



How to Eat Nachos and Influence People

a guidebook for business (and life)



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Award-winning author of *The Rails Way*
and *The Lean Enterprise*

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*To Lark, always my first number one fan. Even if you
won't return my calls anymore...*

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Power

The devil that consistently tempts me to violate my values is one that every successful person must manage carefully: Power.

The exercise of our will over the will of others is a natural human attribute. Some of us are dominant, which means we are predisposed to seek and derive gratification from exercise of power. Others are naturally submissive, and are happiest when delegating their will to others. Most fall somewhere in between or switch depending on circumstances.

I've benefitted from studying the exercise of power and accruing wisdom about how to wield power myself. In other words, it's a skill. All skills entail techniques — practical application of the skill.

This book started as a collection of techniques related to applying power in professional relationships. I called those techniques *power plays* as a catchy way to categorize and disseminate them. I don't claim to be the originator of the term by any means, but for awhile there at Hashrocket it was a thing that we discussed in the office with some degree of regularity.

It started with a time that Jon Larkowski and I kicked off a new client engagement with a company

based in Manhattan called Thompson Reuters.

It was a crisp springtime morning in Times Square. Jon and I were in town to meet executives from Reuters, an important new client for our new business, Hashrocket. To be clear, the deal was closed, but this was our first day consulting on site and kicking off the new project.

As we hustled over from the hotel to the Reuters building, just a few short blocks away, I decided we should buy some authentic New York bagels for breakfast.

Thing was, we didn't quite have time (nor space in the cramped bagel shop) to actually eat the bagels and enjoy our coffees before 9 am, the scheduled time we were to meet the client people. Instead of waiting to eat breakfast later, or skipping a meal, we took our bagels to go, in little brown paper bags, and continued on our way.

At the lobby of the Reuters building, we were held up by the fact that the person we were meeting was delayed and unavailable to let us up to the appointed floor. So we stood there, hungrily, debating the timing of our breakfast.

One the one hand, a warm bagel tastes much better than a cold bagel. On the other, it would be easier to sit down for breakfast once we made it upstairs to an office, rather than awkwardly chowing down in the Reuters building lobby.

I told Jon, “You know, we could just wait until we got upstairs and then we could eat our bagels as we met the new clients.”

“That... would be quite a power play,” responded Jon, with his signature wit, adding “there’s nothing like eating during personal introductions to really establish who’s in charge.”

He was right. If you think about it, in situations where you’re meeting a new client or business partner for the first time, polite protocol dictates that you dress well and be on your best, most attentive behavior. You are paying attention to the person you’re meeting – they are your main priority, at least until introductions are over.

How does eating during an introduction alter that equation? Well, it essentially says to the person that you’re meeting: “See here, I was hungry, and satisfying my hunger was more important than respecting protocol regarding introductions, even at the risk of pissing you off.”

Power Plays

A *power play* is a behavior that tips the balance of power within a business dynamic in your favor. Please note that I don’t recommend power plays for interpersonal relationships, just business. I like fun

power plays and shun dishonest ones, for reasons that should be clear if you read the chapter right before this one. Power plays are especially useful with consulting clients, who I've found will usually try to take advantage of you in any way they can.

It seems like the actions and modes of thinking related to *subtle* power plays come spontaneously to assertive, confident individuals, as they did to me, but it wasn't until that particular morning in the lobby of the Reuters building that the concept of naming and defining particular power plays crystallized, and the original idea for this book came to life.

The underlying principle is that your behavior will constantly affect the power dynamics of your business relationship with your clients. From the moment you first interact with a potential client, you are either helping or hurting your ultimate chances for success and satisfaction. Both parties can be happy with the balance of power resting on the vendor side, your side, as the consultant, the provider of services, as long as you manage the power dynamic with a measure of respect and wisdom.

Conversely, I believe that you will never be happy when the balance tips over to the client side, because their temptation to screw you over is ever-present and extremely tempting. Rational, even... which is one of the main reasons that I maintain a measure of contempt for untempered capitalism.

Assuming you are a moral person and skilled consultant, and you want to do a good job, I advise you to cultivate a healthy fear in your client. They should have an ever present concern of pissing you off, and causing you to fire them, not the other way around.

Normally, clients do always have the upper hand, because no matter how much they depend on your services, no matter how afraid they might be of losing you, they are the ones that pay you, and not the other way around. You depend on your clients to make your money, your living, and that leaves you at a disadvantage right from the start.

In fact, given the nature of billing cycles, you're always one or two mistakes away from not getting paid – and collecting after a disagreement can be near impossible in practice. (If any of you reading this have discovered a foolproof way to always get paid upfront, please let me know.)

“But wait a minute,” you might counter to this line of reasoning, “isn't pissing off your client with power plays a mistake?”

That would assume that power plays result in anger, but power plays should not draw the ire of any client when properly executed.

The rest of this chapter identifies some examples of power plays what I consider essential aspects of executing them with finesse. The most important aspect

of a power play is undeniably subtlety! If something is too obviously a power play, then you're doing it wrong, and putting your client relationship at risk. At its most fundamental level, a power play is simply a way to send a subliminal message about who is in charge.

The Breakfast Meeting Power Play

Let's go back to the bagel example. If Jon and I had started eating in the atrium of the Reuters building, not only did we run the risk of being interrupted by our due-to-arrive-at-any-minute client, we would also subject ourselves to the undeniable inconvenience of eating in a public place, standing up, bundled up in winter coats, and carrying backpacks.

We can extrapolate the messages that course of action would send to onlookers and the thoughts it might provoke:

- We didn't leave enough time for breakfast prior to arriving, perhaps betraying lack of preparation or foresight. Are we late risers, or did we party too late the night before, or maybe we're just lazy?
- We didn't budget enough time to finish our meal, since we might get interrupted. We might not be

able to finish eating until much later, if even at all, which means we might be working hungry. Nobody likes to work while hungry.

- We don't mind inconveniencing ourselves in an embarrassing way, which might betray lack of confidence or self-esteem issues.
- Scarfing down a bagel, loaded down with gobs of messy cream cheese, particularly in a highly visible public place, might betray a lack of social refinement.

Risking a mess before an important meeting without an easy way to clean up is foolish and risky. So we waited to eat once we got upstairs, and I think it made for a successful power play. (Fair warning, it takes years of practice and hubris to do this sort of thing without making a fool of yourself.)

"Man, we're hungry. Mind if we eat our bagels as we talk?" I inquired once our bags were on the floor and we were settling into an impromptu meeting space within the office of a vacationing executive.

It was a reasonable request, and the client granted it without any obvious displeasure. Why not, we're all friends, right?

The context makes all the difference in the world. We played it like we meant to do this all along, and here are some of the subliminal messages we transmitted:

- Sleep (our comfort) was more important than waking up early to be able to have breakfast before this meeting.
- Satisfying our hunger is more important at this moment than waiting for this meeting to finish
- We're okay with the risk of talking with our mouth full, or leaving crumbs on your meeting table.
- We are not slaves to generally accepted social protocols, which might indicate above average willingness to drive innovative solutions to problems.

Bet you didn't know you could do all that while enjoying a yummy bagel, eh? Seriously though, what you want to do with any power play is to gently send the message that you're in control, that you'll manage this relationship the way that you want, and that you can break unwritten rules whenever you want to do so. You're special, just like Mom told you when you were a child.

On the other hand, you never want that message to come across in a crass manner. Convey it matter-of-factly, as if it's the most natural thing in the world for you to get what you want.

The Pause Power Play

Here's another, more serious power play. Inevitably, you will find yourself in a situation where you're doing some work for a client and they decide that they can't pay you. However, they still want you to continue working on whatever important thing you're doing for them. They'll probably promise you payment at some later date when it's more convenient for them. Perhaps they've run out of funding, or are having cash flow issues.

Say a client informs you that they won't be able to pay you on time. Except that doesn't usually happen, does it? When a client's payment doesn't arrive as expected, they are using a power play on you. They are hoping that your fear of confrontation or fear of losing their business will cause you to ignore the non-payment or at least put up with it for awhile.

Intolerable!

When clients fail to pay, they might actually intend to pay you later or they might not. Obviously, not everyone is equally honest. I've dealt with both situations, and can tell you that some people are downright evil. But either way, they are making their problem, lack of cash, your problem. And if they expect you to continue working, then they are essentially trying to force you to give them an interest-free loan. How?

Because absent a smart late payment policy, your labor is essentially free working capital for them.

No good. Which is why you should use the Pause Power Play. As soon as payment terms are violated, you call or email your client and inform them that work will be paused until such time as payment is received. Ideally, your ability to stop working is enshrined in your contract with that client; usually it is, but you should make sure.

It is of **utmost** importance that you use the word “pause” instead of “stop,” in fact, this is what makes the whole affair a power play. Do not under any circumstances refer to it as a work stoppage. Stopping work implies that it may never start back up again, and unless the client is a real pain in the ass, you probably want to avoid that outcome. Pause, on the other hand, implies that work will start back up again, perhaps quickly. It is the client’s choice of when to press play again, just as soon as you get paid.

Retainers

Problems with payment are so common, that the best approach for a consultant is to always get paid upfront on retainer. A retainer is a regular pre-payment for services, usually on a monthly basis. It’s like a deposit for time you will bill in the future, but it has to be

replenished whenever it runs out.

You usually need to have a great reputation and a lot of nerve to ask for a retainer. So most people make do with invoicing their time for payment, and it's common to grant so-called *Net 15* or worse terms, which means you don't get paid for your work until two weeks or more after you invoice for it.

The “No Asshole” Power Play

It's a good policy to avoid working with assholes, period. Don't hire them to begin with, or fire them as soon as you figure out that they are assholes. (That goes for employees and clients equally.) However, the realities of cash-flow will keep you from following that advice 100% of the time, especially when it comes to clients. After all they're paying you, so you might be inclined to take the abuse. This is where you have to get tough and make sure you and your team get the respect you deserve. If you're being excellent then you have leverage. So use it.

Once when I was running Hashrocket, I found out that a client had yelled at Adam, our project manager, during a status call. Poor Adam, who had one of the more stressful positions in the company to begin with, was pissed off and trying to calm himself in my office when I walked in.

“What happened?”

“Mike (name changed) just totally lost his shit on the phone with me and called me a bunch of names.”

“Seriously?” I asked. But I was not shocked, given Mike’s reputation for being an asshole.

So I collected the details from Adam and gave Mike a call on speakerphone. When I connected, I calmly told Mike that Adam was sitting in my office and had just told me about their earlier phone call. Mike tried to cut me off, but I did not let him. In fact, I didn’t even ask Mike if he agreed with my assessment. I did not ask him for his point of view of what had happened, or *why* he had lost his temper. I did however, inform him in no uncertain terms, that this would be the last time that such behavior would be tolerated and that we would immediately terminate our contract if it happened again.

After a brief pause, Mike began apologizing profusely and promised that it would never happen again. I told him I was on speakerphone and that Adam was present so he could address his apology to Adam directly, and he did so.

Pleased with his reaction, I told Mike I was glad we had sorted that out and that we needed to get back to work. Believe it or not, we had no further conflicts with this guy and we did some great work for him. The incident had the side benefit of becoming part of a canon of stories related to our high standards at

Hashrocket. The way I handled it won me points with employees and clients alike. Nobody respects a wimp.

Reversal

In retrospect, it was easy to be tough on Mike because his project was small. Later on I would learn exactly how difficult it is to follow my own advice.

My biggest client at Hashrocket dragged their feet on payments again and again over the course of several months. I spent lots of energy trying to get them to pay, but ultimately let them get away with it because half of my shop was on the project. At that stage in our history, it meant about a dozen people billing 60 thousand dollars per week.

To make matters worse, the CIO of this company, the guy I was dealing with, was an asshole. Not just any old asshole, he was passive aggressive. He would purposely avoid my calls and do everything possible to keep me in my place. I could tell I was being played, but couldn't figure out how to deal with it.

This evil client nearly ruined me in the end. They waited until we had delivered a working version of their project (and owed us almost half a million dollars in late payments) before suddenly pulling the plug. No warning given, just termination. Ultimately we only got them to pay 90 thousand of what they owed and wrote off the rest of the amount as a loss.

Could we have sued them for the balance? Sure, but we demoralized and afraid of throwing good money after bad in a trial. We knew it would present an ongoing distraction and had an uncertain outcome. Sometimes you get checkmated.

Now here's the thing: if I had conjured up the balls to pause work the first time they were late, that never would have happened. If I had never tolerated asshole behavior, it probably wouldn't have happened either. Sure, we might have forsaken the big project revenue, but given the frothy condition of the market, we probably would have just earned that money from someone else. To this day that one fiasco represents the most expensive business *lesson* I've ever learned, one which would have paid for a Harvard Business School degree a few times over. It decimated our profit margin for the year and was one of the factors in Mark's decision to stir up trouble later that year.

Clients sometimes get very angry at you for pausing work. They may scream or foam at the mouth. They may make threats of legal action or worse. Or they might plead with you for mercy, calling upon your generosity or loyalty to their cause. I had one client tell me once that we were forcing him to draw down his daughter's college savings. What a sob story! After all, we didn't force him to overcommit to anything.

Don't fall for the threats and excuses. As long as

you maintain your resolve, the power rests with you. Nobody deserves to get taken advantage of, especially not someone who is working hard to do a good job.

And actually I say don't fall for it based on experience, because time and again, I witnessed clients who had "run out of money" figure out how to make payments in order to restart their projects. Maybe they had been lying, maybe they put their own personal money in, maybe they really did use their kids' college funds, I didn't actually care where it came from, as long as we got paid.

Learn to use this power play early and often. It'll save you a lot of money and grief.

The Long Vacation Power Play

If you're able to afford taking a long-distance vacation, definitely consider using this power play. It works especially well when you're friends with your clients on Facebook. Give them a daily stream of how much fun you're having on your trip. Ideally you want them to be stuck back home working while you're out having fun.

The reason that this otherwise banal power play packs a punch is that so many ambitious people don't actually take time to enjoy their success. They're always trying to infect you with their workaholicism.

They'll demand that you work continuous overtime or hound you with calls and emails outside of normal work hours. Depending on how much you need the work, you'll put up with it to some degree or another. (Don't be an enabler! It's useful to set boundaries on overtime, but that's outside the scope of this particular discussion.)

First give the relationship at least a few months to build trust, then go on a 2-3 week vacation. I'm not talking about a trip where you make sure you have internet connectivity and continue doing work even though you should be relaxing at a beach or ski lodge. I'm talking about an honest-to-goodness, completely disconnected vacation.

To be clear, I'm not saying to disappear suddenly for a few weeks or anything like that. Give your client enough notice to not be caught off guard and then go enjoy yourself. Make it seem as normal as a gray day in Seattle.

Like the others, this power play communicates confidence in your worth and abilities. You are not intimidated by your client's opinion about your vacation, nor are you worried about losing their business. But you are making it crystal clear that your needs come before theirs.

On Being a Cynic

The whole notion of power plays might seem quite negative to some people. Why play games, or risk coming off as an asshole, when good work and integrity should be enough? Actually the least you can do is to arm yourself with a confident attitude and some psychological techniques for protection.

I agree that doing good work, exceeding expectations and holding up your end of your business agreements *should* be enough for success. But the realities of the ruthless capitalist business world that we inhabit have made me cynical over the years. There is little loyalty left out there. It's every man for himself, and even friendly business partners sometimes succumb to the temptation to screw each other over if given the chance. Time and again I've been knifed in the back by people I trusted. I've witnessed clients shamelessly try to weasel out of hundreds of thousands of dollars of debt incurred for legitimate, high-quality work.

Trust, but verify. — Someone wiser than me

Learn as much as you can about everyone you

consider working with. If you're in a position to hire employees, strongly consider a strict contract-to-perm policy. If you take on clients, especially for big projects, do yourself a favor and invest in background checks and credit references. And if you work for a corporation, fully expect to be shafted as soon as it's in the shareholder's best interests to do so.

Bleak outlook, I know. But I think it's better to be pleasantly surprised when things go well. Don't believe me? Research why Denmark has the highest levels of happiness among nations while being some of the most pessimistic people on earth.