

# Top 10 Business Litigation Mistakes

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Litigation is an unfortunate necessity of business life. Sometimes, no matter how hard you try, it cannot be avoided. Owners and executives have more pressing things to do, but litigation sometimes is the only course, or the best course, for defending products and property, or for dealing with uncooperative suppliers, competitors, distributors, even customers.

Of course, sometimes litigation is thrust upon us when another party sues and we are forced to answer, to defend the business, to state our counterclaims.

Whether we initiate litigation, or respond to it, it is important for a business to do it right, to avoid mistakes that will bring even greater harm than the loss of time, the attention diverted, the cost incurred.

We recently came across a list of the [Top 10 Business Litigation Mistakes \(and how to avoid them\)](#) which has useful general advice. Among other things, the list of litigation mistakes includes:

1. Using the wrong lawyer, such as one without trial experience, or your personal or business lawyer.
2. Not being totally honest with your lawyer, i.e. shielding your lawyer from “bad facts”.
3. An unwillingness to consider mediation, arbitration or settlement, or conversely being too eager to settle.
4. Not preparing properly in advance, with your lawyer, for your deposition.
5. Getting too emotional.

If you avoid litigation mistakes and move forward with the best interests of the business in mind, rather than letting personal or emotional issues guide your actions, you might find that litigation can be handled like any other business obstacle, and that you and your company can emerge from the experience wiser and with renewed focus.

Litigation may be unwelcome but that’s no excuse for dealing with it unprofessionally and without proper guidance.

Link to original article: <http://commercialcounselor.com/top-10-business-litigation-mistakes/>

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