

Outside Counsel

Expert Analysis

Defining Characteristics Of Consummate Dealmakers

Consummate dealmakers enjoy elevated reputations in the market place. Clients seek them out. What distinguishes these star performers from the pack? Though each differs in some ways, the commonalities among the top dealmakers are instructive.

Here are some defining characteristics:

Dealmakers are present, focused, and responsive. In any transaction, a dealmaker can either smooth the way or create roadblocks with their actions. The best dealmakers make themselves easily accessible. Successful dealmakers offer all parties various ways to reach them and indicate which channel is optimal and obtain the same information from others. They return calls and emails from all parties promptly and are never out of touch for more than a few hours, especially during critical stages of a deal. During meetings, they focus their attention on the speaker, never multi-tasking or drifting away. They do what they say they are going to do—on schedule. They never over promise and under deliver. Above all, they understand the power of concentrated attention, applying their



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energies to the most critical stages of negotiations.

Dealmakers excel at anticipating client needs. No longer is it enough to listen carefully. Nor is it enough to understand the client's current business and environment. The best dealmakers anticipate client needs and suggest solutions. They know where and how their client sources information and they understand the critical nuances of how that information is leveraged. They follow industry influencers and use tools and analytics such as Google Trends to stay current. By having gained an understanding of human nature throughout their career, they won't give lip service to client care; instead, they demonstrate it with

their attention to the client's overall strategic objectives and goals.

Dealmakers adapt quickly and know when to stand firm. Adept dealmakers advance the cause of their clients by helping discern the other party's non-negotiable points. Deals are made more easily when each of the parties believes their needs (and some of their wants) are being met. Acting in their client's best interest is paramount, of course, but the top dealmakers believe that win-win is usually the best strategy. They learn their client's must-have list and counsel their client regarding where they might want to be flexible. Making sure all parties understand the fine points of the transaction and that each is defining the terms in the same way. Astute dealmakers spell out the ground rules, assuming nothing. Parties to a deal often have strong personalities and successful dealmakers, though they check their egos at the door, know when and how to use their own personal presence and confidence to take a hardline position if such a stance is necessary.

Dealmakers understand the fundamentals of the deal, the economy, and the marketplace. The deal market is constantly in flux—and a party's negotiating leverage can often move dramatically in a short time. Dealmakers are voracious readers and consumers of market

information—staying informed on fundamentals such as supply and demand constraints of deal flow, how rising or falling interest rates affect pricing, and the ever-changing risk profile of key lenders and joint venture capital partners. They do more than discuss legal issues of deals with clients—they delve deeply into the market in which their clients operate to better inform their decision-making and customize negotiation stances.

Dealmakers know that timing is everything. All deals have their own rhythm and tempo. Dealmakers understand that momentum is important and take every action to move the process forward, whether it means late nights, early mornings, or more, lest inertia set in. Nothing is more frustrating for a client than having to wait a few hours for a response that ideally would have been delivered in a few minutes. Consummate dealmakers set up systems and safeguards so that they never miss an important call, text, or email.

Dealmakers are masters of clear communication. In an article from the University of Missouri, authors Dick Lee and Delmar Hatesohl point out that many studies on the subject of communications list listening as the primary communication skill we utilize the most.

“A typical study points out that many of us spend 70 to 80 percent of our waking hours in some form of communication. Of that time, we spend about 9 percent writing, 16 percent reading, 30 percent speaking, and 45 percent listening. Studies also confirm that most of us are poor and inefficient listeners.”

Optimally, dealmakers ask better questions and probe for more information until they understand what is being said, and what isn't. They listen for the feelings behind the words. And they always listen with the goal of *understanding* rather than waiting for their opportunity to speak. They employ the 80/15/5 rule: They listen 80 percent of the time, ask questions 15 percent of the time, and respond (not just talk, but respond) 5 percent of the time.

Deal-makers instinctively understand that fact-based communication should be done in writing and that emotion-

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laden conversations should ideally happen in person. When speaking or writing, they are careful to avoid legalese and unnecessary jargon—speaking or writing in crisp and concise plain English. Their worst enemy is a long memo; their best friend is a five-sentence bullet point email to their busy client they know will actually be read and highly useful.

Dealmakers are empathic connectors. Not only do dealmakers possess emotional intelligence, they employ it in building trust and rapport. They intuitively grasp that people like to do business with people they know and like. They understand the communication styles of the parties to a deal and know when a relaxed and friendly

stance will work better than a hard-line position. They embody the axiom often attributed to President Teddy Roosevelt and author John C. Maxwell, “People don't care how much you know until they know how much you care.” Finally, they look for the opportunity to extend a hand, do a favor, or make introductions. Those who do good will often do well.

Dealmakers create value. Dealmakers network constantly and are always looking for opportunities to invest in relationships. Dealmakers take the long view and strive for deeper connections. Not only do they introduce clients to one another, they offer suggestions regarding what they might have in common or want to approach together. They cultivate strategic alliances for themselves and for clients. And they know that ultimately, you must give in order to get. That philosophy often leads to more deals.

Consummate dealmakers think holistically. At the end of the deal, the best practitioners know that everything counts. They know they must communicate masterfully, be astute, fully informed, in touch with their client's inner workings, and abreast of what can be negotiated. They concentrate their efforts on the matter at hand, summoning their reserves to shepherd the deal to conclusion. Skillful dealmakers work hard to make it look easy and do their best to leave all parties to the deal feeling satisfied.

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