NEGOTIATION
MBA/MSA 70474 SECTIONS 1 & 2
UNIVERSITY OF NOTRE DAME MENDOZA COLLEGE OF BUSINESS
Spring 2025

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SYLLABUS

Course Overview and Objectives

The overall purpose of this course is to introduce the general theory and practice of negotiation. The course is relevant to a broad spectrum of negotiation problems that are faced by business managers in their professional and in their personal lives.

The skills you develop in this course are intended to complement the technical and diagnostic skills acquired in your other courses at Notre Dame. A basic premise of the course is that while a manager needs analytic skills to discover optimal solutions to problems, a broad array of negotiation skills is needed to get these solutions accepted and implemented. The course will allow participants the opportunity to develop these skills experientially and to understand negotiation through the lens of useful analytical frameworks. Considerable emphasis will be placed on role-playing, and case analysis.

The following is a list of key learning objectives:

- To think about and understand the nature of negotiation. I can't teach you a set of formulae that will yield the "right" answers to all of the questions that arise relevant to negotiations, but I can teach you a framework through which you can better analyze, understand and work through the negotiations situations you encounter.
- To gain a broad intellectual understanding of the central concepts in negotiation. These concepts will be building blocks from which you can systematically understand and evaluate a negotiation process.
- To develop confidence both in the negotiation process as an effective means for resolving conflict in and beyond organizations, and in yourself as a more reflective, self-aware, and strategically effective negotiator.
- To improve your ability to analyze the behavior and motives of negotiators in settings that are competitive in some respects while cooperative in others.
- To provide experience in the negotiation process, including learning to evaluate the costs and benefits of alternative actions and how to manage the negotiating process.

Required Course Texts:

Getting to Yes: Negotiating Agreement Without Giving In, revised edition as of May 2011, by Roger Fisher, William Ury and Bruce Patton

Bargaining for Advantage: Negotiation Strategies for Reasonable People 3rd edition, by G. Richard Shell

Emotional Intelligence 2.0, by Travis Bradberry & Jean Greaves

In addition, each student should purchase role simulations from Faculty Support. Please make that payment of $55.20 in Faculty Support by credit card.

Additional readings or exercises will be provided if and as necessary to achieve the objectives of our course.

Role Simulation Delivery and Payment

Students will be assigned roles and receive confidential instructions for role simulations, beginning with Parker-Gibson, which will be negotiated in class on Thursday, March 20th. Faculty Support pays Harvard's Program on Negotiation, and Kellogg's Dispute Resolution Research Center up front as a favor to us.

You will need to pay the $55.20 for all the course role simulations in person at Faculty Support and with a credit card. Faculty Support, MCOB 340, is just to the left off the elevator on the third floor of the Mendoza building. Faculty support has a printout of your assigned roles for that negotiation. There are other instructions for every class meeting this Mod but I have those and will keep those in my office and give them out at each class meeting.

Course Requirements

1. ***Participation (35% of your grade)***

   The class is comprised of lectures, discussion, exercises and role simulations; it is essential for your learning, and the learning of your simulation counterpart, that you participate in all of them. Participation also includes full preparation for exercises. ***Lack of preparation for an exercise will be treated as an absence for that exercise and could affect your participation grade***. If you will be absent or unprepared, I should be notified by an email message stating the reason for your absence or lack of preparedness at least 24 hours in advance (and before the previous class meeting if at all possible, since that is when I hand out role assignments); that will provide me time to reconfigure role assignments for the day in question. **If you believe you will have to miss more than 2 or 3 of our class meetings it is likely not a good idea to take this course at this time.**

Participation includes being able to relate assigned reading materials to class discussions and simulations. Each simulation will be debriefed with the class and participating in this debriefing session will comprise a large part of your participation grade. Debriefing includes sharing information about results, sharing information about negotiating strategies attempted and reactions to the process, and relating assigned reading materials to the class discussion.

Most students will find it challenging to understand or apply one or more of the negotiation concepts we cover. We learn from our mistakes and the mistakes of others. This course is a good opportunity to experiment with new negotiation styles and strategies and to learn from whatever mistakes might follow in a supportive and otherwise low-risk environment.

Class participation is a very important part of the learning process in this course. The participation grade, like many performance ratings you will receive in your careers, is partially subjective; but it is not random or arbitrary. You will be evaluated based on both the quantity and the quality of your contributions and insights. Quality comments possess one or more of the following properties:

- offer a different or unique, but relevant, perspective
- contribute to moving the discussion and analysis forward
- build on or constructively challenge comments from other students
- apply concepts from the readings to negotiation experiences.

2. In-Class Quizzes (15% of your grade)

During one or more unannounced points in the course you will be provided an opportunity to demonstrate your grasp of material covered during previous class meetings, in role simulation materials, in handouts and in your assigned readings for the class in question. You might be asked to analyze a negotiation or a reading via short-answer questions. These questions will be designed so that you can demonstrate your understanding of key negotiation concepts and theory and your ability to apply these concepts. **So long as at least three quizzes are given**, the lowest quiz score will be dropped. If you miss class on a day that a quiz is given, that will count as your dropped score (assuming at least three quizzes are given).

3. Final Exam (50% of your grade)

There will be a cumulative final exam on the date officially scheduled, at our usual class time and in our usual class room. The exam will cover the concepts, strategies, and tactics of negotiations covered in our readings, class discussions, class PPT presentations, and handouts, if any. Questions may include short essay, analysis, definition, multiple choice, sentence completion, etc. The exam will require open minds but closed books and closed notes. Since you will not be able to stop in the middle of a real-life negotiation to consult your books or notes, you will not be permitted to stop for that purpose during the exam either. You must have ready access to the knowledge and insight you need.

Students will have the option of taking the final exam orally. **The default assumption is that you will take the written exam, but if you want to take the exam orally you must request that option by email message to me no later than the start of our class on Thursday, April 10th.** Oral exams will be conducted on or around the date of the written exam.

4. **Ungraded Preparation Forms**

Solid preparation is essential to effective negotiating. To help you hone your preparation skills you will be asked to complete and submit two pre-negotiation preparation forms:

- In anticipation of the Sally Soprano negotiation on March 27th, please fill out and submit by email prior to the start of that class meeting the "Sudden Prep" form, which will be uploaded among the Canvas readings for that week.
- In preparation for negotiating Aerospace Investment on April 17th, please fill out and submit by email prior to the start of that class meeting the "Information-Based Bargaining Plan," which is Appendix B of *Bargaining for Advantage*.

Grading

Consistently with Mendoza grading guidelines for graduate business courses, the grade point average for our course must fall between 3.3 and 3.6. Grades will be curved up or down if and as necessary to meet the mandated average grade range.

Honor Code

The honor code for this course, which supplements the general Notre Dame Honor Code, is detailed as follows:

a) You are expected to be prepared and on time for all exercises.
b) You are to read only the role information to which you are assigned. It is not appropriate to borrow or discuss role simulations with people outside of class.
c) You may not show your confidential role instructions to the other parties during role simulations, though you are free to tell the other side whatever you would like about your confidential information.
d) Do not make up facts or information that materially change the power distribution of the exercise - for example, that your family has just bought the company you are currently negotiating with for a job.
e) You may use any non-abusive strategy to reach your desired outcome, always remembering that any chosen strategy may have ramifications beyond the immediate exercise.
f) For purposes of getting the most out of our debriefings, please do not share your confidential information with your negotiation counterpart after completing a role simulation and before returning to the classroom (though you are encouraged to take a few minutes after each simulation to ask about one another's chosen strategy or tactics, offer constructive criticism on what you found effective or ineffective in your counterpart's approach to the simulation, etc.).
g) You may not share details of the cases, exams, quizzes, and class discussions with students outside of the class.

On a more general note with respect to role simulations, strive to put yourselves it the shoes of your assigned characters and to see the world and think and feel about it as you believe they would. Strike a balance between who you are and who you take your assigned character to be. Within that general guideline, you are encouraged to experiment with and learn from adopting a variety of approaches and tactics. If your counterpart comes out of his or her role, you are encouraged to ignore that interruption and stay in character. Keep in mind that you are not required to reach agreement in any role simulation, or to take any particular approach; there are a variety of ways to negotiate effectively.

SCHEDULE OF TOPICS, READINGS AND EXERCISES

(Unless otherwise indicated, readings will be uploaded to our Canvas webpage.)

Class 1 (3/18): INTRODUCTION TO NEGOTIATION

Please read the following after our first class meeting in preparation for the second: Shell, Chapters 1 ("The First Foundation; Your Bargaining Style") & 2 ("The Second Foundation: Your Goals and Expectations") and Appendix A (complete bargaining styles assessment tool in Appendix A and be prepared to discuss the results during Thursday's class meeting)

Class: Course Overview
Prework Bargaining Debriefs
Pepulator Pricing Exercise

Class 2 (3/20): BARGAINING STYLES, DISTRIBUTIVE and INTEGRATIVE NEGOTIATIONS, GENDER AND NEGOTIATION

Read for Class: "Negotiation Approaches: Claiming and Creating Value," by Jill Purdy

"The Female Advantage," Chapter 8 of *Women Don't Ask: The High Cost of Avoiding Negotiation – And Positive Strategies for Change*, by Linda Babcock & Sara Laschever (What advantages do women generally have when it comes to negotiation? Under what circumstances might the female advantage break down?)

"Why Do I Make Less Than My Male Co-Stars," by Jennifer Lawrence, available at https://www.lennyletter.com/story/jennifer-lawrence-why-do-i-make-less-than-my-male-costars.

Class: Introduction to Negotiations
Negotiate and debrief Parker-Gibson

Discussion: Personal bargaining styles
Gender and negotiation
Key negotiation concepts
Distinguishing goals and expectations

Class 3 (3/25): INTERESTS, RIGHTS AND POWER

Discussion: Advantages and disadvantages of resolving disputes through a focus on interests, rights and/or power.

Read for class: "Likely Interactions Between Negotiators of Different Styles," Lewicki

"Three Approaches to Resolving Disputes: Interests, Rights, and Power," by William Ury

Shell, Chapters 3 ("The Third Foundation: Authoritative Standards and Norms") & 4 ("The Fourth Foundation: Relationships")

Class: *Negotiate and debrief Eazy's Garage*

Discussion: Likely outcomes when negotiators with different styles meet; advantages and disadvantages of resolving disputes through a focus on interests, rights and/or power; real-life business example of interests, rights, or power.

Class 4 (3/27): POSITIONAL VS. INTEREST-BASED BARGAINING

Read for class: *Getting to Yes*, Fisher & Ury, through Chapter 5

"Sudden Prep" form to be filled out and submitted by email prior to class on March 27th.

Class: *Negotiate and debrief Sally Soprano*

Discussion: Positional vs. interest-based bargaining
Framing (a negotiation as a whole)

Optional Reading: "Appendix B: A Preparation Toolkit," from *Getting Ready to Negotiate: The Getting to Yes Workbook*, by Roger Fisher & Danny Ertel (If you like the GTY framework this is a preparation template will provide more detailed help than the "Sudden Prep" form for your future negotiations)

Class 5 (4/1): **PREPARATION; OPEN VS. CLOSED QUESTIONS/ FRAMING A NEGOTIATION**

Read for class:

"15 Rules for Negotiating a Job Offer," by Deepak Malhotra, Harvard Business Review, April 2014.

"Introduction," from *Ask for More: 10 Questions to Negotiate Anything*, by Alexandra Carter

"Using Power by Framing a Strong Influence Message," Lewicki

Optional Reading:

"How to Use Awkward Silence to Get What You Want," by Melissa Dahl, Time, February 16, 2018, online at http://time.com/5161423/melissa-dahl-awkward-silence-salaray-negotiation/

Class: *Negotiate and debrief The Colortek Job*

Discussion: Guidelines for negotiating job offers
The lesser-known meaning of "negotiating"
The art of asking open questions (to fish with a net rather than a line)
Framing (an effective message within a negotiation)

Class 6 (4/3): **EXECUTING A COMPETITIVE NEGOTIATION**

Read for class: "Executing a Competitive Negotiation," by Lewicki et al.

"Trump Cards: The Elements of the Deal," from The Art of the Deal, by Donald Trump

"Negotiations Expert Explains Why Trump Fails To Get Deals Done," Daily Kos, March 7, 2025, online at https://www.dailykos.com/stories/2025/3/7/2308590/-Negotiations-Expert-Explains-Why-Trump-Fails-To-Get-Deals

		"Negotiation: Reading and Using Body Language to Your Advantage," from The Silent Language of Leaders, by Carol Kinsey Goman
	Class:	*Negotiate and debrief Energetics Meets Generex*
	Discussion:	Advantages and disadvantages of a Competitive Approach to Negotiations Downsides to a distributive approach Aiming for a bigger share of the expanded pie Best practices for executing a competitive negotiation The importance and effective use of body language in negotiations

Class 7 (4/8): EMOTIONAL INTELLIGENCE & VALUE CREATION

Read for Class:	Read all the pages through "What Emotional Intelligence Looks Like," Chapter 3 of *Emotional Intelligence 2.0*, by Travis Bradberry and Jean Greaves. Then read the subsequent chapter for whichever pillar of EQ you score lowest in: Self-Awareness, Self-Management, Social Awareness, or Relationship Management. You are welcome to read each of those four chapters in addition to chapter 3, but only required to read one of them. ***Prior to our 4/8 class meeting, please take the Emotional Intelligence Appraisal test online at http://www.talentsmart.com/test/. The passcode that you will need to take the 28-question test, which will take 10-15 minutes, can be found in the second to last page of the Emotional Intelligence 2.0 book, in an orange envelope. You will receive a report at the conclusion of your test, which you can save as a PDF for your personal interest and reference in negotiations and in professional and personal life in general. Please note and be prepared to discuss your results.*** "Bad Listening Habits," Kline

"Creating Value in Negotiation," by Bazerman & Malhotra

Discussion: The pillars of EQ and their importance for negotiation
Value creation strategies
Common listening mistakes

Class: *Negotiate and Debrief Buy-Out!*

Class 8 (4/10): THE OTHER PARTY'S INTERESTS & LEVERAGE AND INFLUENCE STRATEGIES

Read for class: Shell, Chapters 5 (The Fifth Foundation: The Other Party's Interests) & 6 (The Sixth Foundation: Leverage)

"Tom Muccio: Negotiating the P&G Relationship with Wal-Mart (A)"

"The Active Listening Skillset," Center for Creative Leadership, 2nd edition

"Strategies of Influence," Bazerman & Malhotra

Class: *Negotiate and debrief Multimode, Inc.*

BEFORE next class: Negotiate Bullard Houses by email

Discussion: Nature and importance of leverage
Power vs. leverage
Positive, negative, normative leverage
Strategies for increasing influence

In class analysis exercise: learning from the P&G and Wal-Mart negotiation what does and doesn't work in business-to-business negotiations.

Class 9 (4/15): ETHICS IN NEGOTIATION/IMPLEMENTATION MINDSET

Read for Class: "Fair Enough," Chapter 13 of *The Art of Negotiation*, by Michael Wheeler

"Getting Past Yes: Negotiation As If Implementation Mattered," by Danny Ertel, pages 85-110 of *Harvard Business Review on Winning Negotiations* (Canvas)

Optional Reading: "Hard Negotiations: Why a Softer Approach Yields Better Outcomes," Knowledge@Wharton, January 13, 2020, at https://knowledge.wharton.upenn.edu/podcast/knowledge-at-wharton-podcast/hard-negotiations-why-a-softer-approach-yields-better-outcomes/

Class: *Debrief Bullard Houses*
Negotiate and debrief The Internship

Discussion: Ethical issues in negotiation
Negotiating with an implementation mindset

Class 10 (4/17): PREPARATION/CONFLICT COMPETENT LEADERSHIP

Read for class: Shell, Chapter 7 ("Preparing Your Strategy")

"The What and Why of Conflict Competent Leaders," from *Becoming a Conflict Competent Leader*, by Craig Runde & Tim Flanagan

Fill out and submit by email prior to the start of class on 4/17 the "Information-Based Bargaining Plan," Appendix B to *Bargaining for Advantage*, as part of your preparation for negotiating *Aerospace Investment*.

Optional Readings: "The Negotiation Checklist," Simons & Tripp
"How to Recognize High Conflict In Yourself,"

Appendix II of *High Conflict: Why We Get Trapped and How We Get Out*, by Amanda Ripley

Class: *Negotiate and debrief Aerospace Investment*

Discussion: Hallmarks of conflict competent leadership
Preparation strategies

Class 11 (4/22): COGNITIVE BIASES/HALLMARKS OF EXCELLENCE

Read for class: "Cognitive Biases in Negotiation," Lewicki

"The Behavior of Successful Negotiators" Huthwaite

"A Lady's Guide to Negotiation," from *Machiavelli for Women: Defend Your Worth, Grow Your Ambition, and Win the Workplace*, by Stacey Vanek Smith

Class: *Negotiate and debrief Casino Two*

Discussion: Cognitive biases in negotiation
Distinguishing traits and practices of exceptional negotiators
Recommendations for negotiating while female (many of which also work well for men)

Class 12 (4/25): ANOTHER TOOL IN THE ALTERNATIVE DISPUTE RESOLUTION TOOLKIT: MEDIATION

Read for class:

"Mediation: the Concept," and "Mediation: The Process – The Mechanics of Mediation" Chapters 7 & 8 of Mediation Practice Book: Critical Tools, Techniques and Forms, ed. by Harry N. Mazadoorian (What are the hallmarks and advantages of mediation? What are the stages of a mediation?)

"Helping Others Manage Their Differences," from *Managing Differences: How to Build Better Relationships at Work and At Home*, by Daniel Dana (Focus on the useful functions a 3rd party can perform?)

Class: *Mediate Ancolet Corp. v. Elston Realty Trust*

Discussion: Strategic approaches to the mediation process

Class 13 (4/29): MULTI-PARTY NEGOTIATIONS; BEST PRACTICES FOR OPENING, CONCESSION AND CLOSING

Read for class:

"Intercultural Negotiation in International Business," by Jeswald Salacuse, pages 339-357 of Negotiation: Readings, Exercises and Cases," sixth edition, by Roy Lewicki, David Saunders, and Bruce Barry

	Shell, Chapters 8 through 10 (Chapters entitled "Exchanging Information" through "Closing and Gaining Commitment")
Class:	*Negotiate and debrief Cobalt*
Discussion:	Best practices for team and multi-party negotiations; a strategic framework for negotiating with uncooperative parties.