

UNIVERSITY OF PENNSYLVANIA
THE WHARTON SCHOOL
Legal Studies 806-406
Negotiation
Fall 2007 Syllabus
Dr. A. J. Schuler

Classroom: TBD

Class times: Monday 3-6 p.m.

Office: Huntsman Hall 619 JMHH

Office Hours: Monday 1-2:30 p.m., or email to make an appointment

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COURSE OBJECTIVE AND FORMAT: This course is designed to help you become a better negotiator, as well as an expert negotiation analyst and strategist. Its premise is that you will learn best by *negotiating* and by *reflecting* on your negotiations upon their completion.

The course will revolve around a series of negotiations you conduct with your classmates, with each of you playing assigned negotiating roles. These negotiations will generally take place during class hours; however, some will require that you prepare for your role, meet with teammates, or conduct a portion of the negotiation prior to class. In addition to conducting the negotiations, class time will be allocated to negotiation debriefs, lectures and discussions on the assigned readings.

ATTENDANCE POLICY: Given this course's emphasis on learning by negotiating, absences would seriously disrupt the learning of one's classmates, and not simply one's own. **Accordingly, attending every class is mandatory. Moreover, it is essential that you arrive at class on time. Each class missed** (except for verified illness, religious holiday, death in the family, or other serious situations that you have, wherever possible, cleared with me in advance) **will significantly reduce the class participation component of your course grade. Note, in particular, that missing class because of a job interview, or because you are leaving town early for/returning late from a break, or because of extracurricular activities, will not excuse you from this course grade reduction. Each unexcused absence will result in 10 points off your class participation grade (out of a total of 20 pts. available, see below).**

CONFIDENTIALITY: You will be asked to sign a non-disclosure agreement that will bind you not to discuss the negotiations, or share any information or materials relating to them, with others (including, without limitation, other Wharton students who are concurrently taking, have taken in the past, or may take in the future, another section of LGST 806).

BOOKS/READINGS:

1. G. Richard Shell, *Bargaining for Advantage: Negotiation Strategies for Reasonable People (Revised and Updated)* (Penguin 2006).

2. Roger Fisher, William Ury & Bruce Patton, *Getting to Yes* (Penguin 1991).
3. Bulk Pack of required readings.

Additional readings may also be distributed in class or via Wharton Reprographics from time to time, for which an aggregate fee will be assessed at the end of the semester.

COURSE REQUIREMENTS/GRADING

1. Class Participation (20% of the course grade). You will be expected to take an active role in creating a productive learning environment. This portion of the grade will be based on your preparedness and the quality of your contributions to class discussions, as well as your attendance and punctuality. It will also take into account your classmates' assessments of (i) the quality of your class participation and (ii) both your effectiveness/level of preparedness and your ethical standards as a negotiator. Note that I will "cold-call" in the course of class discussions.

2. Graded Negotiations (20% of the course grade). Five of your negotiations will be graded, each contributing 4% to your final grade. You will be graded based on your outcomes as compared with others negotiating in the same role as you. In general, 5 points will be awarded to people in the top 1/3 of the class, 3 points to the middle and 1 point to the bottom 1/3. Where many people in a given role end up with identical results, I reserve the right to adjust this system somewhat to promote fairness over the whole class.

3. Final Analytical Paper (30% of the course grade). Your final paper will be in lieu of a final exam. The paper may not exceed 2500 words in length (about 10 pages, double-spaced). **Your final paper topic—which you must clear with me no later than November 20th (Class 10) — will be due via email by 3:00 p. m. on Monday, December 4th.** This is your chance to demonstrate your ability to analyze negotiations as a consultant, advisor, or strategist for others – something you will do throughout the course. DO NOT use the paper to write about a personal negotiation you face or have faced in the past. Such topics are best suited to your Journal. You have three options for this paper: 1) an analytical paper on a current or past complex negotiation in the news (i.e., a labor strike, failed merger, hostage situation, or war/peace negotiation) using course models, additional readings, and original thought; 2) a research paper investigating a thematic topic such as deception, gender, culture or particular industries (consulting, venture capital, brand management, sports, etc.); 3) a research interview-based report focusing on negotiation practice in a particular context (e.g. M&A investment banking, law enforcement/hostage situations, a particular professional sport). A paper in the third category may be submitted in teams of up to three students (in which case a longer paper will be expected).

4. Journal Entries (30% of the course grade). You are required to submit a Journal Entry after each of your negotiations. Handouts with a suggested Journal format and grading criteria will be distributed at the first class meeting on September 11th. Journal

Entries are due via email before the commencement of the following week's class; timeliness counts in grading Journal Entries.

NOTE ON QCs: If anyone's cumulative performance on the grading metrics noted above is distinctly at the bottom 10% of the class, he or she will receive no better than a "QC" grade for the course. If these criteria do not yield 10%, the tiebreaker (from among those who would otherwise have received a "P" grade) will be number of classes (or parts of classes) missed.

GUEST SPEAKERS: There will be two or three guest speakers on negotiation this semester. (Speakers and locations TBA.) These talks will be discussed in class; attending the talks—or viewing them on the web shortly afterwards, if you have a conflict—is mandatory.

CLASS TOPICS AND ASSIGNMENTS

Class 1, September 10th. Distributive Bargaining: the "Zone of Possible Agreement;" organizational matters

Read: Bulk Pack ("BP") #1, #2 and # 19
Class Activity: Negotiate Opening Case(s)

Class 2, September 17th. Foundations #1 (Bargaining Styles) and #2 (Goals & Expectations);

Read: Bargaining for Advantage ("BfA") Introduction, Chapters 1-2 and Appendix A; BP #3 and #4. **FILL OUT BP #4 AND BRING IT TO CLASS!!**
Class Activity: Negotiate "Appleton" and begin the first GRADED NEGOTIATION today ("House Sale").

Class 3, September 24th. Foundation #3 (Standards), and the Role of Agents

Readings: BfA, Chapter. 3; BP #5 and #6 ("House Sale" negotiation due by the beginning of this class)
Class Activity: Debrief and discuss "House Sale."

Class 4, October 1st. Foundation #6 (Leverage)

Readings: BfA, Chapter 6; *Getting to Yes*, pp. 95-187
Class Activity: "Pheasant Egg" (GRADED NEGOTIATION)

Class 5, October 8th. Foundations #4 (Relationships) and #5 (Other Party's Interests)

Readings: BfA, Chapters 4 & 5; *Getting to Yes*, pp. 3-94; BP # 12, #13 and #14
Class Activity: Negotiate and discuss "Opera Problem"

FALL BREAK, October 13-16

Class 6, October 22nd. Trust and Commitment

Readings: BP #7 and #8

Class Activity: Negotiate and discuss “Ratings War” (GRADED NEGOTIATION)

Class 7, October 29th. Bargaining Ethics

Readings: BfA, Chapter 11; BP # 15, #16 and #17

Class Activity: Negotiate and Discuss “ACME Roofing.”

Class 8, November 5th. Negotiation Analysis and Preparation

NOTE: In addition to the usual Journal Entries due today, write a special entry on your own personal approach to ethics using the framework discussed in Class 7 and presented in BfA Chapter 11. Please submit your work via email.

Readings: Review *Getting to Ye*; BfA Chapter 7 and Appendix B

Class Activity: Analyze *Getting to Yes* and begin to negotiate “Icarus Airlines” (GRADED NEGOTIATION)

Class 9, November 12th. Four Stages of Negotiation in Multi-Issue Negotiations

Readings: BfA Chapters 7, 8, 9,10; BP #9, #10, #11 and #20

Class Activity: conclude and discuss “Icarus Airlines”

Class 10, November 19th. Bargaining Teams

Final paper topic due

Readings: BP #18

Class Activity: “Harborco” (6-party, GRADED NEGOTIATION)

Class 11, November 26th. Multi-Party Negotiations

Readings: BP #21, #22 and #23

Class Activity: Mediation and Arbitration

Class 12, December 3rd. Assisted Negotiation and Dispute Resolution

Final paper due

Readings: BP #24; BfA Chapter 12

Class Activity: TBA