- Get rid of a financial pending

5.2. OPTIONS:

DISTRIBUTOR:

- Accept the debtor's proposal
- Deny the proposal and wait for the result of the court decision

- Negotiate a higher amount, covering your direct, indirect and moral damages

BOX OWNER:

- Offer agreement and pay in installments

- Offer agreement and pay the cash

- Wait for the judgment, having to pay in cash, the debt and all its additions

- Having an unfavorable judgment to the DISTRIBUTOR and not paying anything

5.3. ZOPA (Zone of Possible Agreement):

R$0.00 to R$65,000.00 (sixty-five thousand reais)

5.4. Alternatives (BATNA):

DISTRIBUTOR:

- Wait for a court decision to be handed down, as well as the completion of the process and risk not being able to receive any amount. Either because you lose the case, or because the debtor can hide the assets.

BOX OWNER:

- Not offering an agreement and assuming the risk of a much greater conviction.

6. DISCUSSION

The main objective of this research was to analyze judicial negotiation in a commercial default dispute within the Brazilian agricultural distribution chain. In this kind of business environment, who procure produce from various farms for the wholesale boxes they sell to retailers. Informality characterizes their commercial relations, because many aspects that formal business environments regulate through written contracts are handled in informal markets through the parties' reputations. The case also illustrates that in business negotiations, distributive bargaining (i.e., trying to claim more value than the other party is willing to give up) must be balanced against relational and strategic goals (Fisher & Ury, 1981; Lax & Sebenius, 1986; Shell, 2006). Thus, even though the parties were disputing claims with respect to a debt of more than R$50,000, both parties were also interested in maintaining their future business relationship, as well as in avoiding the uncertainty of litigation (Cavalcante Neto & Dias, 2026; Fisher & Ury, 1981; Valle et al., 2025).

Our results align with previous research on the transformative role of trust in negotiations: it can survive conflict and even be rebuilt afterward, and it can facilitate the parties' return to their pre-conflict relationship (Dias & Lopes, 2021). So, although trust was temporarily lost when the legal action was filed, it was possible to restore it shortly afterward, before the hearing, through several amicable contacts between the parties, the debtor's voluntary participation in the proceedings, and both parties' recognition of the other party's credibility. Another important point of consideration in this research is reputation in informal markets. The agricultural distribution chain for produce in the study is informal and relies on a set of agreements and relations that recur between parties. Thus, in this context, reputation serves as an informal governance mechanism. In the absence of formal contractual arrangements, reputational capital becomes a key element in preventing opportunistic behavior and resolving disputes (Dias & Bastos, 2026).

Both parties had much to lose by opting for litigation. The case showed that although the claimant had every right to take legal action, the limited evidence available to him meant he stood to lose everything, including the small sum claimed. On the other hand, the debtor feared that non-payment could have even more serious consequences: he risked heavy penalties. He could also suffer serious damage to his professional credibility and future business dealings with the claimant. This attitude is typical of negotiation situations where information is limited, and parties have different expectations about the outcome (Pruitt, 1981; Zartman, 1988). From an even more specific standpoint, the case also shows the importance of emotion-related aspects in negotiation processes. However, these aspects influence not only the process but also the outcome of the negotiation, affecting both parties and their relationship. In this sense, respect, Empathy, affability, and openness influenced the parties in the judicial negotiation under analysis and facilitated constructive dialogue between them, even after litigation was initiated. The transition from a potentially distributive negotiation to an integrative one in the analyzed judicial negotiation was another important aspect that was studied in previous research on different types of business negotiations (Gadelha & Dias, 2026; Moura & Dias, 2025; Oliveira et al., 2025; Valle et al., 2025).

7. RESEARCH CONTRIBUTION

The article also brings contributions to negotiation research. As a first contribution to research, the present study extends the existing body of literature regarding trust-based negotiations, given that the examination is restricted to a judicial negotiation involving a commercial default within the informal agricultural distribution sector – a new area of research that until now has been little explored by negotiation research. In contrast to other studies on the subject, such as those relating to telecommunication contracts (Domingues & Dias, 2025), real estate contracts (Lago et al.,2025; Oliveira et al., 2025), and construction disputes (Smejoff et al., 2025) – in addition to business acquisitions (Aylmer et al., 2026) – the negotiation studied herein took place within the produce distribution market, a sector characterized by high levels of informal activity. This study adds to the body of knowledge concerning negotiation, especially as it pertains to the reputation of the parties involved in the negotiations. Although reputation has been used as a signaling device in transactions, it also serves as an informal means of governing behavior within informal markets. In this study, the degree to which reputation served as a means of ensuring credibility in the agricultural distribution chain under study was found to be significant (Dias & Bastos, 2026).

Third, the contribution consists of a deep analysis of the post-conflict stage, when the dispute has been settled and the parties have returned to their pre-dispute relationship. This is an understudied stage of the negotiation process, which, nonetheless, has a significant impact on the quality of the final agreement, as well as on the parties' future interaction. As mentioned above, the scope of this article consists of a descriptive analysis of how both parties returned to their pre-dispute relationship, generated additional business opportunities and even strengthened their professional network of contacts after having settled the judicially raised dispute. These findings support the idea that a successful negotiation has the potential to generate long-term relational value (Aylmer et al., 2026; Scheuer & Dias, 2025). The article also contributes to the study of judicial negotiation, as it demonstrates how litigation can be combined with cooperation. Parties engaging in judicial negotiation continue to cooperate, while at the same time, formal legal proceedings are conducted. Their outcome does not necessarily signify the end of the relationship between the parties (Dias, 2020d; Dias et al., 2023). In order to constructively resolve the disputes that occur in informal commercial settings, it is important that all parties be able to rely on the trust-based negotiation in order to establish relationships or to maintain a good relationship already in place.

8. CONCLUSION

The judicial negotiation studied here occurred between a wholesale watermelon distributor from Goiás and a produce wholesale box operator from Rio de Janeiro. The commercial conflict took place within an informal agricultural distribution network and stemmed from the debtor's failure to pay for deliveries exceeding R$50,000. The matter went to trial and, was finally settled through negotiation, and the parties went on to conduct business together thereafter. Trust, reputation, credibility, and preserving relationships were salient in the negotiations for this commercial dispute. Even after the lawsuit was filed and the economic and reputational risks for both parties increased, the parties resolved the dispute by consent. They later returned to their commercial relationship, even strengthening it. The debtor's concern with preserving his credibility and the distributor's concern with preserving their relationship led to a solution that would bring closure to both parties' economic interests while also allowing for future business opportunities. In the end, both parties settled for R$50,450. Another important lesson from this case is that uncertainty is not necessarily a negative factor that fuels conflict. Rather, it can foster cooperative problem-solving to reduce the unknown. The anticipated risk of litigation and its consequences prompted both parties to reach a mutually acceptable agreement. In summary, findings from this case study reinforce previous negotiation research highlighting the importance of factors other than economic interests. Parties aiming to reach effective agreements must manage trust, reputation, and emotions successfully. The informal produce distribution case provided an especially challenging environment for reaching an agreed solution while preserving post-settlement relations.

FUTURE RESEARCH

Future studies could further investigate trust-based negotiations in informal agricultural produce markets. Multiple case studies would be worthwhile to test whether the findings described in this research would reproduce across other products, regions, and distribution networks (Saunders et al., 2009; Yin, 2004). Future research could develop more in-depth research to analyze how reputation functions as informal governance within commercial networks. Such research could then be quantitatively analyzed to observe the extent to which a party's reputation in a dispute affects settlement, as well as its course and long-term outcomes (Dias & Bastos, 2026; Rubin & Brown, 1975). More studies about the use of post-dispute negotiations to achieve successful results could also be undertaken, including an analysis of the various ways that negative emotions that affect human behavior can be mitigated by displaying elements of empathy, respect, forgiveness, and making effective use of communication, including body language (Dias, 2021; Dias et al., 2026; Frota & Dias, 2026). On the other hand, comparative studies of judicial and non-judicial dispute-resolution mechanisms in environments dominated by informal activities may help assess the efficiency of mechanisms such as mediation and conciliation,, as well as other an alternative mechanism (Dias, 2020d; Dias et al., 2023). Finally, it would also be relevant to research how technological innovations are used in agricultural supply chains to support trust formation and reputation management in highly informal contexts, such as Brazil. Future studies should examine in detail how digital documents, electronic payments, and other tools are or could be used to support negotiation in these contexts (Bastos & Dias, 2026b; Carvalho et al., 2026).

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