NYU Stern School of Business  
Special Topics in Negotiation: Advanced Negotiation  
B65.2160. 00  
Summer 2005 - Intensive  
DRAFT DATED JULY 7  
Saturday 9 a.m. -12 noon and 1 p.m. - 4 p.m.  
July 9, 16, and 23  
Professor Seth Freeman  
(212) 799-8720  sethboo2004@yahoo.com

There are three main purposes to this course. We're here to develop your ability to

1. handle complex negotiations with many players, different organizations, and many issues,  
2. lead groups, firms, and teams to wise consensus; and  
3. handle tough opposition wisely in important negotiations and confrontations

You'll also learn how to deal better with people from different cultures in global negotiations, and how to negotiate creatively and competitively at the same time, among other things.

As you know from Collaboration, Conflict, & Negotiation know, negotiation is a social skill, and like all social skills you have to practice it if you want to get better at it. To give you the chance to practice, we'll do a number of simulated negotiations in and out of class. We'll also use lectures, case studies, exercises, games, videos, and demonstrations to help you develop your understanding.

The simulations we'll use will cover a wide range of business situations, including

- a multi-million dollar international acquisition agreement
- a highly complex software partnership workout negotiation (which you'll negotiate out of class)
- a confrontation between a boss and a trouble-making key employee
- a group-on-group dispute between a construction company and a township

Since there is really no way to make up the experiences we create in class, and since your participation will help your classmates learn, I will expect you to attend each class.

If you have taken Collaboration, Conflict & Negotiation from another professor, there is a article you'll need to read, which I describe in the syllabus and which you can pick up in class or on our Blackboard website. If you have not taken Collaboration, Conflict & Negotiation, you may not take this course.  
Because this is an intensive course, we will have a double class each Saturday.

Welcome to the course! I hope it will be one of the very best highlights of your time at Stern, and that it will help you handle conflict and business dealings with confidence and wisdom.
Specific Course Objectives

By the end of this course, I want you to be able to demonstrate that you can wisely

1. Create AND claim wealth wisely in a negotiation
2. Cope wisely with coalitions
3. Resolve serious conflicts within your group and lead a it to wise consensus
4. Manage agents and principals and win wise mandates,
5. Confront someone persuasively without needlessly hurting the relationship
6. Prepare for and manage complex, high-stakes, multi-issue negotiations, and
7. Manage negotiations between two organizations

Day -To-Day Course Logistics

When and How to Reach Me:
Phone: You are welcome to call me any time from 10:00 a.m. to 11:00 p.m. any day but Sunday. My phone number is (212) 799-8720. Please do not call to tell me you will miss a class. e-mail: My address is sethboo2004@yahoo.com.

Handouts- You'll find handouts for the day's class in a stack near the door as you walk in. Please take one of each handout.

Blackboard Website: Please check Blackboard at your earliest convenience to make sure you have access to our website and that your name and correct email address are listed there. Unless I otherwise announce, our grader and I will post all our course handouts within 24 hours after a class under "Course Documents". You may also find a given quiz there within a few hours after the class I assign it. You'll find the syllabus under "Course Information." Our website address is http://sternclasses.nyu.edu/webapps/portal/frameset.jsp?tab=courses&url=/bin/common/course.pl?course_id=184543_1
Grading

25% Class participation
35% One or two take-home quizzes (the first is required; the second optional)
40% One or two comment memos (the first is optional; the second required)

A Word About Grading Policy Generally
About 35% of students get grades in the A range, and about 65% have gotten grades in the B range. In the past it usually just worked out that way using my basic approach to grading. Recently Stern instituted this distribution as a basic guideline. The distribution guideline helps us insure fairness among different advanced negotiation courses.

When it comes time to give letter grades, here's the basic grading system I'll use: A= 91.00 or better; A-= 90.00 or better; B+= 87.00 or better; B=83.00 or better; B-=80.00. I may adjust this system as needed to fit the grade distribution guideline.

Class Participation. A key part of class participation is being here. I expect you to be fully prepared each class to discuss assigned readings and simulations, to be active in our in-class exercises, and thoughtful in your contributions. You should expect me to call on you periodically. When I do, you should be ready to comment on the observations of other students and the material under discussion. I will also encourage you to talk about things that anger you, amuse you, surprise you, or strike you as just plain wrong. Since you'll be writing comments about several simulations that we'll do or debrief in class, it's especially important not to miss those classes. I will also look for signs you were listening to your classmates when you write about simulations we discuss in class.

Asking Questions. One very good way to participate in class is to ask questions. I particularly encourage you to ask 'dumb' questions. (As you'll see, one of the central points of the course is that 'dumb' questions have remarkable value in negotiations.) Usually they are the best contributions of all.
Attendance Sheet. Please be sure each class to sign the attendance sheet- a standard feature of negotiation courses around the world. A sheet helps assure us that I'm giving you the credit you deserve for being here.

Listening. Part of your grade on the memos will depend on how well you listen to classmates’ comments, quote them, or describe an in-class debate on a specific topic.

Laptops, Internet, and WiFi. I do permit students to use laptops in class. However, out of respect for everyone and to improve class participation, I do not permit students to use the Internet during class. If you have a special need, please speak with me about it outside class.

Self-Assessment. To help determine your grade for class participation, I will rely in part on your own assessment, using a simple form which I will ask you to complete and submit in our last class.

Handout Fee. Another part of your class participation grade depends on your paying the course handout fee in a timely manner. To avoid unpleasantness for both of us and to make sure I can submit your final grade, please pay the fee by class 1. (The bookstore sends me a report.) For more details, see the top of the reading list below.

Class Participation Grading Guidelines. To determine your grade for class participation, I usually begin by assigning each student a base grade. Then I add points for good comments and questions, and involvement in the simulations. I also deduct points for lack of involvement and missed classes (see below). Class participation grades usually range from about an 83 to a 95.

What If You Do Miss Class(es)? Excused Absences. Each class meeting is worth 5% of your grade for the course. The only exceptions are for

- religious or civic obligation
- serious family emergency or
- serious illness

Just give me a brief note explaining the matter as soon as you reasonably can if this is the case.

Other Absences. Please do not ask to be excused for other reasons, such as

- an interview
- a work eruption
- a computer malfunction
- an unexpected business trip, or
- a conflicting event

While these things are certainly important, I expect you to make this course a priority as you would a major business undertaking. There's no need to notify me or apologize to me if you miss a class.

If You Expect to A Class. Please talk to me about it as soon as possible after class. While I'd love you to stay, we may conclude you shouldn't take the course this semester. Since we only have six classes in the course, the administration has asked me to be strict about this policy.

The Optional First Simulation Memo and The Other Required Simulation Memo. I'll tell you how to prepare each of the two memos. The first is optional, the other required. In each I'll ask you to discuss specific, transferable lessons you've learned from a given simulation and how the experience, the debriefing, the readings, and the lecture helped you learn them. (I may also ask you to comment thoughtfully and constructively in a paragraph about the work of the classmate you negotiated with. I will never grade you on
what someone else says about you; rather, only the writer's grade will be effected.) Because we are doing an intensive version of the course, I will not be able to give detailed feedback on the first memo before the second is due. Therefore, I'm giving you the option of waiving the first memo entirely, or requesting a grade only on the first memo, which you'll receive via email before the second is due, or fast, brief feedback on the first memo which I may (or may not) be able to send you before the second is due. While you can also request detailed feedback, I probably won't be able to get it to you before the second memo is due. The second memo is a required assignment. Unless I say otherwise in this syllabus, please have each memo submitted in class in hard copy form.

**A Word About Writing.** Since good writing counts in business, I will base part of your grade for written work on your writing. Use simple words and sentences whenever you can. Please be succinct.

**The Typo Challenge!** If you spot a significant typo in these materials and politely bring it to my attention after class, I'll give you 1 class participation point of extra credit.

**The At-home Quiz(zes).** Each of the two quizzes will present you with a negotiation case and ask you to answer questions about them using course concepts. You'll need to return each to me in class. I've designed each quiz to take one hour or less. You must do the first quiz; you may elect to do the second quiz. If you do one, it will be worth 35% of your final grade. If you do both, the average of the two quizzes will be worth 35%. Each one you submit counts. There's no need to tell me you won't do the second quiz- simply don't submit it and I'll understand you elected not to do it.

**Deadlines.** If you miss a deadline for a written assignment, I will deduct three points for that assignment for the first day it's late, and one point for each additional day except Sunday. The only exception is for religious or civic obligation, serious family emergency, or serious illness. Just give me a note as soon as you reasonably can if this is the case. Please do not ask for an exception for other reasons.

---

**Biography**

My name is Seth Freeman, J.D. I practiced corporate and securities law in large New York firms for six years following my graduation from the University of Pennsylvania Law School in 1984. Since 1991 I have taught law and business at several schools, and now teach as an adjunct professor at Columbia Business School, where I teach in the full time and EMBA programs, and an assistant adjunct professor at NYU's Stern School of Business. I am also a visiting professor of international business negotiation at Bordeaux École de Management in France, and at Sun Yat-Sen University, and Beijing University in China. I teach courses on a variety of subjects including negotiation and conflict management, the economics of complex decisions, entrepreneurial negotiation, securities regulation, corporate law, and general business law.

I also serves as a trainer and consultant on negotiations for organizations such as UBS, Stew Leonard's, Polo Ralph Lauren, and Spire Capital.

I'm married to my wife Cary, who is an actress. We live on the Upper West Side.

Since 1992 I have also been an active student of mediation and other forms of alternatives dispute resolution. I served as a mediator for the Queens Mediation Center, and as a member of the board of directors of the Society of Professionals in Dispute Resolution, New York Chapter. My work in private practice included transactions involving initial public offerings, corporate restructurings and aircraft financing.

I graduated from Cornell University in 1981 with a degree in economics.
Here are the readings for the course:

Required: Copyrighted Materials I'll Distribute to You In Class*


*How To Pay for Copyrighted Materials for Special Topics in Negotiation

I will announce in class how to pay for the materials. To make sure we honor the copyrights, I will need to withhold a student’s final grade if (s)he does not pay for the materials.

You should complete the reading assignments before the class indicated unless otherwise noted. Any time you see the word "chapter" it refers to Essentials of Negotiation 3d. Sometimes I will also distribute other materials.

1. (9:00 a.m.-12:00 p.m. Saturday, July 9) Introduction to the Course; Creative and Competitive Negotiation; Multi-issue Talks and Global Negotiation; Topics, Targets, and Tradeoffs grid; Rio Copa Simulation; Managing Distributive and Interest-Based Negotiation

Reading:
No assignment.

Find in the Outline for Class 1:
Assignment memo describing first comment memo, due in class 2; and Essay: "How To Get an Excellent Grade on a Memo;" and

Pick Up:
A copy of the article entitled "I FORESAW IT" which you should read by class 3 if you did not take Collaboration, Conflict, & Negotiation with me, Prof. Freeman. Also pick up a copy of the Republic Salary negotiation exercise.

Also Pick Up:
PowerScreen materials. (See description of class 3 below for details.)

Do by Class 5:
By Class 5, you and your teammate should do the following: first, read the PowerScreen materials you picked up in class 1. Next, you and your teammate should prepare to negotiate the PowerScreen simulation and then negotiate with the NYU student(s) who I will have assigned you to. As the memo you are picking up in class 1 notes, you may negotiate face-to-face, by phone, by fax, by email, or any other way you wish. The simulation itself usually takes one or two hours, though some students take considerably longer. The simulation is very good preparation for real life and for the optional final exam, and you will write a group simulation memo on it. I describe what your simulation memo should include in the PowerScreen simulation materials I am handing out in class 5. Be sure to prepare an I FORESAW IT plan for this simulation.
Do In class:
Get the name and contact information of the student with whom you do the Rio Copa simulation.

Handout Fee Due by Tonight
You can pay on-line following the instructions at the top of the reading list on page 6. Please don't bring money to class.

2. (1:00 p.m. - 4:00 p.m.  Saturday, July 9)

Negotiation and Group Decision Making
FG&T Simulation; Coalitions and Decision Rules; Groups and Negotiation; Transcending Coalitions with Consensus Building Skills. Demonstration; Mitchell at Northern Ireland; DowPonto case- what went wrong? (time permitting)

Required Readings:
None.

Recommended Readings:

Due in class 2 or 3: Student Survey (last page of this syllabus)

Pick up:
The First Quiz. Please do the following web readings before you complete the quiz.

• "Meeting Facilitation" which you can find at the Website of the University of Colorado's Conflict Research Consortium Website at http://www.colorado.edu/conflict/peace/treatment/meetfacl.htm
• "Ground Rules"
  http://www.colorado.edu/conflict/peace/treatment/grules.htm
• "Consensus Rule Processes", which you can find at the same Website at http://www.colorado.edu/conflict/peace/treatment/consenpr.htm
• "Meeting Design"
  http://www.colorado.edu/conflict/peace/treatment/meetdes.htm
• "The Mediation Process" by Christopher Moore,
  http://www.colorado.edu/conflict/peace/moor7538.htm  Moore identifies several approaches to mediation, but his overall theme reinforces and develops ideas we've developed in class.

Due Tuesday, July 12 by 4:00 p.m.
The First Quiz, which is due via email Tuesday, July 12 by 4:00 p.m. Send the quiz to our grader Kishore Mitikiri at kmitikir@siac.com and send a cc to me, Prof. Freman, at sethboo2004@yahoo.com
Required Readings

- If you are a student who was not in Collaboration, Conflict, & Negotiation with Prof. Freeman, then by class 3 next week you will need to read a copy of the article entitled "I FORESAW IT" which you picked up in class 1. (I also sent a copy of this reading to the class via email in mid June.) See notes to class 3 below for details about that reading. (You may want to begin the reading and the related non-gradable exercise there this week.)

- Regardless, by class 3 read and consider the Republic Salary exercise, which you also picked up in class 1.

Also, if you are a student who was not in Collaboration, Conflict, & Negotiation with me, Prof. Freeman, then by class 3 you will need to read a copy of the article entitled "I FORESAW IT" which you picked up in class 1. Please read the article (pp. 1-4) and review the appendices (pp. 5-14). If you would like to practice your ability to use the I FORESAW IT mnemonic, read and try the Republic I FORESAW IT Salary Negotiation exercise, which appears at the end of the article (pp. 15-16). There's no grade for this assignment and you won't turn it in. However, I will distribute sample answers in class 3. It's good practice for the PowerScreen negotiation, which you'll do later in the course and which you submit a memo about at the end of the course. It can help you improve your ability to negotiate salary.

Due In Class 3:
The optional first Memo on the Rio Copa simulation, following the assignment format I distributed in class 1. Information about what makes a memo excellent appears in the outline for class 1. This is a solo memo- if you elect to do it, you will do this memo by yourself. Be sure to include your email addresses and phone numbers in the memo itself. Because we are doing an intensive version of the course, it probably will be possible for me to give detailed feedback on the first memo before the second is due. If you want a grade via email before the second memo is due, please put your memo in the "Grade Only, Please" pile; if you want more brief feedback too, which I may (or may not) be able to give you before the second memo is due, put your memo in the "Brief Feedback Too, Please" pile. If you elect not to do the memo, simply submit nothing.

Also Due in Class 3
Student Survey (last page of this syllabus) (if you didn't submit it in class 2).

Find attached to Outline for Class 3:
Republic Exercise sample answers.
5. (9:00 a.m. - 12:00 noon) Highly Complex Talks
   Saturday, July 23)

   **Powerscreen** simulation debriefing; Preparing for and Managing
   Highly Complex Negotiations; Measures of Success; **Chestnut Village Simulation Part I**

   **Reading:**
   Chestnut Village materials, which you received in class 4.

   Please read the Chestnut Village general and confidential materials, which I gave you in class 4. In the last part of class 5, your group (Bunyon construction or Citizen's Committee) will meet to work out any differences among you and prepare for the upcoming negotiations. You will also appoint a representative for your group and decide how much authority, if any, he will have. The representative will receive three extra class participation points. The representative must tell the other side's group at the end of class that he or she is your representative. Between class 5 and class 6, the representatives for each of the two groups must meet for up to 40 minutes out of class to begin negotiating the matter. They must stop negotiating after 40 minutes. During the first 20 minutes of class 6, your group will meet with your representative to discuss the state of the talks and to complete preparations before your group meets with the other side. (If the representatives reached an agreement, the group members may veto it if they did not give the representative full authority. If the representative reached an agreement and had full authority, then the follow-up meeting will be a 'second look' meeting to see if you can reach an even better deal that's acceptable to both sides.) You may keep or replace your representative in this meeting. Then, also in class, all members of your group will attend the follow-up meeting with all members of the other side, though only one representative may speak. You may caucus any time. The follow-up meeting will take up to 50 minutes. I'll then ask you to report your results and have each member of your group fill out a brief questionnaire.

   **Due in class:**
   Complete your Powerscreen simulation negotiation before class 5.

   **Find Attached to Outline for Class 5:**
   Class participation self-assessment form, which you'll submit in class 6.

6. (1:00 p.m. - 4:00 p.m.) Complex Organizational Talks: Overcoming Resistance
   Saturday, July 23)

   **Chestnut Village Simulation** Concludes; Debriefing; Sharp Bargaining Tactics (time permitting) Putting It All Together; Conclusion

   **No Required Reading Assignment**

   **Recommended Reading**
   Essentials, Chapter 3 pp 86-92; Chapter 7 pp. 194-198; Chapter 3 pp 83-85

   **In Class 6**
   As I noted in the description of class 5 above, during the first 20 minutes of class 6 this week, your group will meet with your representative to discuss the state of the talks and to complete preparations before your group meets with the other side. (If the representatives reached an agreement, the group
members may veto it if they did not give the representative full authority. If the representative reached an agreement and had full authority, then the follow up meeting will be a 'second look' meeting to see if you can reach an even better deal that's acceptable to both sides.) You may keep or replace your representative in this meeting. Then, also in class, all members of your group will attend the follow-up meeting with all members of the other side, though only one representative may speak. You may caucus any time. The follow-up meeting will take up to 50 minutes. I'll then ask you to report your results and have each member of your group fill out a brief questionnaire.

*Also Due in Class:*
Class participation self-assessment form you received in class 5.

*Pick up*
Optional Second Quiz, which, if you elect to do it, is due in 96 hours after class 6.

*Due via email 96 hours after class 6)*
the Optional Second Quiz. Send a copy to me at sethboo2004@yahoo.com. Each question is of equal weight.

*Due July 30 via email:*
The required second comment memo on the PowerScreen simulation, following the format I describe in the Assignment memo I distributed in class 2. This is a team memo; the members of your team (i.e., the students who negotiated on your side) will collectively submit a single memo. Be sure to include each team member's email address and phone number. Each member of the team will get the same grade I assign to the memo.
Summary of Deadlines of Deliverables
(this list does not include reading assignments and out-of-class simulation work)

Class 2 (Saturday AM 7/9)      Anonymous Student Survey
Tuesday, 7/12 by 4 p.m.       First quiz
(96 hours after class 2)      

Class 3 (Saturday AM 7/16)    Optional First memo re Rio Copa
Class 6 (Saturday 7/23)       Second memo
Class 6                        
96 hours after Class 6        Optional second quiz
July 30 via email             Required Second memo re PowerScreen

= non-gradable assignment
= required, gradable assignment
= optional item

Summary of Class Meeting Dates

- Class 1 (Saturday 9 a.m, July 9)
- Class 2 (Saturday 1 p.m, July 9)
- Class 3 (Saturday 9 a.m, July 16)
- Class 4 (Saturday 1 p.m, July 16)
- Class 5 (Saturday 9 a.m, July 23)
- Class 6 (Saturday 1 p.m, July 23)
Whether or not you have taken a course with me before, please take a few minutes before our 2nd class to jot down answers to the following questions. I'm asking these questions to help me learn better how to make the course valuable for you. You may write on the back or attach a sheet if you need more space. You may include your name if you'd like, or you may write anonymously.

1. If you've ever taken an intensive course before (that is, a course with lots of meetings in just a few days), please note here things the professor did that helped make it better for you. If not, note here things you think might help.

2. Please name one thing that gives you joy and one thing that's been a real burden for you in recent months.

3. Tell me one thing one of your professors did that helped develop a good rapport with your class.

4. Please tell me anything else you would like me to know that may help me understand your needs and hopes for the coming semester.

5. Please submit this form anonymously in class 2 or 3.