



# INDORE INSTITUTE OF LAW

(Affiliated to D.A.V.V. & Bar Council of India, New Delhi)

## THE INTERNATIONAL LAW FEST

### ‘LEX BONANZA-2K19’

STRIVING FOR LEGAL EXCELLENCE

#### CHAPTER-VIII

18 OCTOBER – 20 OCTOBER, 2019

### PRELIMINARY ROUND MEDIATION PROBLEM

Harriete Specter entered into a verbal agreement with Michelle Ross in lieu of a formal Merger to be entered into both the parties. Harriete Specter owns a chain of Multinational Hotels that she developed rather passionately over a term of 10 years, launched as a start up and having its mark in all prominent geographical locations with great prospects of expansion in the future. Michelle Ross, an established Hotelier and International Brand, having over a 100 International Hotels all over the world, seeing the immense Potential of “Specter Dream Resorts” offered a merger, whereby, both the companies will retain their separate entities and inculcate a common brand name for the purpose of the merger procession.

During the course of the Merger, before finalization of the terms, attorney on the side of Harriete Specter observed a steady purchase of the majority share of “Specter Dream Resorts” by “Rosseliene Hotel Chains”, indicating a hostile takeover in the garb of merger, rendering Harriete Specter a mere name in the impending merger.

Stung by the indiscretion and hostile behaviour of Michelle Ross, Harriete Specter put a stop on the Merger Transaction and threatened to file suit for misuse of confidential information shared during the Merger Transaction. The parties later agreed to conduct Mediation instead, hoping to reach a mutually beneficial condition.