

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

**LGST 806/MGMT 691/OIDD 691
NEGOTIATION**

PROFESSOR SARAH E. LIGHT

Fall 2020

I. INSTRUCTOR

Professor Sarah E. Light

Email: lightsa@wharton.upenn.edu (best method of contact)

Office Phone: 215-573-0575

Office: 661 Huntsman Hall

Student Drop-In Hours: Tuesdays 1:30-2:30pm, Wednesdays 9am-10am, and by appointment (all via Zoom)

II. CLASS MEETING TIMES AND LOCATION

Tuesdays 3-6pm EST

Location: Zoom/iDecisionGames platform

III. COURSE OBJECTIVES

Negotiation is a constant feature of our daily lives – at home, at work, and in the marketplace. However, many of us spend little, if any, time considering what factors make us more – or less – effective in a negotiation. My primary objective in this course is to facilitate your becoming a more *knowledgeable*, *effective*, and *reflective* negotiator. You will learn about a toolkit of negotiation approaches and principles, use those approaches and principles to improve outcomes, and be reflective so that you are constantly seeking to improve your performance.

There is no one right way to negotiate. Different approaches and styles may be more effective or less effective in a particular situation. Often what is effective depends upon the qualities and core personality traits you (and your negotiating counterpart) bring to the table. In this class, we will build an environment in which you will have the opportunity to experiment with different approaches, including interest-based bargaining and more competitive or “hard” bargaining. Over the course of the semester you will (1) learn some of your strengths and weaknesses as negotiators, (2) understand negotiation theory from the vantage point of various disciplines (law, psychology, and economics to name a few), and (3) put negotiation theory into practice.

COURSE FORMAT

This class will consist of a mix of lecture, discussion, and interactive negotiation simulations. In the Fall of 2020, it will be conducted online via Zoom and an online platform called iDecisionGames.

IV. TEXT AND READINGS

Getting to Yes: Negotiating Agreement Without Giving In, by Roger Fisher, Bill Ury & Bruce Patton, (3d ed. Penguin 2011) [“GTY”].

Bargaining for Advantage, by G. Richard Shell (Penguin, 3d ed. 2018) [“Shell”].

Coursepack: Available on Study.net [“Coursepack”].

V. CLASSROOM EXPECTATIONS

Attendance and Preparation. You and your classmates will get the most out of this class when everyone participates actively. In every class session throughout the term, you will be participating in a simulated negotiation exercise with at least one other student. **For students who are unable to attend the synchronous class, you will be participating in these negotiations before class at a time you arrange with your counterpart(s), and the debriefs will be recorded.** Your timely preparation for and attendance during these simulations and debriefs are crucial in this course. If you fail to show up for a negotiation or the post-negotiation peer feedback/debrief, your absence will preclude not only your participation, but also that of your counterpart(s). The same applies to preparation. If you come to a negotiation unprepared, not only will you lose out, but your counterpart(s) will also lose out and you will not learn the lessons and skills that the simulation aims to teach. If you do not expect to be participate in every negotiation simulation, I urge you to reconsider whether this course is the right fit in your schedule this semester.

Classroom Expectations and Attendance Policy:

- We will start and end class on time.
- During synchronous class sessions, you must keep your video on (not muted) unless we are on a break.
- You are expected to participate in all Negotiation simulations, either during class time or prior to class and stated deadlines as arranged with your negotiation counterpart(s) and explained during class.
- If you fail to participate in a scheduled Negotiation without an excused absence (eg, for illness or family emergency), in addition to receiving zero class participation points for that day, you will automatically lose one third of a letter grade in the class (from a B+ to a B).
- If you miss a second Negotiation simulation for an unexcused reason, the grade drop becomes a full letter grade (from an A to a B).

Excused absences include: family or personal medical emergencies and religious holidays. Job interviews and Wharton Club activities are not excused absences.

Confidentiality.

- **Unless I specifically direct you otherwise, you may not share confidential information you receive in connection with a negotiation simulation with anyone, including classmates who are playing the same role or friends outside of class.** Your honesty, integrity and ethical conduct in this regard will count in your grade and will affect your reputation with your peers and your instructor. If you have any questions about the confidentiality of any facts, please ask me.
- **Do not assume that the negotiation is over when you think it is over.** When you have completed a negotiation, please do not reveal your confidential information to your counterparts, or to members of another team, before returning to the classroom for the formal debrief session with me. The simulations do not always end when you sign an agreement in a break-out room. After the class discussion/debrief with me, you are free to discuss the case further with members of our class.
- **Ethics and Use of Prior Materials.** Finally, please do not discuss cases with, or borrow notes from, people outside of class, including other students who have taken Negotiation in past terms, or students who have not taken Negotiation yet. It is a violation of the University Code of Academic Integrity to post anything about the negotiation simulations on a public website, or to conduct internet/Google searches about simulations.

VI. GRADING

Your grade will be determined as follows:

- **Class Participation: 35%**
 - 10% = participation in simulations, class debriefs, and discussions
 - 14% = completion of pre-negotiation preparation and post-negotiation reports
 - 1% = sign required Non-Disclosure Agreement
 - 10% = completion of Peer Feedback
- **Short Papers/Learning Journals: 30%**
 - 15% = Short Paper #1
 - 15% = Short Paper #2
- **Final Paper: 35%**

Each component will be evaluated as follows:

A. Class Participation (35%)

Participation in Simulations and Class Discussions (10%): Participation includes timely attendance and high-quality participation in class exercises, and discussions. The grading for discussion will be based on such factors as relevance of comments to the topic covered, ability to effectively articulate personal experiences relevant to the discussion topic, and addition of new

information or insights – quality is more important than quantity of comments. If needed, there will also be opportunities to participate asynchronously in discussion groups.

Completion of Pre-Negotiation Preparation and Post-Negotiation Reports (14%): Cases and exercises require advance preparation (reading, preparation of negotiation strategy, sometimes discussion with a partner). Prior to each negotiation, you will be asked to complete and submit a short pre-negotiation preparation form (usually via iDecisionGames) that will help to guide you in your preparation. The form may become more detailed as the semester progresses. After each negotiation, you will be asked to complete and submit a short post-negotiation report (via iDecisionGames) of your results, which will help in the class debrief and discussion. Each week, you will earn one point for completing these two tasks (.5 points each).

Signing and Submission of Non-Disclosure Agreement (1%): You will be required to submit a Non-Disclosure (Confidentiality) Agreement. To convey the importance of this Agreement, you will earn one point for timely submission no later than **September 2, 2020 at 11:59pm**. If you join the Class after Class 1 from the waitlist, you must submit this form within one day after your first attended class.

Peer Feedback (10%): You will be expected to provide peer feedback to your counterparts after each negotiation. We will discuss this in more detail in class. Active participation in the Peer Feedback sessions will earn .5 points per class session for a total of up to **7%** of your grade. Failure to participate in peer feedback will result in a failure to earn these points. In addition, each student will be asked to complete a Peer Feedback survey during the final week of class, in which they list the names of the top five negotiators in class, defined as “those who are able to achieve excellent results while maintaining and strengthening long-term relationships.” Completion of the **Peer Feedback survey, by 11:59 pm on December 1, 2020**, is worth **3%** of your grade. I may take the results of this final Peer Feedback survey into account when assigning grades for Class Participation.

A. **Two Short Papers (30%)**

During the term, you must write two short reflection papers of no more than three (3) double spaced pages, 12-point Times New Roman font. **All papers, including the Final Paper, must be submitted via Canvas in word (not .pdf) format.**

Short Paper #1 is due on Sept. 8, 2020, by 3:00pm EST (by the start of Class #2).

Assignment: Discuss your personal strengths and weaknesses as a negotiator, and your aspirations and goals for yourself during the term. To the extent that your experiences during the first class, or in negotiations you have participated in prior to taking this course are relevant to this discussion, please use these in support of your discussion.

Short Paper #2 is due on October 27, 2020, by 3:00pm EST (by the start of Class #9).

Assignment: Discuss and reflect on the topic of ethics in negotiation. Please be sure to use both citations to the readings and concepts from class in support of your discussion. More details will be provided in class and on Canvas.

Each paper will be graded on a scale of 1 (lowest)-15 (highest), with 15 being reserved for truly exceptional papers (a very rare grade). Any late papers will be penalized by **1 point for each 24-**

hour period of lateness or portion thereof. A paper that is not turned in within one week of the due date will receive zero credit.

B. Final Paper (35%)

The Final Paper should be no more than eight (8) pages, double-spaced, in 12-point Times New Roman font. **The Final Paper is due at 11:59pm EST on December 8, 2020.** For the Final Paper, I would like you to analyze a real-world negotiation that *you* have participated in during the term, or prior to taking this course. For this negotiation you should negotiate something of personal value to you. Your paper should report on your plan, your strategy, and the negotiation results. You can negotiate for anything you would like—a good or service from a merchant, a salary from a potential employer, etc., as long as you enter the negotiation in good faith, act ethically, and do not disclose that you must analyze the negotiation for a class. The bulk of your paper should address the most important lessons that you learned in this course, your key strengths as a negotiator, and how you hope to improve moving forward.

The Final Paper will be graded out of 35 points. Any late Final Papers will be penalized by **2 points for each 24-hour period** of lateness. **Any final paper not turned in within one week of the due date will receive zero credit.**

***Additional guidance regarding these writing assignments has been posted in Canvas in the Assignments section.**

Citations, Collaboration and Plagiarism.

Papers must represent only the student's own creative work and effort. **I take plagiarism and cheating very seriously and will deal with such actions according to University policy.** Plagiarism or cheating on a single assignment is grounds for failing my course. Students may use computer-assisted spelling or grammar programs and may discuss general ideas of paper topics with others. But no writing coaches, relatives, or other personal assistance may be relied upon for the actual writing. The work must be your own. As with any paper, you must use a consistent citation method for sources. **Any source you quote or rely on must be either footnoted, with source and page references, or noted parenthetically,** for example (GTY at p. 7).

VII. INSTRUCTOR BIO

Sarah E. Light is an Associate Professor of Legal Studies and Business Ethics at the Wharton School of Business at the University of Pennsylvania, where she teaches Negotiation and Environmental Management, Law, and Policy. Prior to joining the faculty at Wharton, Professor Light served for ten years as an Assistant United States Attorney for the Southern District of New York, Civil Division, where she represented agencies of the United States in litigation, negotiation, and mediation. For the last four of those years, she served as the Chief of the Office's Environmental Protection Unit. Professor Light has also served as a *pro bono* mediator in the United States District Court for the Southern District of New York, where she has mediated police excessive force and employment discrimination cases. Professor Light has received numerous Excellence in Teaching Awards at Wharton. Professor Light received her A.B. in Social Studies from Harvard College, an M. Phil in Politics from Oxford University where she was a Rhodes Scholar, and her J.D. from Yale Law School.

COURSE OUTLINE AND ASSIGNMENTS

Class 1: September 1

Assignment due in Class:

Read: Coursepack #1: *3-D Negotiation: Playing the Whole Game*
Shell, Introduction, Chs. 7 & 8: *Preparation; Exchanging Information*
GTY, Part I: *The Problem: Don't Bargain Over Positions*

In class:

Introduction to Negotiation, Distributive Bargaining
Negotiate *Cessna* and *Luxury SUV*
Hand out *Parker-Gibson* instructions

Read and sign Non-Disclosure Agreement and submit attestation via Canvas by September 2, 2020 at 11:59pm EST

Class 2: September 8

Assignment due in Class:

Complete and bring to Class:

Coursepack #2: *Bargaining Styles Assessment Tool*

Read: Coursepack # 3: *Anchoring and First Offers in Negotiation*
Shell, Chs. 1 & 2: *Bargaining Styles; Goals and Expectations*
GTY, Part II.2: *Separate the People from the Problem*

[Harvard Business School Professor Goes to War Over \\$4 Worth of Chinese Food](#)

Short Paper #1 is due on Sept. 8 by 3:00pm EST (before the start of class)

In class:

Bargaining Styles, Anchoring
Negotiate *Parker-Gibson*
Hand out: *Lawnmower* case instructions

Class 3: September 15

Assignment due in Class:

Read: Shell, Ch. 12: *Ethics*
Coursepack #4: *How to Negotiate – Virtually*
Leigh Thompson, *5 Practical Ways to Ace a Virtual Negotiation* 23 March 2020, Fast Company. <https://www.fastcompany.com/90480235/5-practical-ways-to-ace-a-virtual-negotiation>

In class:

Ethics and Law of Negotiation, Negotiating Online
Negotiate *Lawnmower Case*
Hand Out: Instructions for *House Sale* case

Note: During this negotiation, the Buyer may only communicate directly with the Buyer's Agent, and the Seller may only communicate directly with the Seller's Agent. The two Agents are permitted to negotiate with one another. No discussions between any other parties are permitted.

Class 4: September 22

Assignment due in Class:

Prepare for *House Sale* negotiation

Read: Coursepack # 5: *Bargaining Through, With, and Between Agents*
Shell, Ch. 3: *Authoritative Standards and Norms*
GTY, Part II.5: *Insist on Using Objective Criteria*

In class:

Agents, Standards

Negotiating via online tools, cont'd

Negotiate *House Sale* case

Hand out: *Kidney Case* instructions

Class 5: September 29

Assignment due in Class:

Read: Coursepack # 6: *Turn Your Adversary into Your Advocate*
Coursepack # 7: *Harnessing the Science of Persuasion*

In class:

Persuasion and Influence

Negotiate *Kidney Case*

Hand out: *Job Offer* instructions

Class 6: October 6

Assignment due in Class:

Read: Shell, Chs. 4 & 5: *Relationships; The Other Party's Interests*
GTY, Part II.3 *Focus on Interests, Not Positions*
GTY, Part II.4: *Invent Options for Mutual Gain*
Coursepack # 8: *Bargaining While Black*

In class:

Integrative Bargaining; Interests

Negotiate *Job Offer*

Hand out: *Opera Problem* roles and Preparation Worksheet

Class 7: October 13

Assignment due in Class:

Prepare *Opera Problem* to be negotiated in Class

Submit Completed Preparation Worksheet

Read: Shell, Ch. 6: *Leverage*

Coursepack # 9: *Using Research to Generate Advice for Women*
Coursepack # 10: *The Behavior of Successful Negotiators*
GTY, Part III.6: *Develop your BATNA*

In class:

Integrative Bargaining, BATNA/Leverage, Gender in Negotiation
Negotiate *Opera Problem*

Hand out: *Bullard Houses* instructions

Class 8: October 20

Assignment due in Class:

Read: Coursepack # 11: *Negotiating with Liars*
GTY, Parts III.7 & III.8: *Negotiation Jujitsu, Hard Bargainers*
Prepare for *Bullard Houses* negotiation

In class:

Hard Bargaining, Ethics
Negotiate *Bullard Houses*
Hand out instructions for *Endowed Chair*

Class 9: October 27

Assignment due in Class:

Prepare for *Endowed Chair*

Note: You will *not* be allowed to bring your confidential instructions for *Endowed Chair* into the negotiation breakouts. *You may only bring your preparation notes.*

Short Paper #2 on Ethics due by 3:00pm EST (before the start of class)

In class:

Group Decisionmaking
Negotiate *Endowed Chair*

Hand out: *Carpet Wars* instructions

[*Note:* Please contact me no later than **11:59pm on Wednesday Oct. 28** if you need to conduct *Carpet Wars* outside of/prior to class next week, as there are some logistics we need to discuss.]

Class 10: November 3

Assignment due in Class:

Read: Shell Chs. 9-10: *Opening and Making Concessions; Closing and Gaining Commitment*

In class:

Teams, Commitment
Negotiate *Carpet Wars*
Hand out instructions for *Harborco* case

Class 11: November 10

Assignment due in Class:

Prepare for *Harborco* negotiation

In class:

Negotiate *Harborco*

Multiparty negotiations, coalitions

Hand out: Mediation/arbitration exercises

Class 12: November 17

Assignment due in Class:

Read: Coursepack # 12: *When and How to Use Third Party Help*

In class:

Mediation/Arbitration exercises

Explain and answer questions re: Final Paper

Hand out: *Jerry* instructions

Class 13: December 1

Assignment due in Class:

Prepare for *Jerry* negotiation

In class:

Difficult Conversations

Jerry negotiation

Hand out: *Hiring a Newtonian* instructions

***Assignment Reminder:* Peer Review Survey must be completed by today at 11:59pm EST.**

Class 14: December 8

Assignment due in Class:

Read: Coursepack # 13: *Getting to Si, Ja, Oui, Hai, and Da*

Coursepack # 14: *In Practice: Caveats for Cross-Border Negotiators*

In class:

Global Negotiations

Negotiate *Hiring a Newtonian*

Wrap up/Team exercise

***Assignment Reminder:* The Final Paper is due on December 8 by 11:59pm EST.**