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, 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 multi-party negotiation about the creation of a shopping mall
- a confrontation between a boss and a trouble-making key employee
- a group-on-group international aircraft engine re-negotiation

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.

*We will have a special joint session with students from the NYU law school on Saturday, April 16 from 9:00 a.m. – 1:15 in another room in KMEC. Since I will require you to submit a memo about this simulation, you must attend this special session. Please see me immediately if you believe you will not be able to attend it. There will be no class May 5.*

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.

October 13, 2010
Specific Course Objectives

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

1. Manage negotiations between two organizations
2. Resolve serious conflicts within your group
3. Lead multi-party negotiations to consensus
4. Handle litigation settlement talks
5. Respond persuasively to resistance in difficult negotiations
6. Manage coalition dynamics
7. Prepare for complex, high-stakes negotiations

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 6:00 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 sf14@nyu.edu.

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, I will post all our course handouts within 72 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."

Feedback Via Phone or email: Sometimes I may give you comments on your work by phone or by email. It lets me give you detailed feedback more quickly. That's why I'll ask you to put your phone number and email address on your memo.

Teaching Assistant: TBD.
Grading

25% Class participation*
35% One or two take-home quizzes
40% Two comment memos*

A Word About Grading Policy Generally
There is no curve. If every student does excellent work, I believe every student should receive an excellent grade. At the same time, I believe that the requirements for excellence in the course should be similar to those in the business world, so excellence in the course takes considerably more thought and effort than average work does.

When it comes time to give letter grades, here's the 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.

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.

Extra Credit. Watch for ways to earn extra class participation doing extra credit challenges and mini-assignments.

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 particularly good comments and questions. 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 Miss 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.

Disabilities. If you have a qualified disability and will require academic accommodation during the course, please contact the Moses Center for Students with Disabilities (998-4980) and provide me with a letter from them verifying your registration and outlining the accommodations they recommend. If you will need to take an exam at the CSD, you must submit a completed Exam Accommodations Form to them at least one week prior to the scheduled exam time to be guaranteed accommodation.

The Two Required Simulation Memos. I'll tell you how to prepare each of the two comment memos. In each you'll 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 affected.) Each of the simulation memos will be a team memo which you will write with one or more classmates. 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 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%. 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.

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**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. I am an Assistant Clinical Professor at Stern, where I have taught for several years. I am also an adjunct professor at Columbia Business School, a visiting professor at Bordeaux École de Management in France, the World Economic Forum, and Zhongshan University's Executive MBA program. My op-ed columns have appeared in the New York Times, the Christian Science Monitor and USA Today.

My main subject is negotiation and conflict management. I have also taught courses on the economics of complex decisions, securities regulation, corporate law, and general business law. I also serve as a trainer and consultant on negotiations for organizations such as UBS, Polo Ralph Lauren, and Avaya. I've also been an active student of mediation and other forms of alternatives dispute resolution, and have served as a mediator for the Queens Mediation Center.

I'm married to my wife Cary, who is an actress. We live on the Upper West Side. After a 3-1/2 year wait, we adopted our two-year old daughter Hannah last September. (Rejoice!)

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*


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

Please be sure to pay the copyright fee by midnight of our first class date. The fee covers copyrighted materials I distribute in class which we use for simulations. To pay the fee, please-

- Go to [www.bookstores.nyu.edu](http://www.bookstores.nyu.edu) and click on "Book Inquiry and Ordering".
- Then check the box for "Search by course" and type the course number (B65.2160.30), and then click 'Begin search.'
- Order one copy of the item entitled "B65.2160.30 FREEMAN CLASS HANDOUT FEE/S11."
- You and your Instructor will receive an email confirmation that the fee has been paid.

If you wish, you may also order the recommended title. "ESSENTIALS OF NEGOTIATION, LATEST"

- Scroll down and click "add to bag."
- Follow instructions. You can pay by credit card.
- Although shipping and tax appear on the Book Store web site checkout screen you will not be charged for either.

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, Latest. Sometimes I will also distribute other materials.
1. (March 31) **Introduction to the Course; Creative and Competitive Negotiation; Multi-issue Talks and Global Negotiation**

**Rio Copa Simulation;** Topics, Targets, and Tradeoffs grid; Managing Multi-Issue Distributive and Interest-Based Negotiations

**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
- A copy of the article entitled "I FORESAW IT" which you should read by class 4. Also pick up a copy of the Republic Salary negotiation exercise.

**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 in this syllabus. Please don't bring money to class.

2. (April 7) **Negotiation and Group Decision Making**

**Tower Market Simulation;** Groups and Negotiation; Consensus Building Skills. Demonstration; Mitchell at Northern Ireland

**Required Readings:**
None.

**Recommended Readings:**

**Due In Class 2:**
The 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. Be sure to include your email addresses and phone numbers in the memo itself. If you want brief comments sooner, please put "Faster Feedback" in the upper right hand corner; if you want more detailed comments later, put "Detailed Feedback" there or leave it blank.

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

**Pick up:**
The First Quiz, which is due in class 4  
Joint Law School-Business School negotiation materials.

**Do by Class 6:**
By Class 6, you and your teammate should do the following: first, read the Joint Law School-Business School negotiation materials you pick up in class 1. Next, you and your teammate(s) should prepare to
negotiate the Joint Law School-Business School negotiation and then meet with the NYU law student(s) who I will have assigned you to. You may meet with your lawyer face-to-face, by phone, by fax, by email, or any other way you wish. (Your grade will depend in part on this meeting.) We will do the simulation in a special session in KMEC 3-70 on Saturday, April 16 from 9:00-12:30. The simulation is very good preparation for real life, and you and your teammate(s) will write a team simulation memo on it. I describe what your simulation memo should include in the Joint Law School-Business School negotiation simulation materials I am handing out in class 1.

3. (April 14) Preparing for an Important Negotiation
Republic I FORESAW IT exercise; Mitchell at Northern Ireland (time permitting); Squabbling Authors Exercise (time permitting); Brokering, Mediating, and Consensus Building (time permitting).

Readings
Please read a copy of the article entitled "I FORESAW IT" which you picked up in class 1. (If you’ve taken CCN with me, please review it.) Also for class 4, please read and prepare answers for the Republic Salary Negotiation Exercise, which you also received in class 1. There's no grade for this assignment and you won't turn it in. However, I will expect you to be ready to discuss it, and I will distribute sample answers in Class 4. It can help you improve your ability to negotiate salary and just about everything else.

Due in Class 4
First Quiz.

Pick Up:
Republic Exercise sample answers AND Flagship Airways materials.

4. (Saturday April 16) 9:00– 1:15 p.m. KMC TBD Lawyers, Mandates, Principals and Agents, Litigation
Joint Simulation with Law School in KMEC Room 3-70

Assignment
Please read the Brookside v. Black simulation materials and introductory memo you received in Class 2 and prepare with your fellow client (if any) and your lawyer. Be ready to negotiate the simulation. Do not negotiate with the other side before class. We’ll meet in KMC (Room 3-70). Please make sure your lawyer knows how to get to the building and the room.

Also Due in Class:
Class participation self-assessment form you received in class 4.
Reading:
Flagship Airways materials, which you received in class 4.

Please read the Flagship Airways general and confidential materials, which I gave you in class 4. In the last part of class 4, your side 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 4 and class 5, 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 5, 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.

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

6. (April 28) Complex Organizational Talks; Overcoming Resistance
Flagship Airways Simulation Concludes; Debriefing; Putting All of It So Far Together; Provisional Conclusions

No Required Reading Assignment. Recommended Reading:
Essentials, Chapter 3 pp 86-92; Chapter 7 pp. 194-198; Chapter 3 pp 83-85

In Class 5
As I noted in the description of class 4 above, during the first 20 minutes of class 6 this week, your side in the Flagship Airways simulation 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.

Pick up
Optional Second Quiz*.
Due via email April 30

The required second comment memo on the Joint Law School-Business School simulation, sent to our TA and to me at the email addresses I’ll announce. The memo should follow the format I describe in the Assignment memo I distributed in class 1. 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. If any member of your team wishes to submit by the later of these deadlines, then you must do so. 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.

*Due via email Tuesday, May 3 at 6 p.m.

the Optional Second Quiz. Send a copy to our grader, whose email address will appear on the quiz, and cc me at sf14@nyu.edu.
Summary of Deadlines of Deliverables
(this list does not include reading assignments and out-of-class simulation work)

Class 2  Anonymous Student Survey
Class 2  First memo on Rio Copa
Class 3  First quiz
Class 6  Class Participation Self-Assessment Form and Anonymous Feedback
April 30 via email  Second memo
Tuesday, May 3 at 6 p.m. via email  Optional second quiz

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

Summary of Class Meeting Dates

- Class 1  (March 31)
- Class 2  (April 7)
- Class 3  (April 14)
- Class 4  (April 16)  (Saturday, April 16 9:00-12:30 pm)  special joint simulation KMEC Room 3-70
- Class 5  (April 21)
- Class 6  (April 28)
Student Survey
NYU Stern School of Business Spring 2011 (.30)
Special Topics in Negotiation Student Survey

- If you have not 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.

- If you have taken a course with me before, you can fill out this survey too, though you don't have to.

1. Tell me about a learning experience at school that was particularly meaningful for you. It could be lecture, an exercise, a case, an assignment, a conversation, or something else altogether. What specifically did the Professor (or others) do that made the experience so rewarding for you?

2. Tell me about the best professor you've ever had. What specifically did you like about his or her approach?

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.