

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

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

PROFESSOR SARAH E. LIGHT

Spring 2019

I. INSTRUCTOR

Professor Sarah E. Light

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

Office Phone: 215-573-0575

Office: 661 Huntsman Hall

Office Hours: Tuesdays 1:30-2:30pm and by appointment

II. CLASS MEETING TIMES AND LOCATION

Tuesdays 3-6pm

Location: JMHH F50

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.

IV. COURSE FORMAT

This class will consist of a mix of lecture, discussion, and interactive negotiation simulations.

V. TEXT AND READINGS

There are three assigned texts in this class:

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

Bargaining for Advantage, by G. Richard Shell (Penguin, 2d ed. 2006) ["Shell"].

Coursepack: Available on Study.net ["Coursepack"].

VI. CLASSROOM EXPECTATIONS

- We will start and end class on time.
- You must display your name tent.
- **You must turn off all phones, laptops and other electronic devices.**¹

Attendance and Preparation. You and your classmates will get the most out of this class when everyone participates actively. In most of the class meetings throughout the term, you will be participating in a simulated negotiation exercise with at least one other student. Hence, your timely attendance and preparation are crucial in this course. If you are absent, your absence will preclude not only your participation that day, but also that of your counterpart(s). The same applies to preparation. If you come to class unprepared, not only will you lose out, but your counterpart(s) will also lose out for that day and you will not learn the lessons and skills that the simulation aims to teach. If you do not expect to be able to attend every class, I urge you to reconsider whether this course is the right fit in your schedule this semester.

- To register for the course, you **must attend the first class.**
- You may miss **one** class or portion thereof (a portion is 15 minutes or more) without penalty if you provide me with advance notice and, if I request, make arrangements for a substitute.
- If you miss a second class or portion thereof for an unexcused reason, 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 third class or portion thereof for an unexcused reason, the grade drop becomes a full letter grade (from an A to a B), and you receive an automatic LT for the course.
- **I submit LTs based on a combination of grades, highest number of unexcused absences (to communicate the importance of attendance), and in some cases, significantly late paper submissions.**

¹ Please note that failure to follow this rule may result in lost class participation points.

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

Confidentiality. In the first class, you will be asked to sign a Non-Disclosure Agreement regarding the information you learn in connection with the simulated negotiations. The bottom line is that **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. Please do not share any information about these simulations with 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.

VII. GRADING

Your grade will be determined as follows:

A. **Class Participation** (28% + 2% for completing peer feedback survey)

Participation includes timely attendance and high-quality participation in class exercises, discussions, and peer feedback. Cases and exercises require advance preparation (reading, preparation of negotiation strategy, sometimes written materials). Participation points for simulations will be based on the quality of your preparation for these assignments, and the quality of your participation in class during these exercises and the debriefing sessions afterward. The grading for discussion will be based on such factors as the use of the assigned readings for a particular class, 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. At least one of the negotiations will be graded based on your results.

The class participation grade (which I will determine) will be informed by end-of-the-semester **Peer Feedback**. Completion of the peer feedback survey by the stated deadline is **mandatory and is worth 2 class participation points**. Each student will rate (on a secure website with confidentiality assured) each other student on a scale from 1 (lowest) to 10 (highest), based on that student's overall demonstrated commitment 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, either as negotiation counterparts or teammates, and exhibited exceptional skill at both reaching excellent outcomes and preserving or enhancing relationships.

In addition, you will be expected to provide informal peer feedback to your counterparts after each negotiation. We will discuss this in more detail in class.

B. Three Short Papers/Learning Journal Entries (30%)

During the term, you must write three short reflection papers (“Learning Journal Entries”), of 1-2 double spaced pages, 12-point Times New Roman font. These are hard page limits, and any paper that exceeds these guidelines will be penalized. **All papers, including the Final Paper, must be submitted via Canvas in word (not .pdf) format.** The papers are an opportunity to demonstrate mastery of the readings and concepts from the course.

The topics for the short learning journal entries are:

1. Discuss your personal strengths and weaknesses as a negotiator, and your aspirations and goals for yourself during the term **(due at the start of Class #2) (1/29/19)**
2. Discuss and reflect on your performance and lessons learned during *one* of the following negotiations: Parker-Gibson, House Sale, Job Offer, Opera Problem **(due at the start of Class #6) (2/26/19)**
3. Discuss and reflect on the topic of ethics and lying in negotiation **(due at the start of Class #9) (3/26/19)**

Each paper will be graded on a scale of 1 (lowest)-10 (highest), with 10 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.**

C. Final Paper (40%)

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 or before the start of Class # 14 (4/30/19).** For the Final Paper, I would like you to analyze a real-world negotiation that *you* have participated in during the term. 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.

Each paper will be graded out of 40 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.**

Guidelines for Writing Papers/Learning Journals:

While Paper #1 is a more personal reflection, as you write Papers #2, #3, and the Final Paper, please be sure to address the following:

Facts. Give a basic description of the facts of the negotiation you are discussing. What interesting or surprising things happened? Give enough information for me to understand your subsequent reflection and analysis, but do not spend more than 1/3 of the paper simply reciting the facts. There is no need to repeat the entire sequence of moves.

Reflection and Analysis. This should be the most significant aspect of your paper. Some issues to address include:

Mistakes. What did you do that you should not have done (i.e. opened too soon; trusted too much, gave away a concession too easily) and/or what did you *not* do that you should have done (i.e. probed better, closed with more clarity, etc.)?

Insights into your personal style/habits/instincts. What personal insights can you take away from this experience that can help you gain more confidence and control as a negotiator next time? Consider organizing your paper around these insights, rather than around the facts of the negotiation. Imagine you have headers on theme 1, and theme 2, etc. Then use the facts to support your analysis.

Tools/Concepts/Models/Readings. How, if at all, did this negotiation relate to the negotiation tools (use of standards, relationships, interests, leverage, etc.), readings (on style, gender, teams, interest-based negotiations, etc.) and conceptual models (distributive versus integrative bargaining, scarcity effects, reciprocity norm, audience effects, etc.) you are learning about? Be sure to discuss (and appropriately cite) readings in connection with your analysis.

The strongest papers go beyond merely describing what occurred during a particular simulation or negotiation, and instead *synthesize and reflect upon the topic and the readings*, using facts from a specific negotiation and concepts from the readings as an illustration of key lessons and themes.

D. Extra Credit (up to 2 extra points)

Students may earn up to two points of extra credit (up to one point for each of two submissions). To earn extra credit, you may submit via Canvas articles on negotiations in the popular press or examples of interesting negotiations from movies, television shows, comic strips, etc. Each of your extra credit submissions must contain: (a) a narrative discussion of approximately one page of how the article/film clip/audio/cartoon/other highlights a negotiation concept or lesson, including a concept we have discussed or will discuss in class; and (b) a Power Point slide worthy of use in class that incorporates the article/film clip/audio/cartoon/other. If you choose to use a film or audio clip, the clip should be no more than approximately 3-5 minutes. Each of your two submissions must come from different media (e.g., one fictional negotiation from a film; one non-fictional from the news). I may also call upon you to discuss the reference in class. **You may not submit the video clip from the television show “30 Rock,” in which Jack Donaghy is negotiating with his babysitter and subsequently at work.**

To receive credit, the first must be submitted on or before Class # 6, and the second must be submitted on or before Class # 13 (i.e., no submissions on the last day of class will receive credit). Each submission will be graded either as a ½ **point** if it meets basic expectations, or a full **1 point** for an outstanding submission that could be used as an example in class.

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).

VIII. INSTRUCTOR BIO

Sarah E. Light is an Assistant 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. Light received her A.B. in Social Studies from Harvard College, where she graduated *magna cum laude*, Phi Beta Kappa, and was awarded the John Harvard Scholarship and Elizabeth Cary Agassiz Scholarship for highest academic achievement. Professor Light subsequently earned an M. Phil in Politics from Oxford University where she was a Rhodes Scholar. Light received her J.D. from Yale Law School. 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. In 2017, Professor Light was awarded the Excellence in Teaching Award in the MBA Program at Wharton. In 2016, Professor Light was one of ten faculty nominated by the MBA student body for the Helen Kardon Moss Anvil Award for Outstanding MBA Teaching.

COURSE OUTLINE AND ASSIGNMENTS

Class #	Date	Assignment due in Class	In-Class
Class 1	1/22/19	GTY, Parts I and II Coursepack #1: 3-D Negotiation: Playing the Whole Game Shell, Ch. 11	Introduction to Negotiation Negotiate <i>Cessna</i> and <i>Acme Roofing</i> GTY Distributive Bargaining Fraud Sign Non-disclosure Agreement

<p>Class 2</p>	<p>1/29/19</p>	<p>GTY (finish the book)</p> <p>Shell, Introduction, Chs. 1-2</p> <p>Coursepack # 2: Anchoring and First Offers in Negotiation</p> <p>Complete and bring to Class: Coursepack #3: Bargaining Styles Assessment Tool</p> <p>Read: http://www.boston.com/food-dining/restaurants/2014/12/09/harvard-business-school-professor-goes-war-over-worth-chinese-food/KfMaEhab6uUY1COCnTbrXP/story.html</p> <p>Hand in: Short Paper #1 on Negotiation Strengths, Weaknesses and Individual Learning Agenda (instructions above in the Syllabus)</p>	<p>GTY</p> <p>Distributive Bargaining Bargaining Styles Anchoring</p> <p>Negotiate <i>Parker-Gibson</i> [if time, <i>SUV case</i>]</p> <p>Hand Out: <i>House Sale</i> case</p>
<p>Class 3</p>	<p>2/5/19</p>	<p>Prepare and negotiate <i>House Sale</i> case</p> <ul style="list-style-type: none"> Note: Before class, the House Buyer may begin discussions with the Buyer's Agent, and the House Seller may begin discussions with the Seller's Agent, but any discussions must be over email only; no discussions by other means (in person, by telephone, etc). <p>Coursepack # 4: Bargaining Through, With, and Between Agents</p> <p>Shell, Ch. 3</p> <p><i>Optional Reading:</i> Coursepack # 5: Electronic Bargaining</p>	<p>Agents Electronic Bargaining Standards</p> <p>3-4pm: Conclude <i>House Sale</i> case in groups</p> <p>4pm: Results of <i>House Sale</i> case due</p> <p>Hand out: <i>Job Offer</i> negotiation instructions</p>

Class 4	2/12/19	<p>Shell, Chs. 4, 5, 6</p> <p>Coursepack # 6: Turn Your Adversary into Your Advocate</p> <p>Coursepack # 7: Using Research to Generate Advice for Women</p>	<p>Negotiate <i>Job Offer</i> case</p> <p>Integrative Bargaining Interests Leverage BATNA Gender in Negotiation</p> <p>Hand out in class: <i>Opera Problem</i> roles and Preparation Worksheet</p>
Class 5	2/19/19	<p>Prepare <i>Opera Problem</i> to be negotiated in Class</p> <p>Coursepack # 8: The Behavior of Successful Negotiators</p> <p><i>Review:</i> Coursepack # 1: 3-D Negotiation</p> <p>Bring to Class: Completed Preparation Worksheet for <i>Opera Problem</i> (blank worksheet on Canvas)</p>	<p>Negotiate <i>Opera Problem</i></p> <p>Integrative Bargaining Interests Leverage BATNA</p>
Class 6	2/26/19	<p>Coursepack # 9: Negotiating with Liars</p> <p>Hand in: Short Paper #2: Reflect on one of the following negotiations: Parker-Gibson, House Sale, Job Offer, or Opera Problem (instructions above in the Syllabus)</p>	<p>Trust Commitment Prisoner's Dilemma/Negotiator's Dilemma</p> <p>Negotiate <i>Carpet War</i> case</p>
Class 7	3/12/19	<p>Shell Ch. 11</p> <p>Review: Coursepack # 8: The Behavior of Successful Negotiators</p>	<p>Ethics, Emotions, and Lying in Negotiations</p> <p>Negotiate <i>Bullard Houses</i> case and videotape negotiation</p> <p><i>*Note: You must bring a recording device (laptop, tablet) to record video</i></p> <p>Post video to Google Drive (instructions to be provided)</p> <p>Next week: Personal coaching sessions in small groups (times will be posted to Canvas)</p>

Class 8	3/19/19	For today: Review video of your assigned counterpart group and prepare peer feedback on Bullard Houses videotaped negotiation	<p>During today's class, students will rotate through the classroom in small groups to receive coaching from their peers and Prof. Light in 25-minute sessions.</p> <p>For the remainder of the class, students will meet with their assigned groups to provide Peer Feedback on the Bullard Houses videotaped negotiation.</p> <p>Complete mid-semester course evaluation</p>
Class 9	3/26/19	<p>Shell Chs. 7-10</p> <p>Please bring \$5 to class today.</p> <p>Hand in: Short Paper #3: Ethics and Lying in Negotiation (instructions above in the Syllabus)</p>	<p>Negotiation Process (preparation, info exchange, bargaining, commitment)</p> <p>Negotiate <i>Strategic Alliances</i> case</p> <p>Hand out instructions for <i>Endowed Chair</i> case</p> <p>Explain and Answer Questions on Final Paper topic</p>
Class 10	4/2/19	<p>Prepare for <i>Endowed Chair</i>.</p> <p>Coursepack # 10: Harnessing the Science of Persuasion</p>	<p>Persuasion and Group decision making</p> <p>Negotiate <i>Endowed Chair</i> case</p> <p>Hand out instructions for <i>Harborco</i> case</p>
Class 11	4/9/19	Prepare for <i>Harborco</i>	<p>Multiparty negotiations</p> <p>Negotiate <i>Harborco</i> case</p>
Class 12	4/16/19	Coursepack # 11: When and How to Use Third Party Help	<p>Mediation, Arbitration</p> <p>Mediation, arbitration exercises to be handed out in class</p>

Class 13	4/23/19	Coursepack # 12: Negotiation? Auction? A Deal Maker's Guide	Negotiation Design: The Third Dimension Negotiate <i>Pheasant Egg</i> case
Class 14	4/30/19	Coursepack # 13: Ten Ways that Culture Affects Negotiating Style Coursepack # 14: Getting to Si, Ja, Oui, Hai, and Da Hand in: Final Paper (instructions above in the Syllabus)	Course conclusion Final negotiation exercise to be handed out in class Debrief and wrap up