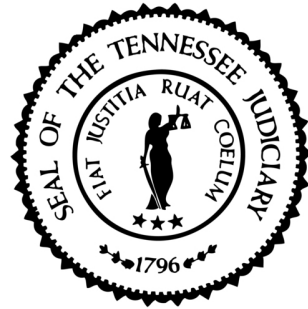




American Institute | of Mediation



Closing Skills in Litigated Cases

Lessons from the World of Sales

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Closing Techniques*

Sales people define sales as “finding the need, and filling it.”

One of the most important stages of selling is *closing the deal*, which is the action taken by the sales person to gain agreement to the sale. There are many closing techniques in sales, which are prescribed actions that sales people take to persuade the customer to make the necessary commitment. Following are an assortment of these.

This is a big list, but the real list of closing techniques is almost endless. You can go to each need, for example, and invent several closes around satisfying or threatening them. Here are closing tips to help you further.

Closing a sale is not about trickery or tactics, it is about helping people who are having an emotional barrier stop them from doing what they want to, or what may be good for them. Sometimes their doubts or fears can mentally paralyze them, or their emotions can get in the way of their logic, preventing them from seeing what they know to be true. Closing the sale is about helping them to get what they want.

This is why salespeople say, “*Sell on the tangibles, close on the intangibles.*” Note how many of these methods follow this rule.

'ABC' is a common abbreviation for “Always Be Closing.” It means that you should always be heading towards a close, with every thought from convening the mediation to getting to know them and building rapport, to the negotiation, and finally to the closing stage, everything you do is done with an eye toward the finish line.

Don't forget the important caveat in all of this: If people feel tricked or otherwise betrayed, they will not only not buy from you now, they may well never buy from you ever again or even turn all their friends against you. In particular beware of using unsubtle techniques with professional buyers, who can usually see them coming from miles away.

* The majority of this material, while edited by Lee Jay Berman, was originally published on a website called www.changingminds.org. This website is useful and contains a much longer list of techniques than are included here, and much helpful information. You are invited to visit it and learn more.

1. The 1-2-3 close

Technique

Summarize in sets of three items. This settlement will give you this, that and the other. These may be features of the settlement, benefits or add-on sweetener items. There are three ways to do this: they may either be closely related (to reinforce a single point), or may be quite separate (to gain greater coverage), or they may be three options from which they need to pick one. Most clients want resolutions that give them closure, certainty and a settlement they can live with.. This is the classic business measurement trilogy of cost, quality and time.

Examples

This resolution is better, cheaper, and faster than any other you're going to negotiate.

This seems to satisfy your price, terms, and timing.

You've got them on the ropes, they're paying you more than they said they would, and you seem to be dictating the terms. I think you've got them right where you want them!

How it works

The 1-2-3 Close works through the principle of triples, a curious psychological pattern where three things given together act as a coherent set of three hammer-blows that give a compelling message. Studies say it's always better to give people lists of three, rather than two or four.

2. Alternative Close

Technique

The alternative close works by offering more than one viable alternative, and simply asking them to choose between them. The number of alternative should be very few - two or three is often quite adequate. If you offer too many alternatives, the customer will then be faced with a more complex problem of how they choose between the many alternatives offered. An extra technique that can be effective is to add a slight nod when offering the preferred choice, or use hand gestures to emphasize each, raising one hand higher when discussing the one that you think they should take. This can also be accompanied by subtle verbal emphasis on the words.

Examples

Would you prefer the stock shares or the cash?

Would you rather have the lower settlement with cash today, or the option with more money over more time?

Which of the assets would you rather have in your basket at the end of the day?

Do you want to raise your offer by \$2,500 or offer to pay the mediation fee to get this done?

How it works

The Alternative Close is a variant on the broader-based Assumptive Close, where you act as if they have already decided to settle, the only question left is which of a limited number of options they should choose.

3. Assumptive Close

Technique

Act *as if* the other person has made the decision already. Turn the focus of the conversation towards the next level of questions, such as how they want to close it out, when they want their check delivered, or how they're going to spend their money. As you make a closing offer, extend your hand for a handshake. Smile and nod as if the deal is done. If necessary, raise your eyebrows slightly.

Examples

If they can get you your check in 15 days, will that do it for you?

So, how are you going to explain to your wife why you accepted this settlement?

Looks like you'll be able to make your train after all!

So, we have the amount you want and the release language, you just need to sign right here and you're done!

How it works

The Assumptive Close works by the Assumption principle, where acting confidently as if something is true makes it difficult for the other person to deny it. For them to say you are wrong would be to cast themselves as an antisocial naysayer. Note: This is one of the most common closes used. When you offer your hand to somebody in greeting they will automatically feel obliged to shake your hand in return, often doing this without really thinking. When they do shake your hand, they may realize that they are also agreeing to the close. Most people will not then feel able to retract their agreement. In the end, most people want to settle, they're just not sure it's time, or that they've gotten enough, but being assumptive tacitly offers your approval, and leads them to the place where it's OK for them to say yes.

4. Balance-sheet Close

Technique

List both the benefits of the settlement (the pros) and also the costs (the cons). You can even write it down like a balance sheet. Make sure the 'pros' column is longer and more impressive. Cons include things they wanted but are not getting. Start with the cons and keep them short. But do make it sound credible, as if you are giving them fair consideration. Then cover the pros. Perhaps sound pleasantly surprised as you describe them. Sound reasonable, as if you are on their side. Sound almost as if you are talking to yourself. Once you get them started, let them add to the lists, so they own them.

Examples

Well, although it costs this much and is a bit more than you wanted to pay, it does take away the risk that the jury gets to see that really likeable witness of theirs.

Let's take a look at how this looks. You're giving up a potential upside, but you're saving your expert costs, eliminating the stress, and getting your money sooner.

How it works

The Balance-sheet Close works by building Trust through appearing to taking a balanced and fair approach. It guides the other person's thinking and hopefully saves them the trouble of weighing up the pros and the cons. This is also known as the *Ben Franklin Close*.

5. Best-time Close

Technique

When people are procrastinating or want to think about it, rather than deciding, salespeople hear that as, “Knowing what I know now, I’m not ready to say ‘yes’ yet.” That means they need more evidence they can rely upon in deciding now. They need us to emphasize why *now* is the *best* time to buy. It can be helpful to bring their attention to the bigger picture of the timing, invoking seasonal timing, such as having the money in time for a family summer vacation, or just in time for gifts or trips for Christmas or other holidays. That perspective, outside of the case at hand, sometimes helps to put the settlement into perspective. Find out other personal reasons why it is good to buy now, such as their partner's birthday, etc.

You can even do a reversal on 'never the best time to buy' by showing how this makes now as good a time as any.

Examples

We see lots of settlements like this happening around the holidays.

Summer is coming. Do you have big vacation plans? Would you if you had this money in your pocket?

If you wait, chances are you would only be offered the same amount, but you'd have spent a whole lot of money on experts and deposition fees.

There is really no 'best time to settle' which makes now the best time.

How it works

The Best-time Close works by emphasizing how now is the best time to buy and how delaying is not the best thing to do.

6. Bonus Close

Technique

When they are dithering close to a decision, offer them something unexpected and un-asked for that delights them. This is a good reason for a mediator to keep a small concession by the other side in the mediator's back pocket. Always bring out those small concessions when you will get the most bang for your buck. All it needs to do is make them say 'Ooh, that's nice'. Or something like that. It has been said that $\text{Delight} = \text{Expectation} + 1$.

Examples

So, if I told you that the other side was willing to pay your side of the mediation fees, would that get it done?

Hold onto your money: I'll validate everyone's parking. It's the least that I can do..

So, as a kicker, I was able to get them to agree to overnight the check so you have it by the end of the week.

They were also willing to throw in a letter of recommendation, without me even asking!

How it works

When they emotionally close on the bonus, the sensation of closure may also leak across to the main subject. It also creates a feeling of reciprocity, where they feel a sense of obligation to agree. When they feel they have got something for nothing, they may agree to the deal for fear that you may take it away from them again. You may also create a sense of exchange, where because you have given them something.

7. Bracket Close

Technique

Make the other person three offers. First offer them something sumptuous and expensive that is beyond their budget. Not so far beyond them that they would not consider it. Ideally, it is something they would look at wistfully but just couldn't justify. Second, offer them a solid good deal that is within their price bracket. It may not have all that they wanted, but it is clearly good value for them. Finally, offer a severely cut-down deal in which very little of what they want is included. They should, of course, go for the middle option.

Examples

Well, I can do you a full kitchen system with Neff units, brass tops and hand-cut ebony edging. It's a bit pricey but is amazing quality.

A really good option is with Bosch units, hardwood tops and matching edging. This is remarkably good value.

If you are on a very tight budget, we do have some basic units, a nice laminate finish and matching surrounds.

How it works

The Bracket Close works by contrasting the preferred option both upwards and downwards. Rejecting the higher option lets the other person feel good about not spending too much. By comparison, the option they choose seems quite prudent and they may even feel they have saved some money. Rejecting the lower option lets them feel they are not a cheapskate and can afford something of value.

8. Calculator Close

Technique

Rather than conveying an offer to them, in order to change things up a bit, get out a large calculator and bash away on the keys for a while. With Plaintiffs, you can calculate for them the "Net to Client" of the current offer from the other side, and contrast it with the net to them from their last demand, showing them that they're actually much closer than they thought in terms of what they will net. Then, turn the calculator around to show the client. This works especially well with people from other countries.

Examples

Right, the last offer is \$135,000, so deducting your contingency fee, and then your costs to date, that looks like a net to you of \$65,000 ... does that look right to you? And your last demand was \$200,000, so deducting the fees and the costs, you were proposing a net to you of \$105,000, does that look right? So, we're actually only \$40,000 apart.

How it works

Working on the calculator implies that you are not just quoting a number, but you're calculating what it actually means to them. It makes it more tangible and more personal to them. You are also performing what seems to be a difficult task and exude an air of authority. Both of these invoke the exchange principle, where the customer feels more obliged to agree to the sale. Showing the price also gives a finality to the action. To ask for a further reduction would mean you would have to recalculate and so oblige the person further.

9. Calendar Close / Think About It

Technique

If they are not ready to close now, or if you feel that if they were pushed to decide now, that they might not decide in favor of the final deal that's on the table, then agree a future date by which time they will have decided. This is helpful with plaintiffs who seem like they're getting a fair deal, but they don't seem satisfied. If you let them have the weekend, they go home and talk to family, the money becomes much more tangible, they begin spending it in their minds, and it's much easier to accept on Monday than it was in the heat of the bizarre-style negotiation in the Friday mediation. This at least keeps the deal alive and you return to fight another day. This is also helpful when the parties are very far apart, so they can go do some additional and narrowly focused discovery, and then commit to return on an agreed-upon date. Putting dates in the diary may also be an assumptive method, assuming that it will close, just not yet.

Examples

It feels to me like you're feeling a little pressured, do you feel that way? Let me ask you this, the defense has said that they won't be able to move any higher, but they also agreed to leave their offer on the table for you to consider through the weekend. Would that be helpful to you?

How much time do you think you'll need to do that extra deposition and have the other medical exam? OK, so then when shall we make sense for us to come back and finish the mediation? Are we better on the week of the 13th or the week of the 20th?

How it works

Putting a date in the diary is easy for the other person, and may be agreed as an exchange for you not pressing further for a close now. Dates in the diary also get them thinking about the future, which may be a good thing as this attention will then keep them engaged.

10. Companion Close

Technique

Rather than sell directly to the person you are targeting, sell to a person they are with. This can be a husband, wife, child, friend, or even counsel. Start by being friendly with them (the target person won't mind this) then gradually increase the selling to them. Cast them as an authority, and engage them in the reasoning process. When they are nodding or making approving noises, or say they think something sounds encouraging, use them to start closing the real target, the real party in interest. Use the companion as a sales assistant, emphasizing that they may have nothing to gain or lose by how this comes out, they just want the best for the client.

Examples

Let's ask Mom, what do you think? Would you like to see this go all the way to trial?

Counsel, let's ask your opinion, you certainly see a lot of these cases, what do you think of the other side's offers at this point?

How it works

The Companion Close works because the companion to whom you are selling the idea does not have to make a financial or other commitment and so will be more ready to agree with you. When the real target sees that the other person has agreed, they are more likely to also agree, in order to maintain consistency with their opinion of their companion being intelligent and to maintain harmony in their relationship with them.

11. Compliment Close / Validation

Technique

Many clients in mediation, especially the one-time users, even when represented by counsel can be insecure about their negotiation skills, and whether they've left anything on the table. Tell them how well they've done with this negotiation, and that they negotiated a good deal. If it's true, you can tell them that they got more (or are paying less) than you thought they would be able to negotiate. Tell them that they've really worked hard to get a good deal. Cast them as the expert so they sell to themselves. Tell them how others will be impressed. Tell them how impressed you are with them as a person. Admire their integrity.

Examples

Wow. You have really negotiated a good deal! You're really good at this!

Well, as you are the expert, I know you will understand how good this is.

You really got them to move a lot further than I thought they would.

How it works

The Compliment Close works by reassuring the person, bolstering their confidence in their ability and prowess so they are more concerned with feeling good than with the specific financials of the deal. It can help to associate the person with the settlement, so they feel their sense of identity becoming attached to the deal. It also works by being nice to the other person so they feel obliged to be nice to you and be more agreeable. Putting the other person on a pedestal and admiring them encourages them to live up to the high opinion you have of them. It also works really well with disagreeable people because it demonstrates that you can agree with them, rather than just arguing, and models that behavior for them.

12. Conditional Close

Technique

Randy Lowry used to say when he was at Pepperdine that the most important two-letter word in negotiation is the word "IF". The technique here is to get them to agree in advance of presenting an offer, that if they agree to this for you, then will you sign off on the deal? Any time they offer an objection, especially late in the day, make it a condition of resolving their objection that they make the deal. Offer a concession of something they want in return for them agreeing to settle. Always phrase it in the form of, "IF they ...will you ...?" rather than, "Will you...if I...?"

Examples

So, if they agree to your release terms, and to confidentiality, will you agree to their last number?

If they move that last \$5,000 that you're asking them to, then will we have a deal? Will that do it?

How it works

The Conditional Close uses the exchange principle, or reciprocity, to build a social agreement that if I solve your problem, you will agree to be done negotiating. The Concession Close works by offering the other person something and either requesting or implicitly expecting something in return - usually the settlement. It's important to verify that this is all that they require, and then lock them in to an agreement in advance.

13. Doubt Close / The Take Away / The Reversal

Technique

Express doubt either about the settlement or the readiness of the person for the settlement, but make this a relatively weak and easily challenged statement. Pause to let the person disagree, which a contradicting person will almost certainly do. Tell them that you don't think they should take it, and that they should consider walking away. Almost push them away from it. If they do not challenge your doubt, then smoothly continue with a summary of everything so far.

Examples

I don't know if this settlement is the right thing for you.

I'm not sure if you're ready to be done with this yet. I'm seeing you make offers, but you seem like you'd rather stay in this fight with them longer.

I'm thinking you should slow down your concessions. I'm afraid you're sending the wrong signals. What message are you trying to send to them?

How it works

The Doubt Close works by pre-empting their doubting thoughts and saying them before they do. It's reverse psychology. If you echo these thoughts, it saves them from having to say them out loud. It breaks the monotony of you pushing them in a direction they don't want to go, so they will begin to trust you and be more willing to follow you later when you push again. Ultimately, it puts them in the position of arguing for why they should move forward or continue or agree to what's been proposed, which is the direction you want them to go. But you make them come to it, rather than pushing them toward it.

14. Economic close

Technique

Focus on the overall economic situation, showing how the cost is less by considering certain factors. Show how agreeing to this kind of a resolution will be better for them economically in the long run. Show how not settling has hidden costs. With business people, especially commissioned sales people like Realtors, you can ask them to assign an economic measure to the time they'd invest in the litigation, in addition to adding up the costs. Talk about the longer-term costs (client interference in a partnership or corporate dispute, etc.). Make the seemingly non-economic issues economic.

Examples

What other impacts should we be looking at in weighing litigation besides the fees and costs? Will there be employee time for depositions and complying with written discovery? How will e-discovery impact your business's day-to-day?

You might get a better deal closer to trial, but how much will you have to spend to get there, and in what other ways will that impact you?

How it works

Many people focus solely on the dollar amount of a settlement, and this plays directly to their concern by showing you are trying to watch out for their other real costs. Any time you can bring a perspective to them that they don't see on their own, you gain more of their trust. Here, you're not selling, you're simply looking out for their business or their real economic interest.

15. Emotion Close

Technique

Play to their emotions, deliberately evoking specific emotions. Find if they respond more to positive or negative emotions and act accordingly. If in doubt, go for positive emotions - these are usually better. For visual people, you can ask them if they can see their life after settlement, and ask them to describe to you how it will be different then how the last month or two has been. For auditory people, ask about the discussion around the dinner table and how that will change, and for kinesthetic people, ask how their general quality of life will feel next week, as opposed to this past week.

Examples

If you took this deal home with you, how would you feel?

How will it feel when your attorney calls to say the dismissal is filed (or the check has arrived)?

People who do not settle invariably feel bad later.

How it works

The Emotion Close works because all decisions are based on emotions. Even if you go through a logical thought process, the final step is always emotional. This takes them to the final step, and has them feel the thrill of victory, the agony of defeat, or the satisfaction of closure and certainty.

16. Empathy Close

Technique

Empathize with them. Feel what they feel. Walk a mile in their shoes. Understand their situation completely. Then, when they are empathizing back, *you* decide like they would decide. You can even talk about yourself, using 'I' instead of 'you'. Be a match-maker by bringing this very fair settlement to a worthy party.

Examples

I completely understand...and it makes so much sense to me to do this now.

I can see that this is a really difficult decision for you. Tell me what about it is so difficult for you?

You know, this solution works so well for me, but it has to work for you. How can you see this working?

How it works

The Empathy Close works by first harmonizing yourself with them and then, when you demonstrate that you feel what it is like for them to settle, they naturally come along with you. Done well, you will close at the exactly the right moment and for exactly the right reasons for them. If you love what you are “selling” to them, and really care about your clients, you will be a truly great closer, because you’re coming from sincerity and empathy.

17. Extra Information Close

Technique

When they are prevaricating, give them some additional information that will help them decide now. If they look or seem uncertain, and you do not have extra influencers in hand, you can ask them if they need more information. Or, what would help them to feel informed enough or empowered enough make up their minds.

Examples

We didn't really discuss how the economics of the settlement would work, including the mediator's fee, so let's walk through that.

You look like you need more information -- What else do you need to know before you decide?

How it works

How much information a client needs before they decide is very variable. It is easy to overload them and overwhelm them or scare them off, so generally it is better in the first instance to err on the side of caution. This can leave them with not enough information and this is what you may see in their hesitation to close. It may also just be that in their rationalizing in their own minds, or thinking about how they're going to explain it to their trusted friends or family, they may have reached a position where they need more information to get to the finish line. Your job is to find what they need and to give it to them so they have no reason not to agree.

18. Future Close

Technique

Have them think about the future. Sometimes, the heat of the negotiation, or the pressure and build-up of a mediation is too much for people. Have them have a chat with their future self, and see how they think they'll feel in 6 months or a year from now about the settlement that's on the table right now, or the one they could achieve today. In the future, the heat is off, and the likelihood is that they won't even remember how much they settled for today. It's a more distant and peaceful place from today, and they can think from that perspective with more peace and calmness than they can from today's stressful perspective.

Examples

If you look at your life a year from now, having resolved this today for what we can negotiate today, how would you look back on the decision you made today, from that perspective, and what advice would you give yourself?

When you're spending this money to pay for X, won't you look back and be glad that you had certainty today and locked in a dollar amount so you didn't have to go through litigation with its risks and all of the upset it takes to get to the end of it?

How it works

The Future Close works by getting them to think in the present about the future, hence bringing the future to now so they can 'compress time' and possibly close now.

19. Minor points close

Technique

Ask them about minor deal points, getting decisions on things they might consider if they were really going to resolve the case today. Ask about payment terms, release language, confidentiality agreements, the mechanics of filing dismissals, who the check should be payable to, the tax ID number to associate with the payment and the 1099, all of the things they need to think about only if they're going to settle. Then go for the final close on purchase.

Examples

If you do this, when would you need the money by?

The other lawyer is going to be out of town, so we may not have the dismissal filed until next week, will that be OK?

How should the check be made out, to your lawyer's client trust account? Or jointly?

How it works

The customer knows they need to decide on many factors, and this complexity of decision may be holding them back. By getting the easier decisions out of the way, this greatly simplifies the final decision, and it also creates a pattern of agreement. It makes them feel like the plane is landing and they need to make a final decision. After several closures on minor points, they get accustomed to the pleasure of feeling of closure. They can continue this by agreeing to the final terms.

20. No-Hassle Close

Technique

Make completing the deal so completely easy for them that any thought that might put them off is not there. Fill in all forms for them, write up the settlement agreement. Do all the paperwork. Have everything ready so that all they have to do is agree on a number, and everything else is already done, so it's no hassle.

Examples

I've filled in all the paperwork and all you need is to sign here.

The check will be delivered on Tuesday, and the dismissal filed concurrently, so does that cover all of the logistics? I think all that's left is to agree on that number.

How it works

The No-hassle Close works by being so simple and easy for the other person that any anticipated difficulty or hassle that may be holding them back is blown away. It also encourages them to return the favor as an exchange for your help with the completion.

21. Now-or-Never Close / The Scarcity Close

Technique

Make them an offer, but make it short-term to the point that they must decide now, or it goes away. Put the final offer on the table, and then begin scheduling expert depositions, so that they see that if they don't accept it today, they'll start spending money on Monday morning. Obviously, the strategic timing of the mediation can help here, too. Try to schedule on the eve of a status conference, or just before they begin heavy discovery. Those hammers are our best allies.

Examples

We really need to get this done by today, so let's make it clear that if we don't get a signed settlement agreement by the end of today, all bets are off and we begin discovery tomorrow.

Take it or leave it. This is your only chance. We mediators call this "the last rational moment" in a case.

How it works

The Now-or-never Close works by hurrying them up with a one-off deal. With less time to reflect or seek alternatives, they have to choose, and the thought of losing out will push them towards deciding now. Urgency always helps move people off the dime, as long as they're not so stressed that they would feel overwhelmed by this approach.

22. Opportunity Cost Close

Technique

Highlight the cost of their BATNA (not settling), and itemize the fees and costs they'll incur. Walk them through the idea of taking a case to trial and going all that way and losing and walking away with nothing. Remind them of game shows like "Who Wants to be a Millionaire" or "Deal or No Deal" with the briefcases. Ask them how often a contestant gambled and overplayed their hand until they walked away with nothing at all, and remind them that this isn't a game show, that this is their life, their family, their future, and that smart money will take a settlement over a gamble any time. And use 'cost' in its broadest sense, including hassle, dissatisfaction and problems. Time, in particular, always costs.

Examples

How will you explain it to your wife, your kids and her parents that you walked away from this amount of money, and took this case to trial and lost?

What if you go to trial and get the same amount you are being offered today? After expenses, you won't have very much left at the end of that whole ordeal.

How it works

There is always cost, whether you do or do not do something. In business and finance, the 'opportunity cost' is the name given to the cost of not doing something. Price is not the same as cost. Price is what the customer pays in cash. Cost is a whole range of problems that may or may not be translatable into money. Cost is the mediator's best friend.

23. Summary Close

Technique

Summarize the list of benefits that the other person will receive, telling them the full extent of what they are getting for their money. Make it sound impressive, using full phrases and attractive words. Go into detail, separating out as many sub-items and features as you can. But also fit the description into a reasonable space of time. Your goal is to impress them with what they are getting, not to bore them with excessive detail.

Examples

So as a part of this settlement, you're getting to close the file, increase your turn rate, and still come in under your authority (to an insurance claims professional).

You're not just getting a big check, and in hand by next week, you're also getting peace of mind, a full mutual release, confidentiality, and you don't have to call your lawyer's office ever again! And, you can talk to your friends about life and sports and vacations again, rather than about this lawsuit.

How it works

The Summary Close works by repeating what has already been offered. Putting it all together makes it seem like an even bigger package. Stating it in summary fashion, makes it feel like it's all coming together and that it's everything they came to mediation to get.

24. Yes-set Close

Technique

Ask them several questions where the answer is easy to answer and is 'yes'. Then tag on the question at the end for which you *really* want the answer 'yes'. The minimum set is usually three questions. You also do not want to over-do this, so either space out the questions or limit the number (although one research showed that eight yeses were needed overall before closure). Encourage them to say yes by nodding your head gently as you talk with them. If you need to hide the question, you can bury it amongst other questions.

Examples

You came here today to get closure, right?

And you came here today to see how much they would put on the table, right?

It's 5:00 and they're telling us that this is the best they're going to be able to do, right?

And they've promised you the check by next week, right?

And your attorney has recommended you accept this, right?

So, are you ready to follow your attorney's advice?

How it works

The Yes-set Close works by setting up a repetitive pattern of 'yes' answers that gets the other person into a habitual response. When the pattern is established and they are answering yes repeatedly, then they get themselves in a positive, reaffirmative mind set, making it easier for them to say yes to your final, closing question, than it would without the lead up. As they're saying yes repeatedly, they're feeling the closing question coming, but they're becoming more open to saying yes to it. You are building the case, and closing all of the exit doors as you walk them down the hallway, so that the only way out is through the door at the end: settlement.