

UNIVERSITY OF PENNSYLVANIA  
THE WHARTON SCHOOL  
DEPARTMENT OF LEGAL STUDIES & BUSINESS ETHICS

LEGAL STUDIES 206-409 Syllabus  
Fall 2014  
PROFESSOR G. RICHARD SHELL  
NEGOTIATION

Classroom: F38 Huntsman Hall  
Office: 643 Huntsman Hall  
Class times: Thursdays 3-6PM  
Office Hours: 1:30 -- 3 PM Thursdays or call/email me anytime!  
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This course will help you become a better negotiator as well as a more intelligent negotiation analyst and strategist. **Much of our time in class will be spent doing actual negotiations (14 of them), so attending every class is mandatory. If you cannot make this commitment, please do not take the class.** Because the roles in the cases are carefully assigned, missing a class hurts everyone's learning, not just yours. Each class missed (except for verified illness, religious holiday, death in the family, or other serious situations approved, if possible, in advance) will result in a course grade reduction of one level (i.e., from B- to C+). Missing two unexcused classes will result in a *failing* grade. Recruiting, volunteer work, and any other job-related or student-activity-related reasons for missing class do not count as valid excuses, no matter how compelling they may be. In addition, if you intend to drop the course for any reason, *I ask that you do so before the second class meeting or risk having your transcript show that you "Withdrew."* This is necessary to assure that when the first graded negotiation is handed out in Class #2, we have the right number of committed students to grade the case fairly. In other words, for this class to work, you must make it one of your top priorities this semester in terms of class attendance. Please take this into account in making a final decision to enroll in this section of the course.

**Readings:** G. Richard Shell, Bargaining for Advantage (Penguin 2<sup>nd</sup> edition 2006);  
Roger Fisher, William Ury & Bruce Patton, Getting to Yes (Penguin 2<sup>nd</sup> edition 1991);  
Bulk Pack of readings on Study.net.

**GRADING: There are 100 points to be gained the class. Students with the most number of points receive the best grades.**

1. **Two in-class quizzes** (25 points). There will be two in-class quizzes worth 12 and 13 points respectively given in Classes 7 and 14. The quizzes will be short-answer tests based on readings, lectures, class discussions, and outside speakers and last roughly 20 minutes. We will not have time to discuss all the readings in class, but you will be expected to do them and answer detailed questions on the quizzes. In addition, this conceptual knowledge will contribute significantly to your success as a negotiator and strategist.

2. **Graded Negotiations** (20 points): Five of the negotiations we will do in class are graded based on the results you achieve compared with others playing the same roles as you. Five points will be awarded to people in the top 1/3 of the class; 3 points to the middle 1/3; and 1 point to the bottom 1/3. I will drop your worst performance. Thus, each of these negotiations contributes 5% toward your final grade. The

graded negotiations are noted in the syllabus. If you miss a graded negotiation, you will receive a “0” for that exercise as well as lose a grade level for the course for missing that class. Thus, it is always better to participate in a graded negotiation and do the worst in class than to miss the negotiation. In addition, if you violate the constraints of a graded negotiation (i.e. buy something for more than your bottom line or sell for less), you will receive a “-3” for that case and everyone else in the group will end up with a “no deal” result for that case. I will keep that “-3” in your final total for the semester, dropping your next worse performance. Thus, double-check all your pre-closing calculations – an excellent negotiation habit to acquire!

3. **Four one-page papers.** (15 points total). There are four 1-page papers due during the semester. All should be single spaced, 12-point type. Grades will be determined based on an evaluation of your original, experience-based insights on the paper topics as well as explicit conceptual linkages and citations (e.g. Shell, p.2-3) you make to the relevant readings in the course.

1. Paper on the **“Opera Problem”** (5 points)
2. Paper on an **actual Negotiation Adventure story** (plus Preparation Worksheet) you conduct about outside of class regarding a real-world problem or deal (4 points)
3. Paper on your personal approach to **Bargaining Ethics** (3 points)
4. Paper on **your Personal Negotiation Styles and lessons learned in the course** (3 points)

4. **Final Paper.** (25 points) Due in the last class, the paper should be a maximum of 10 pages, not including reference pages or charts, and should be double-spaced, 12-pt type. Please select a topic that shows your passion and interest in some aspect of negotiation and, as part of the paper, explain why you picked your topic and how it links to your future career or personal interests. Topics include in-depth analyses of real negotiations (mergers, international crises, historical events), industry negotiation practices (best practices in commercial real estate development deals), profiles of negotiators in fiction or drama (Shakespeare’s Henry IV), profiles of real negotiators (Donald Trump, Colin Powell, Benjamin Franklin, Gandhi), topics related to bargaining styles (culture, gender, personality), communication (lying, the use of questions, listening, non-verbal communication) or anything else you want to explore about negotiation in more depth. Grading is based on 1) thorough, imaginative, and original research, 2) originality of topic and explicit connection of your topic to your individual learning agenda, 3) excellence in writing, editing, and proofing, 4) thoughtful, clear, and helpful organization. For example, someone interested in diplomatic negotiations will get more points for exploring a little-known but fascinating example of South African diplomacy and for finding interesting, original sources on this topic such as personal interviews and primary historical works (such as debates, biographies, first-person accounts, and critical histories) than he or she will get for writing about the Cuban Missile Crisis citing common web sources and a well-known book on the topic.

5. **Peer Feedback on Overall Contribution and Earned Respect.** (15 points) Fifteen points will be awarded based on peer ratings given at the end of the class. Each student will rate each other student on a 1(bottom) -- 10 (top) scale based on that peer’s overall, demonstrated contribution to the class’s learning and development. In addition, each student will identify five fellow students as people who gained exceptional respect during the semester as negotiation partners or teammates and exhibited skill at and reputations for simultaneously managing both relationships and transactional success. Scores for this ranking will go from 10 (top) to 6 (bottom). The resulting rankings will then be combined and averaged. The class will be divided into top-, middle-, and bottom-ranked groups consisting of roughly 10--12 students each. The top group will receive 15 points. The middle group will receive between 10--15 points and the lower group between 1--9 points, based on the instructor’s evaluations of student

performance and rankings. I will notify the class of the five people who achieve the highest total scores for gaining respect for their negotiation skills at the end of the semester.

**GUEST SPEAKERS:** We anticipate that there will be several outside guest speakers this semester. Attendance at these two events is part of the course and the contents of the talks are part of the materials on which you will be quizzed. The exact times and dates of these lectures will be announced later. These lectures are videotaped and put online for students who have conflicts with the lecture dates.

## **CLASS TOPICS AND ASSIGNMENTS**

### **Class 1 (8/28)**

Prepare: Study.net #1, 2;

In class: Lecture on overview of course, Nondisclosure Forms; negotiate and discuss Cessna case; hand out and discuss syllabus.

### **Class 2 (9/4)**

Prepare: Study.net #3 and 4; Shell, Intro, Chapters 1-2, and Chapter 11, pp. 196-208;

**KEY!!! BRING COMPLETED Study.net #4 (Appendix A to Bargaining for Advantage) TO CLASS.**

In class: SUV and Appleton cases; lecture on fraud; bargaining styles, anchor effects, and information effects.

Hand out: Graded Negotiation #1 case.

**Class 3 (9/11)** (Class will start at 4 PM to allow for time to conclude Graded Negotiation #1 – results due at or before 4 PM).

Prepare: Complete Graded Negotiation #1 case; Study.net #5, 6, 7; Shell, Chapter 3.

***Hand in:*** Signed deals for Graded Negotiation #1.

In class: Lecture on agents; deadlines; electronic bargaining; standards. Discuss case results.

### **Class 4 (9/18)**

Prepare: Study.net #8; Shell, Chapter 4, 5, 6. ***In class:*** Negotiate Graded Negotiation #2 case; discuss interests and leverage as negotiation variables; introduce Preparation Worksheet.

Hand out: Opera Problem roles and Bargaining for Advantage Preparation Worksheet

### **Class 5 (9/25)**

Prepare: Study.net #9,10, 11, 12; Getting to Yes, pp. 3-94.

***Hand in:*** Preparation Worksheet for the Opera Problem.

In class: Negotiate Opera Problem; discuss Getting to Yes.

### **Class 6 (10/2) \*Opera Problem Paper Due Today**

Prepare: Study.net #13

***Hand in:*** 1-page (single-spaced) paper on Opera Problem negotiating lessons.

In class: Negotiate Graded Negotiation #3 case; lecture on trust and commitment as negotiation variables  
**Assignment over Spring Break:** Have a Negotiation Adventure and write it up in 1-page paper for Class 9.

**Thursday, October 9, 2014: FALL BREAK**

**Class 7 (10/16) \*QUIZ #1 Today**

Prepare: Readings and speakers from Classes 1-6 for Quiz!

Also: read Study.net #14, 15, 16 and Shell, Chapter 11, pp. 208-228 (not tested today).

In class: Negotiate Roofing Case; discuss ethical schools.

**Class 8 (10/23)**

Prepare: Readings on conflict and disputes to be distributed via Canvas

**Hand In: Personal Negotiation Adventure Story Paper Due Today**

In class: Prepare and negotiate the “Fee Dispute” case.

Hand Out: Individual roles for Graded Negotiation #4 case.

**Class 9 (10/30) \*Ethics Paper Due Today (read and cite Study.net #14, 15, 16 & Shell Chapter 11)**

Prepare: Study.net #17; Shell, Chapters 7-10;

In Class: begin Graded Negotiation #4 -- teams meet to prepare and teams conduct opening negotiating session with other side.

**Class 10 (11/6)**

(Complete Graded Negotiation #4 between 3 and 4:30 pm in assigned case study rooms;

class starts at 4:30 pm)

**Hand in:** Deals for Graded Negotiation #4.

In Class: discuss case; Hand out: Roles for Graded Negotiation #5

**Class 11 (11/13)**

Prepare: Study.net # 18

In class: In class: Graded Negotiation #5.

**Class 12 (11/20) \*Final Paper Topics Due Today**

Prepare: Study.net #19, 20, 21

In Class: Lecture and films on negotiating, mediating, and arbitrating conflicts

**Class 13 (11/25) \*Bargaining Styles Summary and Analysis Paper Due Today**

Prepare: Study.net #22 (to be discussed in Class #14). Review Getting to Yes.

Peer Review website activated.

In class: Negotiate and discuss “Mediation Exercises”

**Class 14 (12/4) \*QUIZ #2 Today; also Final Papers Due Today**

Prepare: All reading materials and speakers not covered on Quiz #1 (Everything between Classes 7-13 except Getting to Yes, which was covered on Quiz #1).

In Class: Films examples of negotiation and persuasion. Course wrap up.