COURSE DESCRIPTION
There are two purposes to this course:

1. to develop your ability to negotiate in a purposeful, principled and effective way; and
2. to teach you how to manage complex conflicts and deals, and lead groups to wise agreements.

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

• a troubled software partnership
• a business acquisition
• a key new venture financing decision and
• a group-on-group re-negotiation of an international aircraft engine deal

Most will be in class; a few will involve out-of-class negotiation or team preparation work.

We'll also use lectures, case studies, exercises, games, videos, and demonstrations to help you develop your understanding.

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.

Welcome to the course!

Draft August 20, 2018
REQUIRED PREREQUISITES AND CONNECTION TO THE CORE
There are no prerequisites other than completion of the core. The course explores more deeply those aspects of the core where managers with different perspectives and values must make decisions. Negotiating is the process managers use to make such decisions.

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

1. bridge gaps- where it looks like only impasse is possible- using ‘interest-based’ negotiation concepts.
2. handle win/lose (or ‘distributive’) negotiation.
3. create and claim wealth wisely
4. tell if you've reached a good outcome in a negotiation, using specific measures of success
5. prepare a detailed and effective plan for a difficult business negotiation
6. increase your influence and creative power at the table through moves away from the table
7. build consensus and lead meetings effectively
8. manage the dynamics of coalitions, which you’ll face in teams and organizations;
9. work effectively with lawyers in a serious contract dispute
10. manage complex negotiations and conflicts with many parties, many issues, and many factions.
11. handle organizational talks effectively- your and the other side’s, and
12. apply these skills in the real world.

CLASSROOM NORMS AND EXPECTATIONS
Handouts- You'll find handouts for the day's class in a stack near the door as you walk in.

When and How to Reach Me: Questions about course work? Other concerns you are having about school or life beyond it? Let’s talk.

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.

My e-mail: My address is sf124@columbia.edu.
METHOD OF EVALUATION
I want to give you choices and a variety of ways to demonstrate learning. So here’s how I’ll assess your learning:

• Memo on the Texoil simulation (a Type A assignment)* 20%
• Babylon preparation plan (a Type B assignment)* 5%
• Optional midterm exam (a Type A assignment)* 20% [0% if you don’t do the midterm]
• Real-Life Application Report (a Type A assignment) 5%
• Preparation plan for PowerScreen simulation (a Type C assignment)* 20%
• Class participation 10%
• Required Final exam (a Type A assignment)* 20% [40% if you didn’t do the midterm] 100%

Extra Credit- I will also give you during the semester several chances to earn extra credit, often by doing one or more fairly short real-life assignments I’ll tell you about.

Why do optional work? To diversify risk, learn more, and have more direct control on your final grade, and to give you the option to lighten (or shift) your work load.

A Word About Grading Policy Generally
I follow the program’s recommended grade distribution: “H (< or = 50%) P1, LP & F (> or = 5%), with +/- may be applied to elective grades with the following restrictions: Grades of H+ are limited to 2% of total course grades. There is no +/- for LP or F grades.” HP is, of course, a possible grade.

Class Participation.
Prepared, Contributing, and Listening. I’ll expect you to be prepared fully to discuss assigned readings and simulations, active in our in-class exercises, thoughtful in your contributions and a good listener.

* Columbia Business School uses the following assignment categories:

<table>
<thead>
<tr>
<th>Assignment Type</th>
<th>Designation</th>
<th>Discussion of concepts</th>
<th>Preparation of submission</th>
<th>Grade</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>group / group</td>
<td>Permitted with designated group*</td>
<td>By the group</td>
<td>Same grade for each member of the group</td>
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<tr>
<td>B</td>
<td>individual</td>
<td>Permitted</td>
<td>Individually</td>
<td>Individual</td>
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<td></td>
<td>(No sharing of any portion of the submission)</td>
<td></td>
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<tr>
<td>C</td>
<td>individual / individual</td>
<td>None of any kind</td>
<td>Individually</td>
<td>Individual</td>
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<tr>
<td>D</td>
<td>(An optional category to be defined in detail by the individual faculty member)</td>
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</table>
Asking Questions. Usually they are the best contributions of all. I particularly encourage you to ask 'dumb' questions.

Laptops, Phones, and WiFi. Please don’t use laptops or phones except for notes. (Surfing hurts classmates’ learning.)

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.

Laptops, Phones, and WiFi. With one exception, you may not use them during class; studies and students agree they distract classmates, weaken class community, and hurt learning. The exception- I may ask you to use a device at the end of class for surveys.

Punctuality. It matters.

Coming and Going. Try to avoid it during class. Please be respectful and discreet if you must.

Cold Calling. Please expect it.

One-Minute Memos. I may ask you to fill out one or two very brief surveys soon after the session ends; I may use an online system. Completing them is part of Class Participation; it’s also a good way to learn.

Attendance Sheet. Please sign the attendance sheet each session.

What If You Do Miss Class(es)? There's no penalty if you miss one of our classes. However, each of the other class meetings is worth roughly 1/2% of your grade for the course (or, if you skip the optional exam(s), roughly 1%). The only exceptions are for:

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

If it’s an excused absence, just let me know what’s going on when you can.

Please do not ask for an exception for other reasons, such as an interview, a work eruption, a computer malfunction, an unexpected business trip, or a conflicting event.

They are important, but 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 More than Two Classes. Please talk to me about it as soon as possible after class so we can see what we can do about it.

Honor Code. To assure a fair course for everyone, I’ll take Columbia Honor Code violations seriously.

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.. Please don’t 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 the ‘90s I have taught law and business at several schools, and I am now an Adjunct Professor at Columbia Business School. I also teach at the School of International and Public Affairs.

I am also an Adjunct Professor at NYU's Stern School of Business, where I teach both business students and law students from NYU Law School. I have also served as a visiting professor at Kedge School of Management in Bordeaux, France, and at Zhongshan University's Executive MBA program in Guangzhou. I have also taught at the World Economic Forum in Geneva, and at Beijing University’s Special International MBA program in Shenzhen and Beijing.

My columns and interviews have been published in Bloomberg TV, the New York Times, the Washington Post, Fortune.com, the Christian Science Monitor, and USA Today. My video course, The Art of Negotiating the Best Deal, was produced by the Great Courses™.

I have also served as a trainer and consultant on negotiations for organizations such as Pepsi and other Fortune 500 firms, the United Nations, KPMG, and Acumen Fund. I've also served as a mediator for the Queens Mediation Center.

I'm married to my wife Cary, who is an actress. We met at a church dance. We adopted our daughter Hannah from Taiwan, and our daughter Rachael from Jianxi, China. We live on the Upper West Side. I’m a Connecticut native, a songwriter, bike rider, and, for the past couple of decades, a New Yorker.

My work in private practice included transactions involving initial public offerings, corporate restructurings, and aircraft financing. I graduated from Cornell University with a degree in economics.

REQUIRED COURSE MATERIAL

Here are the readings for the course:

- Required: Getting To Yes ("YES") by Fisher & Ury
- Reading Packet (The Business of Negotiation)
- Bargaining for Advantage by Shell
- Assigned readings posted on Canvas→Files

You should complete the reading assignments before the class indicated unless otherwise noted.
<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>What We’ll Do</th>
<th>Reading and Viewing</th>
<th>Things To Do</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday, Sep. 7 at noon</td>
<td>Two-question survey</td>
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<td>Complete the 2-Question Polleverywhere.com survey at TBD</td>
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<td>* Saturday, Sept. 8 ~7:50 a.m.</td>
<td>Optional Breakfast</td>
<td>Just have a bite to eat and enjoy getting better acquainted.</td>
<td>None</td>
<td>Look for me at a table on the 1st floor. I’ll wear a hat initially to help you find me. There’s no obligation to join us but we usually have a very good time.</td>
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<tr>
<td>1. Saturday, Sept. 8 (8:30 a.m.- 11:30 a.m.)</td>
<td>Interest-Based Negotiation</td>
<td>Introduction to the Course and to Negotiation; Two types of Negotiation; Interests and Interest-Based Bargaining Texoil Simulation</td>
<td>This syllabus Negotiating Highlights Magazine in Chapter 1 of your Reading Packet to get a sense of what other students have done with their early training.</td>
<td>Find in outline for Class 1: Assignment memo describing the required first comment memo due in Class 2.</td>
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<td>2. Friday, Sept. 21 (12:30 p.m.- 3:30 p.m.)</td>
<td>Distributive Negotiation Knight/Excalibur Simulation</td>
<td>Distributive Negotiation- Best Targets, Making a First Offer, When to Walk Away.</td>
<td>Reading Packet Preface (How to Get an Excellent Grade: Ten Tips); YES chapters 1, 2, 3, 4; Texoil Debriefing Slides. Take Quiz #1: Positions, Interests &amp; Options Non-Gradable Self-Quiz #1 a 5-minute quiz in the Reading Packet Appendix B, and check your answers on the following page. You will not submit this quiz but it will help you do better on your memo and later gradable work.</td>
<td>Due in our Canvas drop box by Class 2: The comment on the Texoil simulation, which we did in our first class, is due in the drop box on Canvas, following the format I describe in the Assignment memo I distributed in Class 1. Also due by Class 2: Please hand or send a copy of your memo to the classmate you wrote about. If you missed the first class: Please see me after class about the make-up assignment due Class 3. Do (but don’t submit) Self Quiz #1 (Interests) in your Reading Packet and check your answers on the following page.</td>
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<td>3. Saturday, Sept. 22 (3:45 p.m.- 6:45 p.m.)</td>
<td>Creative and Competitive Negotiating New Recruit Simulation</td>
<td>Creative and Competitive Negotiation Reframing Listening and Question Asking Skills.</td>
<td>Required: YES Chapter 6; Recommended: Bargaining Chapters 2 and 11. Take the Self-Quiz #2-Distributive Bargaining (Reading Packet Appendix B).</td>
<td>Find attached to the outline for Class 3: Brief assignment describing the preparation sheet you’ll submit in our Canvas drop box about the Babylon simulation we’ll do in Class 4, together with Babylon simulation role specific materials. Also find Attached to Your outline: Mini-Assignment memo describing a Real Life Application Report due by Class 9 on one real life experience you have this semester applying course concept(s).</td>
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<td>#</td>
<td>Date</td>
<td>Topic</td>
<td>What We’ll Do</td>
<td>Reading</td>
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<td>4.</td>
<td>Friday, October 12</td>
<td>Measures of Success</td>
<td>Newberry Square Exercise + Babylon Cellular Simulation</td>
<td>Babylon simulation role specific materials you received in Class 3 and Babylon preparation sheet appearing on the last page of the materials.</td>
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<td>(3:45 p.m. – 6:45 p.m.)</td>
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<td>Alternatives to Agreement</td>
<td>Required: YES Chapter 5.</td>
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<td>Warren TBD</td>
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<td>Time Bombs and the Measures of Success</td>
<td>Recommended: Bargaining Chapters 4 and 6</td>
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<td>Take Self Quiz #4: Rapport and Packaging (Reading Packet Appendix B).</td>
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<td>5.</td>
<td>Saturday, October 27</td>
<td>Preparation</td>
<td>Pacific Oil Case</td>
<td>Reading Packet: Chapter 2 &quot;I FORESAW IT: A Way to Improve Your Preparations for Negotiations&quot;; skip for now Republic exercise and reading which follows it.)</td>
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<td></td>
<td>(12:30 p.m. – 3:30 p.m.)</td>
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<td>Preparing for Difficult Negotiation with I FORESAW IT</td>
<td>Read the Omni Hotel case, take 20 minutes and create an I FORESAW IT plan and submit it on Canvas before class.</td>
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<td></td>
<td>Warren TBD</td>
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<td>Common Interests</td>
<td>Canvas-Files: “Pacific Oil (Complete).pdf”. Be prepared to discuss the Pacific Oil case. Be ready to discuss what happened when, and what Fountaine did well and poorly.</td>
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<td>Talking Up Effectively</td>
<td>Take Self Quiz #3: Non-Gradable Measures of Success Quiz #3 (Reading Packet Appendix B).</td>
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<td>What We'll Do</td>
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<td>6</td>
<td>Friday, November 2</td>
<td>Managing High Stakes Negotiation; Proper Readiness and Negotiation War Gaming</td>
<td>Topics, Targets, &amp; Tradeoffs&lt;br&gt;Rio Copa Fishbowl Exercise&lt;br&gt;Rio Copa Exercise II&lt;br&gt;I FORESAW IT 2.0.</td>
<td>Reading Packet: Chapter 2 review I FORESAW IT article discussion of “Topics, Targets, and Tradeoffs”&lt;br&gt;Take Self Quiz #5: Common Interests. (Reading Packet Appendix B).&lt;br&gt;I also recommend reading <em>Bargaining for Advantage</em> at your leisure throughout the semester. It’s that good.)</td>
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<td>7</td>
<td>Saturday, November 3</td>
<td>Consensus building and Group Decision Making- can meetings ever go well?</td>
<td>Towers Market Simulation&lt;br&gt;Groups and Negotiation Consensus Building Skills Demonstration</td>
<td>Reading Packet: Chapter 2- I FORESAW IT 2.0: Adding Negotiation War Gaming for Superior Results</td>
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<td>*</td>
<td>November 7 11:59 p.m.</td>
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<td>8</td>
<td>Friday, November 16</td>
<td>Internal-External Negotiation&lt;br&gt;Extreme Negotiation: Dealing with Extremely Difficult Counterparts</td>
<td>Colosi Model of Internal-External Negotiations and Waco debriefing&lt;br&gt;Moves Away from the Table&lt;br&gt;Reactions &amp; Responses-Interest-Based Persuasion&lt;br&gt;Caitlin’s Challenge</td>
<td>Watch “Waco: the Inside Story”&lt;br&gt;<a href="https://vimeo.com/13978271">https://vimeo.com/13978271</a>&lt;br&gt;From 0:00-35:00. Watch with these questions in mind and be prepared to discuss them:&lt;br&gt;(1) how did the FBI manage its internal conflicts, and what might have helped them do better?&lt;br&gt;(2) How did different FBI teams relate when they were in the same room and coordinate when they weren’t? Listen for specific quotes and examples.&lt;br&gt;(3) Watch for what Byron Sage, the man with the white moustache and white hair, says he discovered written on one of the outhouses when he went to visit his colleagues on the forward lines. What does that discovery mean?&lt;br&gt;(4) How did the Davidians perceive the FBI as the drama unfolded&lt;br&gt;Find on Canvas: “Kennecott in Chile: Negotiating Expropriation” from <em>3D Negotiation</em> pp. 241-244. Be ready to discuss how Kennecott found power when it seemed weak and vulnerable.&lt;br&gt;I may cold call for each case. The material may be important to the final exam.</td>
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<td>#</td>
<td>Date</td>
<td>Topic</td>
<td>What We’ll Do</td>
<td>Reading</td>
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<td>9.</td>
<td>Saturday, November 17 (8:30 a.m. – 11:30 a.m.)</td>
<td><strong>Coalitions</strong>&lt;br&gt;<strong>PowerScreen preparation</strong></td>
<td><strong>FG&amp;T Simulation; Coalitions Dynamics</strong></td>
<td><strong>Required Reading:</strong>&lt;br&gt;Reading Packet Chapter 3- FG&amp;T Simulation General Instructions</td>
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<td>10.</td>
<td>Friday, November 30 (12:30 p.m. – 3:30 p.m.)</td>
<td><strong>Complex Transaction</strong>&lt;br&gt;<strong>Litigation and its alternatives</strong></td>
<td><strong>PowerScreen Simulation Debriefing</strong>&lt;br&gt;<strong>Complex Transactions</strong>&lt;br&gt;<strong>Sue or Settle and ADR</strong></td>
<td><strong>Reading Packet Chapter 4- Sue or Settle rules and FAQs.</strong></td>
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<td>11.</td>
<td>Friday, December 7 (3:45 p.m. – 6:45 p.m.)</td>
<td><strong>Leading without authority</strong></td>
<td><strong>“The Manager is Always in the Middle”</strong>&lt;br&gt;<strong>Gold Card simulation</strong>&lt;br&gt;<strong>Pepsi challenge</strong>&lt;br&gt;<strong>Crew Resource Management and Toxic Hierarchy</strong></td>
<td><strong>Required Reading:</strong>&lt;br&gt;Find on Canvas:&lt;br&gt;“The Manager is Always in the Middle” from <em>Manager as Negotiator</em> pp. 340-345. Be ready to discuss the different course concepts, especially since class 6, that Bob Furz used to negotiate, any concerns you have about his approach, and how the I FORESAW IT might help someone in Bob’s position plan a similar path to success.</td>
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<td>12.</td>
<td>Saturday, December 8 (8:30 a.m. – 11:30 a.m.)</td>
<td><strong>Organizational Negotiations II, Concluding Challenges</strong></td>
<td><strong>Flagship Airways Simulation</strong>&lt;br&gt;<strong>Complex Organizational Talks</strong>&lt;br&gt;<strong>Closing Thoughts and Challenges.</strong></td>
<td><strong>Flagship Airways Materials you received in Class 11.</strong></td>
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<td>* December 15 at 11:59 p.m.</td>
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ASSIGNMENTS
(This list does not include reading assignments and out-of-class simulation work)

September 7 by noon Pre-Course Survey
Class 1 (in class)
Class 2 9/21 via Canvas* Required comment memo on the Texoil simulation - Type C Assignment
Class 2 9/21 Hard copy or email of Texoil memo directly to your counterpart.
Class 4 10/12 via Canvas* Required preparation sheet on upcoming Babylon Cellular simulation*- Type C Assignment.
Class 5 10/27 via Canvas* Self-graded assignment. Type C Assignment.*
November 7 by 11:59 p.m. via Canvas* Optional At-home Midterm – Type C Assignment.
Class 9 (11/17) on Canvas Real Life Application Report
Class 11 12/7 via Canvas Required Preparation Plan on PowerScreen simulation - Type C Assignment
Class 11 12/8 via Canvas Class Participation Self-Assessment Form – Type C Assignment.
Class 12 12/8 (in class) Anonymous additional feedback form
December 15 By 11:59 p.m. Via Canvas* Final exam- Type C Assignment

*Submit in the appropriate online drop box.

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1 2 3 4 5 6 7 8 9 10 11 12

☐ = non-gradable assignment
☒ = required, gradable assignment
◎ = optional gradable assignment