

**UNIVERSITY OF PENNSYLVANIA
THE WHARTON SCHOOL
DEPARTMENT OF LEGAL STUDIES AND BUSINESS ETHICS**

**LEGAL STUDIES 206 SYLLABUS
Spring 2017
Monday 3:00-6:00 JMHH-355
PROF. KENNETH L. SHROPSHIRE
NEGOTIATIONS**

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All assignments should be submitted via Canvas. Grading and comments will be delivered via that site.

Course Objectives: Our time together, both in class and electronically, will be focused on enabling you to become a more effective negotiator and conflict resolver. This effectiveness in negotiating and conflict resolution requires many things, including:

- The creativity to execute deals that others might overlook;
- Knowing when to walk away;
- The patience and insight to understand the expense of litigation and other alternatives to settle costly disputes;
- The strategic skill to get your fair share of what is negotiated;
- The insight to recognize ethical traps – and the wisdom to avoid them;
- Understanding the importance of relationships;
- The ability to work with people whose backgrounds, expectations, culture, and values differ from your own;
- The ability to resolve conflicts; and
- The capacity to reflect and learn from your experience.

This course links both the science and art of negotiation and conflict resolution, but it is more “art” than “art appreciation.” If you are looking for some technological, analytic path to negotiation success...this course is NOT for you. The course will give you the opportunity to identify your strengths as a negotiator and to work on your relative weaknesses. More fundamentally, the course will provide both a conceptual framework to diagnose problems and promote agreement in a range of settings from your organization to your home.

Non-disclosure Agreement: You must sign and submit the attached agreement before we get underway. If you would prefer not to sign, you must drop the course. Please turn in a hard copy of the document.

Assigned Reading: G. Richard Shell, Bargaining for Advantage: Negotiation Strategies for Reasonable People (2d. edition, Penguin); Bulk Pack of additional readings via study.net.

GRADING FACTORS:

Nothing is accepted late. Late assignments receive 0 points. Missing a single class will disrupt the learning environment in this course. **If you miss two classes** you are doing a tremendous disservice to the learning environment. I will accept a written medical (**not work related**) excuse from a medical provider. At a minimum, each unexcused absence may cause your grade to be lowered one full step (A to B, B- to C- etc.) **If you anticipate that you will have any attendance problems please do not take this course.**

It is easy to say that grades are not everything. In this course, the reality is that you truly get much more out of it...a lifetime skill...if you are fully engaged, regardless of your outcomes on deliverables. With that in mind, all students must also commit to having at least one ONE-ON-ONE COUNSELING SESSION with Professor Shropshire. If the established office hours are not convenient, simply work with him to set a time that works for you. Scheduling is best done via email. The beginning and end of class are best utilized for discussion, not scheduling. The sessions typically take only 10-15 minutes. The discussion content is dependent on where you and the class are at the point we get together. **THIS SESSION IS NOT A FACTOR IN YOUR GRADE BUT IS A KEY FACTOR IN YOUR LEARNING.**

1. **Goals and Takeaways** (5% each 10% total): What are your goals for the course (to be delivered in the third class) What are your biggest takeaways-learnings from the course (to be delivered in the final class). These should be no longer than one page each.

2. **Peer Evaluations** (10%): You will rate your classmates on the following three dimensions using a 1-10 scale – (1 being poor and 10 being excellent): 1) overall preparation and commitment to the exercises and contributions to the course, 2) skill in one-time negotiations where the future relationship does not matter much, and 3) skill in negotiations where the future relationship matters significantly. This will be submitted **AT THE END OF THE COURSE ON APRIL 26!!**. There will be a peer evaluation tool posted on Canvas. It is your responsibility to keep track of your evaluations of your fellow students. Your evaluations will be submitted at the end of the term. The final results will be distributed once calculated. There is no need to indicate the class in which you negotiated with the peer. If you negotiate with someone more than once, submit only your single overall evaluation, not two or three. If you do not negotiate with an individual, do not submit a peer evaluation on them. **DEVELOP A SYSTEM TO TRACK YOUR EVALUATIONS. MAYBE JUST SET UP A NOTES PAGE ON YOUR PHONE THAT YOU CAN READILY REVISE AS YOU CONTINUE TO INTERACT.**

3. **Negotiation Performance:** At the professor’s option, your course grade may be increased by one half of a grade for outstanding class participation and negotiation performance.

4. **Journal Entries** (40%): Six journal entries are due. Page 6 provides the format that must be followed for each journal. Please write no more than a one-page analysis. The table below provides details regarding each journal entry. All should be submitted via Canvas.

Date Due	Journal #/%	Negotiation Exercise	Related Readings
Jan. 23	1/ (5%)	Cessna or SUV	Bulk Pack (“BP”) #1 & 9
Feb. 6	2/ (5%)	House Sale	B for A Chapter 3; BP #5,6 & 11
Feb. 27	3/ (5%)	OPEQ	BP #7-8

Mar. 13	4/ (10%)	ACME Roofing	Special Instruction: Explain the three schools of bargaining ethics discussed in B for A Chapter 11 which approach you think is best and which is your school.
Mar. 27	5/ (10%)	Personal Negotiation Analysis	Special Instruction: (see below)
April 10	6/ (5%)	Opera Problem	Bargaining for Advantage (B for A) Chapters 4-5

5. **Personal Negotiation Analysis** (10% as is noted in journal chart): During the semester, you will conduct a negotiation of personal significance (outside of class) using concepts learned in this course. You will write a two-page, double-spaced, analysis of your application of negotiation theory in your preparation, negotiation performance, and the outcome. Your analysis must reference at least three (3) negotiation concepts from the assigned readings.

6. **Analytical Paper** (40% of your grade: 8-10 pages, double-spaced. Any “reasonable” font size is fine. Use this syllabus size as an approximate guide, but it is your choice). This paper should focus on some high profile negotiation of the past or present. The paper should display the facts of the negotiation, related negotiation research, as well as your analysis. **TURN IN A PARAGRAPH DESCRIBING YOUR TOPIC IN CLASS 6. THE PAPER IS DUE AT NOON ON April 25 VIA CANVAS.** This is your chance to demonstrate your ability to analyze negotiations as a consultant, advisor, or strategist for others – something we will do throughout the course. Do not use the paper to write about a personal negotiation you face or have faced in the past. This topic is best suited for your journal. **LATE PAPERS WILL NOT BE ACCEPTED. THERE WILL BE ABSOLUTELY NO EXCEPTIONS!** Viable topics may be found in business (Acquisitions by Google, AOL-Time Warner, RJR Nabisco merger) sports and entertainment (NHL, salary negotiations, stadium financing), history (end of the Korean War, Cuban missile crisis). The topic should be of interest to you and have enough information available where you can do an in-depth analysis of the negotiation. If you choose to do a topic that is not well documented you may be doing yourself a disservice as this will require more work on your part. However, if it is a topic that truly interests you, you can look into the history of the various parties involved in the negotiation, where you may find richer documentation or find alternative ways of getting undocumented information, such as interviews with insiders. You need more than just a few newspaper articles. You must be able to tie your analysis to topics that we discuss in class and those that you have seen in the readings; **your analysis must reflect what you have taken away from this course.**

The best papers, those at the “A” level, will include a wide range of citations; negotiations research from beyond the course readings; and analysis beyond a couple of sittings. They will also include research on negotiations beyond the materials presented in class. The worst papers, those at the “C” level and below, will merely summarize the details of a high profile negotiation.

All papers should include appropriate references and citations to relevant books and articles. Those citations are INCLUDED in the 10 page limit.

Do not exceed the page limit. Again, late papers will receive an F and there will be no exceptions!

CLASS TOPICS AND ASSIGNMENTS

Class 1: Jan. 11, Distributive Bargaining: The “Zone of Agreement.”

Read: Bulk Pack (“BP”) Item #1 and #9 (on recruiting negotiations);
Class activity: Negotiate “Cessna” and “SUV.”

NO CLASS: Jan. 16 (Martin Luther King Holiday)

***Class 2: Jan. 23**, Foundations #1 and 2: Bargaining Styles and Expectations.

Read: Bargaining for Advantage (B for A), Introduction and Chapters 1-2; BP #2, and 4.
Class activities: Negotiation Style Analysis. Negotiate “New Recruit”

****Class 3: Jan. 30**, Foundation #3: Standards & Agents.

(Course Goals Assignment Due)

Read: B for A, Chapter 3; BP #5, #6 and #11
Class Activity: Negotiate “House Sale.”

***Class 4: Feb. 6**, Foundation #6: Leverage.

Read: B for A, Chapter 6
Class Activity: “Morris Nuts”

Class 5: Feb. 13, Trust and Commitment and Negotiating via Technology Part I

Read: BP #7-8.
Class Activity: “OPEQ.”

****NO CLASS: Feb. 20**,

(One paragraph description of your paper topic is due today)

***Class 6: Feb. 27**, Ethics

Read: B for A, Chapter 11.
Class activity: “ACME Roofing.”

****Mar. 4-12 Spring Break***

***Class 7: Mar. 13**, Culture.

Read: BP #3 and #14
Class Activity: Negotiate “Alpha Beta”

Class 8: Mar. 20, Negotiating Employee Relationships

Read: BP #13
Class Activity: “Global Money Project”

***Class 9: Mar. 27**, Coalitions and Offers

Read: BP #12
Class Activity: Federated Science Fund and Appleton v. Baker

Class 10: Apr. 3, Foundations #1, #4 and #5: Bargaining Style Relationships and Interests.
Read: B for A, Chapters 4 and 5.
Class activity: Negotiate and discuss “Opera Problem”

***Class 11: Apr. 10**, Negotiating via Technology Part II
Read: B for A, Chapter 9 and 10; BP #10
Class Activity: “Hollywood”

Class 12: Apr. 17, Multi-Party Negotiations
Read: BP #12.
Class activity: “Harborco.”

****Class 13: Apr. 24**: Retrospective
Read: B for A, Chapter 12
Class activity: “The Rare Book”

(Personal Takeaways due)

FINAL PAPERS ARE DUE April 25 BEFORE NOON.

PEER EVALUATIONS MUST BE SUBMITTED April 26 BEFORE NOON.

Syllabus key and important note:

***Journal entry due in indicted class**

****Other assignment due in indicated class**

These should be submitted via Canvass prior to the deadline indicated in the system. All readings should be read and you should be prepared to discuss in the assigned class.

JOURNAL ENTRY QUESTIONS
(One-page analysis)

Your Name:

Counterparts' Name(s):

Date:

Name of Negotiation Exercise:

1. RESULT OF THE NEGOTIATION AND A VERY BRIEF DESCRIPTION OF THE BEST EXPLANATION OF THIS RESULT.
2. MY MOST IMPORTANT NEGOTIATION MISTAKE
3. MY COUNTERPART'S MOST IMPORTANT NEGOTIATION MISTAKE
4. MOST IMPORTANT TAKEAWAY FROM NEGOTIATION DEBRIEFING.
5. TWO EXAMPLES OF HOW I TRIED TO APPLY THE NEGOTIATION THEORY FROM THE RELATED ASSIGNED READINGS TO THE ACTUAL NEGOTIATION (In the first journal entry...what would you have applied had you read the material in advance?)
6. PERSONAL NEGOTIATION SKILL TO DEVELOP AND PROGRESS OF PREVIOUS WEEK'S DEVELOPMENTAL FOCUS.

NEGOTIATION AND DISPUTE RESOLUTION NON-DISCLOSURE AGREEMENT

Some of the role-playing negotiation exercises used in the various sections of this course and others are very similar. The sections do not necessarily encounter/debrief these exercises at the same times during the semester.

In order to make the course work and the grading fair for this and future sections of these courses, it is essential that participants:

- Keep role-specific, confidential information to themselves except as they may choose to disclose it in the actual negotiation exercises
- Make no efforts, other than in the course of negotiations, to discover the contents of the private information given to their counterparts
- Refrain from discussing the exercises and results of negotiations with other students until they are *certain* that the person with whom they are speaking has completed the exercise and discussed it in class. *Under no circumstances should students discuss the exercises with students who are not currently enrolled in negotiation.*

The professors teaching these courses consider intentional violations of these rules to constitute violations of the ethics guidelines of this institution. By signing this form, you agree to abide by the aforementioned requirements and rules.

Signed _____

Print Name _____

Date _____

NEGOTIATIONS FAQ

JOURNAL ENTRIES

- 1) Q: How long do they have to be?
A: Journal entries should be no more than 1 single-spaced page utilizing “reasonable” sized fonts.
- 2) Q: What main points should be addressed?
A: Please see the required format in syllabus. The best journal entries incorporate analysis of what happened in the negotiation in relation to concepts outlined in the assigned reading for that week.
- 3) Q: Is it possible to make up journal entries for a missed class?
A: No. Absence from class precludes participation in the negotiation exercise, which is the subject matter for the journal entries. Missing journal entries due to class absence will be graded as a zero.

PERSONAL NEGOTIATION

- 1) Q: Is there a specific topic for the negotiation?
A: No, you are free to negotiate anything you like.
- 2) Q: How long should the analysis be?
A: Your analysis should be two double-spaced pages and include thorough yet succinct analysis of your application of negotiation theory in your preparation, negotiation performance, and the outcome. Your analysis must reference negotiation concepts from at least three (3) different assigned readings.

FINAL PAPER

- 1) Q: Are there a certain number of sources that are required?
A: No, there is no set number; however, better papers tend to use more sources. Good papers typically have a mix of sources between those that support the analysis and those that provide information on the topic. Don't fall into the trap of discussing the events that happened instead of analyzing the negotiation. The average paper has **5-10** sources.
- 2) Q: Is it ok to cover/focus on a negotiation topic (like game theory) that was not discussed in detail during class?
A: Yes, these are fair game. These can turn out to be some of the best papers, if the subject area is well researched.
- 3) Q: How much of the paper should be factual, and how much should be our analysis?
A: You should not have more than 2 pages of factual material. A good paper has a rough percentage of **20%** factual, **80%** analytical content.
- 4) Q: Can I change topics after I turn in my paper topic without telling Professor Shropshire?

A: Yes, you can. However, often people who change topics very late into the semester have to scramble to finish the paper, and as was noted several times, no extensions will be given. So, take the time to research and think about your topic, and then get feedback. This will help you pace yourself. That being said, it is better to change topics and have a good paper than stick to a topic on which you cannot find enough material or one you are not interested in.

- 5) Q: Is it possible to get an extension?
A: No.