

**UNIVERSITY OF PENNSYLVANIA
THE WHARTON SCHOOL
DEPARTMENT OF LEGAL STUDIES**

**LGST 206-409
OPIM 291-409
MGMT 291-409**

**Fall 2006
Tuesday and Thursday 10:30 AM – 11:55 AM**

NEGOTIATION AND DISPUTE RESOLUTION

INSTRUCTOR: Steven G. Blum
Telephone: (215) 898-1833
Office hours: Tuesday 12:30–1:30 PM and by
appointment.
Office: 619 JMHH

Teaching Assistant: Brett Hartman

Brett's email is: bhartman@wharton.upenn.edu and his cell phone is: 1-201-660-0844. Brett will hold office hours on Fridays at 1 pm and other days by appointment.

ROOM: The course will meet in Room xxx

Other rooms may be employed for negotiating exercises. There will be several mandatory Practitioner Lectures. The times and places of those lectures will be announced.

READINGS:

- Fisher, Ury & Patton, *Getting To Yes*, Penguin, 1991. (Required)
- Fisher & Brown, *Getting Together: Building Relationships As We Negotiate*, Viking Penguin, 1988. (Required)
 - Shell, *Bargaining for Advantage*, 1999 (Required)
 - Bulk Pack of readings to be purchased at Wharton Reprographics. (Required)

RECOMMENDED (but beyond the scope of our course):

- Lax and Sebenius, *The Manager as Negotiator*, The Free Press, New York, 1986.
- Goleman, Daniel, *Emotional Intelligence*, Bantam Books, New York, 1997.
- Gilligan, Carol, *In a Different Voice*, Harvard University Press, Cambridge, Mass., 1982.
- Carnegie, Dale, *How to Win Friends and Influence People*, Pocket Books, New York, 1982.

COURSE FORMAT

The course will include lectures, class and case discussions. However, a series of simulated negotiation exercises is central to the course. Students will meet with other students outside class to conduct many of the negotiations. Other exercises will require students to meet in teams between classes in preparation for negotiations that will take place in class.

Students should consider carefully whether they can make a commitment to attend class. You are expected to participate in all negotiation exercises and class discussions. Unlike some classes, each student's ability to gain value from this course depends on every other student's active contribution and commitment. Moreover, in-class negotiations obviously will not work if one or more of the key parties are not there. To make sure that this course works well for everyone, **MISSING MORE THAN TWO CLASSES OR LECTURES DURING THE SEMESTER WILL RESULT IN YOUR GRADE BEING LOWERED ONE FULL LEVEL.** If you must miss a class, advance notice to the professor is essential to ease the disruption that will be caused by your absence. In addition, a student arriving after the class has begun will be recorded as late and be charged one half of a missed class.

Students are expected to complete all assignments by the date stated in this syllabus. Many (although not all) of the readings correlate with a

particular class. It is important that each reading be studied on time and discussed at the appropriate place in the journal.

COURSE REQUIREMENTS

1. Graded Negotiations: You will be graded relative to like-situated students on various negotiation exercises during the semester. Those exercises which are graded will account for a total of 15% of the final grade in the course.
2. Journal: Each student will keep a journal that analyzes and discusses each negotiation, explores what learning occurred in each simulation, reflects thoughtfully on the assigned readings, discusses class discussions and lectures, and chronicles your learning and thinking as the course progresses. A handout labeled "Journal Guidelines" (attached) further discusses the journal requirement. Journal submissions must be turned in to the Instructor in a timely manner, as indicated in this syllabus. The journal will account for a total of 30% of the final grade in the course.
3. Quizzes: There will be two quizzes in the course of the semester. They will not be announced in advance. (They will be "surprise quizzes.") Each of them will account for 10% of the final grade in the course.
4. Class Participation: The Instructor's evaluation of your class participation – evidence of thought, effort and involvement in the enterprise of learning in this course – will account for a total of 35% of the final grade in the course. Among the factors used to make that evaluation will be your attendance and involvement in all course requirements – including lectures, discussions and negotiation exercises.

LGST 206 JOURNAL GUIDELINES

Students should use the journal to explore their feelings about the negotiation process and note any experiences that take place during the semester outside of class that put the lessons learned in the course to use. The first entry in the journal should be a statement of why you enrolled in the course and what you hope to gain from it. This includes setting some goals for yourself for our work together this Semester. The final entry should be a summary of what you feel you have learned and what needs more practice or further study.

Regarding each exercise, ask yourself:

PRE-NEGOTIATION ENTRY

- What kind of situation am I facing? What are my goals and expectations for this negotiation? What uncertainties do I confront?
- What would be good preparation? Have I done it?
- What strategy should I adopt?
- What skill(s) will I try to exhibit or test?
- What would be a "good outcome" of this negotiation?

POST-NEGOTIATION ENTRY

- What did I learn about negotiation from this exercise?
- What did I learn about myself in this exercise? About others?
- What surprised me about my behavior? About the behavior of others?
- What would I do differently if I had it to do over again?
- What readings from the course apply to this exercise? Were they useful? Why? In what ways do these readings help me to understand what happened? Do the readings suggest how I might have done better in this negotiation situation.
- Which in-class presentations or discussions help me understand what occurred. Do they suggest other approaches I might have tried?
- Was the result a "good outcome?" Can I think of ways that it might have been a "better outcome?"

For each negotiation exercise and real world experience you have during the semester, record the insight gained and the application of negotiation principles you learned from the classes and the readings.

Use your journal to explore real feelings about the negotiation process and your developing sense of competence, comfort (or discomfort), and technique. Be candid about yourself and others. Ask the questions: "what

were the most important things I learned about myself and about the negotiation process from each exercise? What mistakes did I make that I can avoid in the future?"

What negotiation concepts and principles applied to this exercise? Show me that you understand the concepts from the readings and lectures by applying them to your discussion of exercises and experiences. (And use some basic form of citation to let me know where the ideas came from.) Did they offer you help in reaching a better outcome? How?

AVOID ENTRIES THAT SIMPLY RELATE THE SEQUENCE OF OFFERS AND RESPONSES AND REPORT A FINAL RESULT.

The journal is intended to be a place to explore and document all the learning that you are doing in the course. As a result, you should try to be as specific as possible in explaining your thinking. In addition, it may be valuable to include any work you do in preparation for, or during, a negotiation that helps your reader understand your thinking or actions.

Students in this section will be reading and commenting upon each other's journals. Please keep that in mind as you write. (If a particular entry in your journal seems inappropriate for sharing with other students, please see the Professor about it.)

REMEMBER: This journal is a written record of your personal learning. It should begin with goal setting, and end with a section on how you have done in reaching for those goals, what else you have learned, and what you should continue to work on.

I hope you enjoy the process of reflection and writing which this Journal asks of you. For some of your colleagues, it has become a lifelong project to improve their ability to negotiate and get "good outcomes" for themselves in life. Perhaps it can become that for you, as well.

Week 1
(September 7)

Introduction and Course Overview

In Class: What is this course about?

Negotiate Case 1.

Readings: ---

Assignment: Hand out Case 2 (to be completed before next class)

Week 2 Distributive Bargaining

(September 12 and 14)

In Class: Discuss Case 2 (hand in result sheets) Tuesday

 Discuss Case 3 (hand in result sheets) Thursday

Readings: Shell, Bargaining for advantage, Chapters 7 – 10.

Assignment: Hand out Case 3 on Tuesday (to be completed for next class on Thursday, September 14)

 Hand out Case 4 (to be completed before next class)

Week 3 Integrative Bargaining

(September 19 and 21)

In Class: Discuss Case 4 (hand in result sheets)

 In class lecture on BATNA

Readings: Getting to Yes, Chapter 6 (for Tuesday)

Getting to Yes, Chapters 1 - 3 (for Thursday)

Assignment: Hand out Case 5 (to be completed before next class)

Week 4 Elements of Negotiation

(September 26 and 28)

In Class: Discuss Case 5

Presentation and discussion of Elements of Negotiation

Readings: Getting to Yes, Finish the book.

Assignment: **First Journal Submission Due** (Among the topics you discuss should be: Opening Journal Entry; "Case 1;" "Case 2;" "Case 3;" "Case 4"; "Case 5"; Four Stages of a Negotiation; BATNA; Getting to Yes; Bargaining for Advantage (Chapters 7-10), and our class discussions.)

Journals distributed to First Reader and TA (Please bring 2 copies of your Journal to class.) In addition, optional third copy to "Communications Coach".

Week 5 Trust

(October 3 and 5)

In Class: Negotiate Case 6 in class.

Readings: If you have not finished Getting to Yes, this is your time to do it.

Assignment: 1. Hand in Case 6 result sheets at the end of class (Tuesday)

2. Case 7 will be handed out and negotiated outside of class on videotape.

You will do Case 7 with your negotiating partner on videotape. Videotape should be no longer than 1/2 hour and should be clearly identified with your names. Negotiations need not be completed during the tape; negotiators may continue bargaining off-camera beyond the 1/2 hour if more time is needed to reach agreement. The negotiation must be completed before the class discussion of Case 7 next week. You must review your videotape with your partner and two other tapes (can be viewed alone) and write a journal entry about what you observe about your own and others' styles.

3. Journals go from First Reader to Second Reader

Week 6
(October 10 and 12)

Creating Value

In Class: Presentation and discussion of theoretically optimal outcomes and real world strategies for creating joint gains. Where does value come from?

Discussion of Case 7 (Thursday)

Reading: Bulk Pack #2: "The Problem of Cooperation"

Bulk Pack #3: "Creating Value or Where Do Joint Gains Really Come From?"

Assignment: Gathering real world examples of value creation

2. Hand out Case 8 and team assignments - to be completed before November 14. (Note: Principals may not meet with the other side.)

3. Journals from Second Read back to Author.

Week 7

(October 17 and 19) **Measures of Fairness**

In Class: Review (again) of case Case 5 (hand in results sheets).

Readings: Shell, Bargaining for Advantage, Chapter 3.

Re-read Getting to Yes, Chapter 5.

Getting Together, Chapters 1 and 2.

Assignment: 1. Hand out Case 9 (to be completed for October 31)

2. Write a separate Journal entry entitled "Deception in Negotiation" and discuss your views on this subject. (To be handed in on October 19 as well as placed in your Journal.)

3. Journals from author to Professor

Week 8

October 24 and 26:

NO CLASS - Enjoy your Fall Break!

Week 9 Deception and Fairness in Negotiation

(October 31 and November 2)

In Class: Discussion about lying and deception. (How do we balance a need to gain information from others with our own desire to withhold information ?)

Debrief Case 9 and hand in Result Sheets.

Readings: -Shell, Chapter 11;
-Bulk Pack #4: "Ethics in Negotiation" (several articles);

-Bulk Pack #5: "Six Habits of Merely Effective Negotiators."

Getting Together, Chapters 3 and 4.

Assignment: 1. Write a separate Journal entry entitled "Deception in Negotiation - Part 2" and critique the Readings, the class discussion, and your previous journal entry on this topic.

2. Prepare "ROLE REVERSAL EXERCISE" for next class.

3. Hand out Thomas-Kilman Instrument (to be completed and a copy turned in next class – keep a copy of the last page for yourself.)

Week 10 Some Negotiating Tools
(November 7 and 9)

In Class: Presentation and discussion of some tools the negotiator can use.

"ROLE REVERSAL EXERCISE"

Discussion of Individual Bargaining Styles.

Readings: Bulk Pack #6: "Role Reversal Exercise"

Getting Together, Finish the book.

Assignment: Continue your work on negotiating Case 8.

Second Journal Submission Due (Among the topics you discuss should be: "Case 6;" "Case 7;" "Case 9;" "Case 8" (so far); Elements of Negotiation; videotapes of negotiations (including your own); creation of value; the two entries on "deception"; Getting to Yes; Getting Together, other readings; and our class discussions.)

Journals distributed to Third Reader and TA (Please bring 2 copies of your Journal to class.) In addition, optional third copy to "Communications Coach".

Week 11 Agents (November 14 and 16)

In Class: Discuss Case 8 (Hand in result sheets)

Readings: Bulk Pack #7: "When Should We Use Agents"

(If you did not yet complete your reading of Getting Together... do it now.)

Shell, Chapters 1 - 6;

Assignment: Hand out Case 10 General Instructions. Study them before next class.

Journals returned by Third Readers with comments; and distributed to Fourth Readers (Tuesday)

Journals returned by Fourth Readers (with comments) to Authors (Thursday).

Week 12

November 21 and 23

NO CLASS - Enjoy Thanksgiving!

Week 13 Complex, Multi-Issue Bargaining

(November 28 and 30)

In Class: Hand out Case 10, study roles and Negotiate.

Readings: Shell, Chapters 12 and finish the book.

Bulk Pack #8: "Preparation for a Small Negotiation"

Assignment: Hand out Case 11 (to be completed before December 5)

Prepare Final Journal Entry

Authors turn in Second Journal to professor

Week 14 **Summary and Wrap-Up**
(December 5 and 7)

In Class: Debrief Case 11

What is a Good Outcome?

What have we learned? What needs more work or further consideration?

Final Remarks

Readings: Optional Readings (or for the summer):

Bulk Pack #9: "Dispute Resolution Chapter 1: Disputing Procedures";

Bulk Pack #10: "Getting Disputes Resolved, Chapter 1: Three Approaches to Resolving Disputes".

Assignment: **Final Journal Submission Due** (Among the topics you discuss should be: Practitioner Lectures, Deception; Negotiating Tools; Role Reversal Exercise; Your Personal Negotiating Style; Case 8; Case 10; Case 11; use of agents; Getting Together, Bargaining for

Advantage, and other course readings; our class discussions and Final Journal Submission.)