











- Journal of Human Resource Management*, 6(1), 9-25. doi: 10.6084/m9.figshare.7834634
- Dias, M., Duzert, Y. (2016). Fiat Chrysler Automobiles in Brazil: Alliance Consolidated. *The International Journal Of Business & Management*, 4(2), 160-166. doi: 10.6084/m9.figshare.7834733
- Dias, M., Falconi, Davi. (2018), The Evolution of Craft Beer Industry in Brazil. *Journal of Economics and Business*, 1(4), 618-626. doi: 10.31014/aior.1992.01.04.55
- Dias, M., Lopes, R. (2019). Rail Transportation in Brazil: Challenges and Opportunities. *Arabian Journal of Business and Management Review (Kuwait Chapter)*, 8(4), 40-49. doi: 10.13140/RG.2.2.27687.70568
- Dias, M., Lopes, R. (2020) Will the COVID-19 Pandemic Reshape our Society? *EAS Journal of Humanities and Cultural Studies (EAS J Humanit Cult Stud)*. 2(2), 93-97. doi: 10.36349/EASJHCS.2020.V02I02.013
- Dias, M., Lopes, R. (2020). Air Cargo Transportation in Brazil. *Global Scientific Journals*. 8(2), 4180-4190. doi:10.13140/RG.2.2.30820.32648
- Dias, M., Lopes, R. (2020). Case on fatal Ship Failure Services: Onboard. *Arabian Journal of Business and Management Review (Kuwait Chapter)*, 9(1), 10-19 doi: 10.13140/RG.2.2.14280.26887
- Dias, M., Lopes, R. (2020). Case on Leading Commercial Aircraft in the Brazilian Domestic Aviation Market. *International Journal of Academic Research in Accounting, Finance and Management Sciences*, 10(1), 165-171. doi: 10.6007/IJARAFMS/v10-i1/7064
- Dias, M., Lopes, R., Teles, A. (2020) Could Boeing 737 MAX Crashes be Avoided? Factors that Undermined Project Safety. *Global Scientific Journals*, 8(4), 187-196. doi: 10.11216/gsj.2020.04.38187
- Dias, M., Lopes, R., Teles, A. (2020) Will Virtual Replace Classroom Teaching? Lessons from Virtual Classes via Zoom in the Times of COVID-19. *Journal of Advances in Education and Philosophy*, 4(5), 208-213. doi: 10.36348/jaep.2020.v04i05.004
- Dias, M., Navarro, R. (2017). O Fator Confiança em Relações Governamentais e sua importância para o futuro da atividade. *Revista Brasileira de Relações Institucionais e Governamentais*, 1(3), 38-41. doi: 10.6084/m9.figshare.7834697
- Dias, M., Navarro, R. (2018). Is Netflix Dominating Brazil? *International Journal of Business and Management Review*. 6, No.1, 19-32, January 2018. ISSN: 2052-6407. doi: 10.6084/m9.figshare.7834643
- Dias, M., Navarro, R.; Valle, A. (2013). BMW and Brazilian Federal Government: Enhancing the Automotive Industry Regulatory Environment. *International Journal of Arts and Sciences*, 6(2), 551-567. doi: 10.6084/m9.figshare.7834742
- Dias, M., Teles, A. Duzert, Y. (2018) Did Embraer Succeed In Adopting The International Financial Reporting Standards (IFRS) In Brazil? *European Journal of Accounting, Auditing and Finance Research*, 6(2), 51-62. doi: 10.6084/m9.figshare.7834637
- Dias, M., Teles, A., Duzert, Y. (2018) Will Boeing Succeed with the Embraer Acquisition Operation, Despite the Brazilian Federal Government Golden Share Veto? *International Journal of Business and Management Review*, 6(2), 55-64. doi:10.6084/m9.figshare.7834718
- Dias, M.; (2018). Seven supportive Theories on Negotiation. *Global Journal of Research Analysis*, 7(11), 493-494. doi:10.15373/22778160. doi: 10.6084/m9.figshare.7834349
- Dias, M.; Alves, H.; Pezzella, M. (2016) São Francisco Valley: Vitiviniculture Activities in the Brazilian Unthinkable Semiarid Climate and its Challenges. *International Journal of Business and Management Review* 4(10), 1-13. doi: 10.6084/m9.figshare.7834727
- Dias, M.; Aylmer, R. (2018) Is the Brazilian Civil Service reform about to succeed? *Global Journal of Political Science and Administration*, 6(2), 13-25. doi: 10.6084/m9.figshare.7834694
- Dias, M.; Aylmer, R. (2019) Behavioral Event Interview: Sound Method for In-depth Interviews. *Arabian Journal of Business and Management Review (Oman Chapter)*, 8(1), 1-6. doi:10.13140/RG.2.2.18327.62881
- Dias, M.; Craveiro, F. M. (2019). Brazilian Agriculture Cooperative: Vinícola Aurora Case. *International Journal of Management, Technology and Engineering*. 9(3), 2551-2561. doi: **16.10089/IJMTE/2019.V9I3.19.27743**
- Dias, M.; Davila Jr., E. (2018) Overcoming Succession Conflicts in a Limestone Family Business In Brazil. *International Journal of Business and Management Review*, 6(7), 58-73. doi: 10.6084/m9.figshare.7834703
- Dias, M.; Duzert, Y. (2017). Teaching Materials: Role Play Simulation on E-Business Negotiation. *European Journal of Training and Development Studies*, 4(3), 1-15. doi: 10.6084/m9.figshare.7834655
- Dias, M.; Duzert, Y. (2019). Teaching Materials: Role Play Simulation on Romantic Involvement In The Workplace. *International Journal of Management, Technology and Engineering*, 9(1), 124-133. doi:16.10089/IJMTE. 2019.V9I01.18.27418
- Dias, M.; Duzert, Y., Teles, A. (2018). Boeing, Brazilian Federal Government, And Embraer: Golden Share Veto and The Anatomy of a Joint Venture. *International Journal of Business and Management Studies*, 7(2), 71-80. doi: 10.13140/RG.2.2.14972.18563

- Dias, M.; Krein, J.; Streh, E.; Vilhena, J. B. (2018) Agriculture Cooperatives in Brazil: Cotribá Case. *International Journal of Management, Technology and Engineering*, 8(12). doi:16.10089/IJMTE.2018.V8I12.17.2243
- Dias, M.; Lopes, R. (2019). The Evolution of Civil Aviation in Brazil: Rio De Janeiro International Airport Galeão/Tom Jobim. *JResLit Journal of Science and technology*, 1(2), 1-6. doi: 10.13140/RG.2.2.15920.10242
- Dias, M.; Lopes, R.; Teles, A. (2020). Air Passenger Transportation: Hartsfield-Jackson Atlanta International Airport. *Journal of Xidian University*, 14(3), 78-84. doi: 10.13140/RG.2.2.32181.42726
- Dias, M.; Lopes, Raphael (2019). Role Play Simulation on Farm Debt: Brazilian Case. *SSRG International Journal of Humanities and Social Science*, 6(4), 84-93doi:10.112/gsj.2019.08.26384
- Dias, M.; Lopes, Raphael (2019). Teaching Materials: Role Play Simulation on Small Business Debt Collection In Brazil. *International Journal of Management, Technology and Engineering*, 9(8), 237-249. doi:16.10089/IJMTE.2019.V9I8.19.29127
- Dias, M.; Magalhães, M.; Soares, C.P.; Valle, A. (2018). Critical Success Factors on Business Process Orientation. *International Journal of Management Technology*, 5(3), 43-61. doi: 10.6084/m9.figshare.7834676
- Dias, M.; Mori, V. (2018). Obstetric Violence in Brazil: An Integrated Multiple Case Study. *Humanities and Social Sciences Review*, 8(2),117–128. doi: 10.13140/RG.2.2.31749.40161
- Dias, M.; Mori, V. (2018). Obstetric Violence in Brazil: an Integrated Case Study. *International Journal of Nursing, Midwife and Health Related Cases*, 4(6), 20-28. doi: 10.6084/m9.figshare.7834274
- Dias, M.; Navarro, R.; Barros, J., Valle, A. (2016). Negotiating with the Brazilian Government: Five Short Cases. *The International Journal Of Business & Management*, 4(11), 181-189. doi: 10.6084/m9.figshare.7834721
- Dias, M.; Pessanha, M. T. (2019). Air Passenger Transportation in Latin America. *Global Scientific Journals*, 7(1), 144-156. doi: 10.11216/gsj.2019.11.30373
- Dias, M.; Ramos, M. (2018). Credit Cooperatives in Brazil. *International Journal of Science and Research (IJSR)*, 7(10), 598-603. doi: 10.21275/ART20191901
- Dias, M.; Ribeiro, Ana Paula; Lopes, Raphael (2019). When customers do not pay: A Winning Negotiation Case in Brazil. *Journal of Economics and Business*, 2(2), 431-447. doi: 31014/aior.1992.02.02.99
- Dias, M.; Silva, Cleber A.; Lund, Myrian (2019) Brazilian Credit Cooperatives: Cresol Confederation Case. *IOSR Journal of Business and Management*, 21(5), 11-19. doi: 10.9790/487X-2105051119
- Dias, M.; Teles, A. (2018) Vote in Brazil and general elections 2018: are the pillars of democracy in danger? *Global Journal of Politics and Law Research*, 6(6), 1-15. doi: 10.6084/m9.figshare.7834712
- Dias, M.; Teles, A. (2018). Teaching Materials: Three-Party Role Play Simulation on Brazilian Social Mediation Case. *European Journal of Training and Development Studies*, 5(4), 10-25. doi: 10.6084/m9.figshare.7834700
- Dias, M.; Teles, A.; Pilatti, K. (2018) The Future of Privatization in Brazil: Regulatory and Political Challenges. *Global Journal of Politics and Law Research*, 6(2), 32-42. doi: 10.6084/m9.figshare.7834709
- Dias, M.; Teles, Andre (2018). Agriculture Cooperatives in Brazil and the Importance for The Economic Development. *International Journal of Business Research and Management*, 9(2), 72-81. doi: 10.6084/m9.figshare.7832354
- Dias, M.; Teles, Andre (2018). From Animal Traction to LRV: Public Rail Transportation in Rio de Janeiro. *International Journal of Science and Research*, 7(11), 765-770. doi: 10.21275/ART20192818
- Dias, M.; Teles, Andre (2018). General Elections 2018 in Brazil: is Democracy Restored? *International Journal of Advanced Research*, 6(10), 1253-1264. doi:10.21474/IJAR01/7932
- Dias, M.; Teles, Andre (2019) Credit Co-Operatives in Brazil: Sicredi Case. *International Journal of Advanced Research*, 7(4), 194-202. doi: 10.21474/IJAR01/8806
- Dias, M.; Teles, Andre (2019). A Comprehensive Overview of Brazilian Legislation on Credit Cooperatives. *Global Journal of Politics and Law Research*, 7(4), 1-12. doi: 10.13140/RG.2.2.25054.28488
- Dias, M.; Teles, Andre (2019). Facts and Perspectives on Craft Brewing Industry in Brazil. *International Journal of Management, Technology and Engineering*, 9(2), 1020-1028. doi:16.10089/IJMTE.2019.V9I21.18.28020
- Fisher, R. Ury, W. and Patton, B (Editor). (1981). *Getting to Yes: Negotiating an Agreement without Giving in*. US: Random House.

- Karpman, S. (1968). Fairy tales and script drama analysis. *Transactional analysis bulletin*, 7(26), 39-43.
- Lax, David. (1985) Optimal Search in Negotiation Analysis. *The Journal of Conflict Resolution*, 29(3), 456-472.
- Moore, C.W. (2003). *The Mediation Process: Practical Strategies for Resolving Conflict*. San Francisco (California) and London: Jossey-Bass.
- Pruitt, D.G. & Rubin, J.Z. (1986). *Social conflict: Escalation, Stalemate, and Settlement*. New York: McGraw-Hill.
- Raiffa, Howard. (1982). *The Art and the Science of Negotiation: How to Resolve Conflicts and get the Best out of Bargaining*. Cambridge, MA: Harvard University Press.
- Rinehart, L. and Page, T. (1992) The Development and Test of a Model of Transaction Negotiation. *Journal of Marketing*, 56(4), 18-32.
- Salacuse, J. (2008). *Seven Secrets for Negotiating with Government: How to Deal with Local, State, National, Or Foreign Governments – And Come Out Ahead*. New York: Amacom.
- Sebenius, J. (1992). Negotiation Analysis: A Characterization and Review. *Management Science*, 38(1), 18-38.
- Susskind, L. and P. Field (1996), *Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes*. New York: Free Press.
- Susskind, Lawrence; Cruikshank, Jeffrey (2006) *Breaking Roberts Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*. New York: Oxford Press.
- Susskind, Lawrence; Cruikshank, Jeffrey. (1987). *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York, NY: Basic Books.
- Ury, W. (2015). *Getting to Yes with Yourself and Other Worthy Opponents*. MA: Harper Collins.
- Yin, R. (1988) *Case Study Research: Design and Methods*. Newbury Park, CA: Sage Publications.





## APPENDIX I

### Teaching notes

**Scenario:** the case illustrates the difficulties faced by the parties to avoid an accident be treated in the Court of Justice in Brazil. For other countries, different laws and particular issues, such as different negotiation processes, should be considered.

**Mechanics:** parties should take 30 min to 1 hour to read the case and to prepare themselves to negotiate. Negotiation mapping is strongly encouraged to be used additionally to help planning the negotiation – 30 min to 1 hour of negotiation plus 30 to one-hour debriefing session. In total, one hour and a half to three hours' total time for this exercise.

**Major Lessons:** to migrate from distributive into integrative negotiations; to map and focus on underlying interests; to practice empathy towards each other; to develop promptness in creating mutual value to be later distributed.

**Objectives:** this exercise intends to discuss the role of lawyers in a distributive, Type I negotiation. That negotiation should be seen not as an intrusion devoted to promoting disruption, but one aid to promote consensus between two different parties. One crucial objective is related to process control.

MAIN FEATURES	
Time required	1 hour – 2 hours
Number of participants	2 parties, two lawyers
Groups involved	No
Agent present	No
Third part present	No

## APPENDIX II - PARTIES' ROLES

### PART 1

#### ◆◆ LAWYER OF THE BUS COMPANY◆◆

##### GENERAL INFORMATION

Joana attends Law School at the University of Brasilia - UnB. During the week, she uses the public transport to travel from home to the University.

José Aguiar, bus driver, 57-year-old married, is the bus driver. His activity he has been carrying out for 29 years. He is considered an exemplary employee, and lives were receiving praise from superiors, colleagues and passengers, and even awards for spending long periods without causing or suffering accidents.

On a Monday, Joseph was surprised by a strange noise coming from the front door: Joana fell off the bus, although at no point did José trigger the door opening button. The vehicle has a sensor that does not allow the vehicle to move with the door open, which is why it is not known what happened.

Upon noticing the incident, José stopped the vehicle and provided help to the victim, being promptly attended by a unit of Mobile Emergency Care Service, which fortunately passed by.

In the hospital, according to medical records and reports, cranioencephalic rheumatism - TCE, cut in the posterior region, and foci of hemorrhage in Joana's brain were detected, causing significant lesions with continuous effects, especially concerning violent headaches.

The concessionaire company of the bus that José directed provided all assistance and paid for all the costs of treatment: locomotions, hospitals, medicines, physiotherapy, and psychological assistance to the young woman.

However, after a year of continuous treatment, the owners of the bus company thought it was appropriate to make a definitive indemnity agreement with Joana, to put an end to the monthly expenses and dismiss the case.

On the other hand, Joana's family Joana maintains that assistance must continue, and argues that the young woman's dream of graduating from Direito has been interrupted. Thus, they intend to achieve the right amount in the realization of any agreement.

##### CONFIDENTIAL INFORMATION

You are the company's lawyer. The owners of the company called him to negotiate to carry out an out-of-court settlement with Joana. The company admits the delay in a definitive agreement will entail more costs with assistance to the young woman. This case is to count on the possible damage to the image and the good name. Thus, the owners of the company want to close the case soon and authorize their lawyers to pay up to BRL 60,000.00, what they think fair.

You consider the value high, since Joana had adequate medical treatment throughout the period, from the accident, and had no permanent damage.

Consulting the jurisprudence of the local Court, in similar cases, the bus company lawyer found that it has applied moral damage at R \$ 6,000.00. You consider a low value to be fair, given all the zeal with which the company has given Joana.

When looking for Joana's lawyer for the first time, you offered R \$ 5,000.00, being promptly denied by Joana. The lawyer even argued that he knew his rights in case of filing an indemnification action, which is why he intends to receive BRL 55,000.00. You notice that the deal is a long way off and you plan a counteroffer. Its reserve price is R\$ 60.000,00. Prepare to negotiate with Joana.

## PART 2

### ◆◆ JOANA'S LAWYER ◆◆

#### GENERAL INFORMATION

Joana attends Law School at the University of Brasilia - UnB. During the week, she uses the public transport to travel from home to the University.

José Aguiar, bus driver, 57-year-old married, is the bus driver. His activity he has been carrying out for 29 years. He is considered an exemplary employee, and lives were receiving praise from superiors, colleagues and passengers, and even awards for spending long periods without causing or suffering accidents.

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The concessionaire company of the bus that José directed provided all assistance and paid for all the costs of treatment: locomotions, hospitals, medicines, physiotherapy, and psychological assistance to the young woman.

However, after a year of continuous treatment, the owners of the bus company thought it was appropriate to make a definitive indemnity agreement with Joana, to put an end to the monthly expenses and dismiss the case.

On the other hand, Joana's family Joana maintains that assistance must continue, and argues that the young woman's dream of graduating from Direito has been interrupted. Thus, they intend to achieve the right amount in the realization of any agreement.

#### CONFIDENTIAL INFORMATION

You are Joana's lawyer. The company has taken excellent care of Joana, paying all medical expenses for continued treatment and psychological support, which recently completed a year.

A week ago, he received a contact from the lawyer of the bus company and set up a meeting for negotiating a possible out-of-court indemnity settlement with Joana, his client.

The company's lawyer sought it and offered BRL 5,000.00 extrajudicial compensation, arguing that the Court has sentenced at this level. When you inform Joana, you immediately receive a negative response. Joana's mother argues that the company interrupted the dream of graduating from law school and should have more respect for Joana. Joana is irreducible and wants to receive BRL 55.000,00.

You notice that the parties are goods far from an agreement. However, Joana's mother let slip that a value between R \$ 20,000.00 and R \$ 25,000.00 would be fair to the case. Get ready to negotiate with the company's lawyer.

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