

NEGOTIATION WORKSHOP

LAW 1399
Syllabus—Fall 2017
3 Credits

INSTRUCTOR

Professor Lauren A. Newell
l-newell@onu.edu
(419) 772 – 2229

CLASS HOURS

Tuesday & Thursday: 3 – 4:30 p.m.
Room 129

OFFICE HOURS

Monday: 10:45 a.m. – 12:45 p.m.
Tuesday & Thursday: 10:45 a.m. – 12:15 p.m.
Other hours by appointment
Room 189

COURSE DESCRIPTION AND LEARNING OBJECTIVES

Negotiation is an integral part of daily life and a key skill in legal practice. This highly interactive course combines both theory and practice to help you develop a conceptual understanding of the negotiation process and to improve your effectiveness as a negotiator. You will learn techniques to prepare for, conduct, and analyze negotiations, with emphasis on ethical considerations that arise in negotiations and reputational and relationship concerns. Class discussions, readings, and videos will be used to increase your awareness of how you can improve as a negotiator. You will spend a significant amount of time in and out of class in simulated negotiation role-plays that will increase in complexity over the course of the semester, allowing you to experiment with different negotiating techniques and to hone your negotiating skills. By the end of the course, you will have learned a new approach to negotiation that goes far beyond haggling and “splitting the difference.” Regular attendance and active class participation are required.

COURSE MATERIALS

I. Texts: The main texts for this course are:

ROBERT H. MNOOKIN, SCOTT R. PEPPET & ANDREW S. TULUMELLO, BEYOND WINNING: NEGOTIATING TO CREATE VALUE IN DEALS AND DISPUTES (Belknap Harvard 2000) (BW);

ROGER FISHER, WILLIAM URY & BRUCE PATTON, GETTING TO YES: NEGOTIATING AGREEMENT WITHOUT GIVING IN (3rd ed., Penguin 2011) (GTY); AND

DOUGLAS STONE, BRUCE PATTON & SHEILA HEEN, *DIFFICULT CONVERSATIONS: HOW TO DISCUSS WHAT MATTERS MOST* (Penguin 2010) (DC).

Supplemental materials will be made available electronically on our Moodle course page or through the library's subscription services.

II. **Simulations:** During most classes I will distribute negotiation role-play simulations that you will complete either in class or as a homework assignment. Most of the simulations contain confidential instructions for each role. *It is critical that you not share your confidential instructions with students playing other roles, or with students who are not enrolled in the course.* The confidential instructions will usually be revealed after the exercise during class debriefing, but sharing the information before or during the simulation could compromise the negotiation exercise.

These simulations are copyrighted, and your course fee covers the cost of the materials.

COURSE ORGANIZATION AND COMMUNICATION

This class will meet each week on Tuesday and Thursday from 3 – 4:30 p.m. in Room 129, except when the registrar or I announce otherwise. The last day of class is November 16, 2017.

You can reach me by email (l-newell@onu.edu) or by phone ((419) 772 – 2229). You are also welcome to meet with me in my office (Room 189) by appointment or during scheduled office hours (Mondays from 10:45 a.m. to 12:45 p.m. and Tuesdays and Thursdays from 10:45 a.m. to 12:15 p.m.). While I will try to respond promptly to your emails and other messages, please be aware that I cannot guarantee an instant response, particularly if you contact me during non-business hours.

DISABILITY POLICY

Students requiring particular accommodations because of physical and/or learning disabilities should contact the dean's office prior to or during the first week of classes. For additional information regarding the College of Law's disability services, see http://law.onu.edu/current_students/disability_services.

ACADEMIC INTEGRITY

The College of Law expects its students to conduct themselves in a dignified and honorable manner as future members of the legal profession and assumes that individually and collectively they will discourage acts of academic dishonesty. The College also expects cooperation among administrators, faculty, staff, and students in preventing acts of academic dishonesty, in detecting such acts, reporting them, and identifying those who commit them, and in providing appropriate punishment for offenders. The Student Code of Conduct is found in the College of Law Catalogue and at http://law.onu.edu/sites/default/files/student_code_of_conduct_rev_nov_18_2013.pdf.

LAPTOP AND ELECTRONICS POLICY

Laptops, tablets, phones, and other electronic devices *may not be used* during class. Please silence all ringers before class starts. Failure to comply with this policy will negatively affect your class participation grade (as discussed under “Class Participation,” below).

Appropriate exceptions will be made in accordance with the College of Law’s disability policy (as discussed under “Disability Policy,” above).

ATTENDANCE

Class attendance is mandatory. Many classes involve negotiation role-play simulations in which you will be paired to negotiate with another student. This means that if you are absent or unprepared, not only are you not able to participate that day, but you are also precluding your partner’s participation. If you do not expect to be able to attend class consistently and to be prepared, you should not take this course. *There will be no fewer than 6 additional meetings outside of the scheduled class time for negotiations, each of which may last at least an hour or more.*

At the beginning of each class, I will circulate an attendance sheet. It is your responsibility to sign the attendance sheet each day before the class is over. If you fail to sign the attendance sheet, you will be presumed to have missed the class. Signing in for someone else or having someone sign in for you is a violation of the Student Code of Conduct.

If you must arrive late, are unable to attend class, or must leave early on a given day for a reason that may be excused (e.g., illness or death of a close family member), please email me (before class, if at all possible) to explain the reason for your tardiness, absence, or early departure. I may require additional written confirmation of the reason for the tardiness, absence, or early departure (e.g., a doctor’s note) if I believe such confirmation is necessary. Excused tardiness, absences, and early departures will not adversely affect your grade in any way. All other tardiness, absences, and early departures will be considered unexcused and will affect your grade negatively.

Failure to prepare for or to complete in-class or out-of-class simulations will also be considered unexcused absences and will affect your grade negatively. Make-up work will be required for any simulation that you miss.

CLASS PARTICIPATION

This course places a strong emphasis on learning by doing. Learning to improve your negotiation skills is something that requires effort. It is not a passive activity. The more effort you put into this course, the more you will learn from it—and the more fun you will have.

There are as many ways to negotiate as there are negotiators, so I encourage you to be willing to experiment and to try out different techniques to see what works well for you. This course is not about “winning” the negotiations; with one exception (discussed under “Email Negotiation

Outcome,” below), you will not be graded on the outcome of your negotiations. After your negotiations, I ask that you “coach” your classmates—i.e., give feedback (both positive and negative) to one another as constructively as you can to help each other continue to improve.

This course provides a great deal of opportunity for discussion. I realize it is more challenging for some students than others to speak in class, but I hope that everyone will contribute to the discourse. We can all (myself included) learn by sharing ideas together. Everyone has something valuable to contribute—we are all experts about our own experiences. I expect that we will all be respectful of each other and will help to make this a positive environment in which to develop our skills.

Your class participation grade will be determined by your attendance (as discussed under “Attendance,” above), your satisfactory completion of in-class and out-of-class negotiation role-play simulations, and your contributions and insights throughout the course. ***Demonstrating that you have read and thought about the assigned readings will have a positive impact on your class participation grade (and vice versa).***

Class participation will account for 30%, 20%, or 10% of your final grade, depending upon the outcome of the class preparation negotiation (see “Class Preparation Negotiation” and “Grades,” below).

CLASS PREPARATION NEGOTIATION

Negotiation requires substantial preparation. Accordingly, your performance in, and your experience of, the class and the negotiation role-play simulations we do in and out of class will be significantly enhanced if both you and your negotiation counterpart are well prepared.

Even though negotiations benefit from significant preparation by both sides, we typically cannot control how well our counterparts prepare for a negotiation. But, as this is a course on negotiation, you will have the opportunity to influence your classmates’ (and your own) degree of preparation by negotiating both the *degree* to which class preparation will affect the course grade, and also the *metrics* for assessing that preparation.

Specifically—as a class—you will negotiate answers to the following questions:

1. **What percentage of the final grade will class preparation represent?** (The options are 0%, 10%, or 20%.)
2. **If class preparation does count toward the final grade, how will preparation be assessed?**
 - a. Who will evaluate preparation (the professor, your peers, or a combination)?
 - b. What constitutes “preparation”? (E.g., reading course readings, individual and/or group preparation for negotiations, etc.)

- c. What objective evidence of preparation, if any, must be submitted? (E.g., preparation worksheets, peer evaluation of counterpart's preparation, written commentary on readings, etc.)
 - i. Who must submit this objective evidence (the negotiator or the counterpart)?
 - ii. By when must it be submitted?
 - iii. How must it be submitted? (E.g., upload to Moodle, bring hard copy to class, etc.)
 - iv. What penalties, if any, will there be for late submissions or failure to submit?
- d. What scale will be used to grade preparation and/or objective evidence of preparation? E.g.:
 - i. "Excellent"/"Satisfactory"/"Unsatisfactory"
 - ii. Letter grade (A – F)
 - iii. Numerical scale (1 – 6, 1 – 100, etc.).

The following ground rules for this negotiation will apply:

1. You may negotiate an agreement using any means of communication you wish (in-person negotiation, phone, text, email, etc.).
2. You must select one class representative, who will deliver to me your negotiated proposal.
3. Your negotiated proposal must be reduced to writing and must be signed by at least 85% of the students registered in the class (physical signature or pdf of physical signature).
4. Your negotiated proposal must be delivered to me in hard copy or emailed to me no later than the beginning of class (3 p.m.) on Thursday, August 31.
5. If you cannot reach a negotiated proposal acceptable to at least 85% of the students registered in the class by 3 p.m. on August 31, class preparation will not count toward the final grade (i.e., Option 1 under "Grades," below).
6. I will deliver a written response to your negotiated proposal to the class representative no later than 3 p.m. on Tuesday, September 5. I may (a) accept your proposal, (b) reject your proposal, or (c) accept your proposal with modifications.

7. If your negotiated proposal specifies that class preparation will not count toward the final grade (i.e., Option 1 under “Grades,” below), I must accept your proposal.
8. If I (a) accept your negotiated proposal with modifications or (b) reject your proposal, we will negotiate the terms of a revised proposal via a mutually acceptable process.
9. Any final agreement must be in writing and must be signed by me and at least 85% of the students registered in the class (in each case, by physical signature or pdf of physical signature) no later than 3 p.m. on Tuesday, September 12.
10. Any written agreement signed by me and at least 85% of the students registered in the class by 3 p.m. on September 12 will be incorporated into this Syllabus and will be binding upon all parties as part of this Syllabus. Any such written and signed agreement will be posted on our Moodle course page a reasonable time after it is signed by the relevant parties.
11. If we fail to reach an agreement signed by me and at least 85% of the students registered in the class by 3 p.m. on September 12, class preparation will not count toward the final grade (i.e., Option 1 under “Grades,” below).

Class preparation will account for 0%, 10%, or 20% of your final grade, depending upon the outcome of the class preparation negotiation. See “Grades,” below.

CLIENT MEMO

In connection with your *Chuck’s Wagon* negotiation (see “Assignments,” below), you will write a memo to your client detailing that negotiation. The memo should review your negotiation preparation, discuss the negotiation outcome and how it meets the client’s goals, and include any other information you believe to be pertinent. A memo that simply recites a play-by-play account of what occurred in the negotiation will result in a poor grade.

Your client memo should be about 3 – 5 typed, double-spaced pages in length, with 1-inch margins and 12-point, Times New Roman font. Your client memo must be submitted *via our Moodle course page by 12 p.m. (noon) on Monday, September 25.*

Client memos will be scored on a scale of 1 (lowest) to 10 (highest). *Two points will be deducted from the client memo for each day the memo is late, beginning at 12:01 p.m. on the day it is due.*

The client memo will account for 20% of your final grade.

EMAIL NEGOTIATION OUTCOME

During the semester you will be assigned to negotiate a negotiation role-play simulation with students from another school (see “Assignments,” below, for specifics). The negotiation will

take place entirely via email and you will submit the transcript of your negotiation after its conclusion.

You will be graded on the outcome (i.e., the substantive results obtained) of this negotiation. Your grade will be based on your outcome as compared to the outcomes obtained by your classmates having the same role. Especially positive outcomes for you or your simulated client will result in a higher grade, and especially unfavorable outcomes will result in a lower grade.

Though your grade will be based primarily upon the outcome of your negotiation, I reserve the right to adjust your grade (higher or lower) based upon your performance in the negotiation, as reflected in the negotiation transcript, if I determine that a grade based solely on your negotiation outcome would be unfair.

Your email negotiation outcome will account for 2% of your final grade.

JOURNALS

One of the keys to improving a skill like negotiation is thoughtful reflection on your experiences, behavior, and thought processes, and your observations of others. To facilitate this process, you will be required to write several journals throughout the course reflecting upon your negotiations and your development as a negotiator. These journals will chart your thinking, reflection, and self-examination concerning negotiation as the course proceeds. The journals provide an integrated focus for analyzing your subjective experience and reflecting upon the ideas and readings of the course. In addition, your journals will form a record of your development in the course and will serve as an important basis for feedback and coaching. Your work on your journals, therefore, provides a critical complement to your participation in the course.

You must submit at least 6 of the 13 possible weekly journal entries during the course of the semester. One of these 6 journal entries *must* be a journal reflecting your videotaped negotiation (see “Videotaped Negotiation,” below). The remaining 5 journals may be submitted any weeks of your choosing. *You may not submit more than 1 journal per week.*

Journals need not be formal—they are a place for you to share your feelings, doubts, and concerns about your negotiating experiences, as well as to explore what you are learning in the course. However, they should be free of spelling and grammar mistakes and other typos. Journals should be about 3 – 4 typed, double-spaced pages in length, with 1-inch margins and 12-point, Times New Roman font.

Each week’s journal entry (other than the videotaped negotiation journal; see “Videotaped Negotiation,” below) must be submitted by *12 p.m. (noon) on the following Monday* (e.g., the journal for the week of August 22 must be submitted no later than 12 p.m. on Monday, August 28). Journals must be submitted *via our Moodle course page*. If you encounter technical difficulties in submitting via Moodle, you must contact me before the relevant submission deadline to work out an alternative. *Any attempt to submit a journal after 12 p.m. on the relevant Monday will be refused.*

A note on confidentiality of the journals: My hope is that these journals will provide you with time for self-reflection and that you might be able to learn from one another's self-reflection as well. Therefore, I plan to use some of the ideas and examples students write about in their journals as helpful learning for the class. However, I also want students to feel comfortable writing about any personal or private issues related to the course content. I will use careful discretion when discussing specific journal ideas. If you have questions or want to ensure that your ideas or illustrations in a particular journal are not brought up in class, please write a note at the top of the first page of that journal stating, "Please do not share this with the rest of the class."

Each journal will be scored on a "√" (full credit) / "√-" (partial credit) / "0" (incomplete) basis. Journals will account for 18% of your final grade.

VIDEOTAPED NEGOTIATION

Video provides feedback for improving your negotiation skills. It also serves as data to help sharpen your analytical and coaching skills. Accordingly, at the beginning of the semester you will each sign up to videotape one of your out-of-class negotiations using your personal webcam or smartphone camera, or by making advance arrangements to record your negotiation in the Small Moot Court Room.

You will be asked to review and reflect upon your videotaped negotiation and to share 3 – 5 brief video clips from the negotiation in class for our collective learning and analysis. As discussed under "Journals," above, one of your journals must be a reflection upon your videotaped negotiation. The due date for the video clips and for this journal entry will be posted on the sign-up sheet for the videotaped negotiation. We will discuss the videotaped negotiation in more detail in class.

FINAL JOURNAL PROJECT

There will be a final journal project consisting of annotations of your previous 6 journal entries and a final journal entry due at the end of the semester. In this final project, you will synthesize your work over the course of the semester, integrate the breadth of readings into what you have learned, and outline your negotiating goals for the future. The original journal entries from the semester will be instructive in this effort, so please be sure to keep all journals from the course.

Specific instructions for the final journal project will be provided later in the course.

The final journal project is due *in hard copy* to Barb Roberts *by 12 p.m. (noon) on Tuesday, November 28.*

The final journal project will account for 30% of your final grade. *Three points (out of 40 possible points) will be deducted from the final journal project for each day it is late, beginning at 12:01 p.m. on the day it is due.*

GRADES

Your final grade will be based on based on your class participation (see “Class Participation,” above), your client memo (see “Client Memo,” above), your email negotiation outcome (see “Email Negotiation Outcome,” above), your journals (see “Journals,” above), your final journal project (see “Final Journal Project,” above), and, if applicable, your class preparation (see “Class Preparation Negotiation,” above), and will be adjusted if necessary to account for unexcused tardiness, absences, and early departures, as discussed under “Attendance,” above. There will be no final exam. The breakdown of percentage for the final grade will be as follows, depending upon the outcome of the class preparation negotiation (see “Class Preparation Negotiation,” above):

Option 1

Class Participation	30%
Class Preparation	0%
Client Memo	20%
Email Negotiation Outcome	2%
Journals	18%
Final Journal Project	30%
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Total	100%

Option 2

Class Participation	20%
Class Preparation	10%
Client Memo	20%
Email Negotiation Outcome	2%
Journals	18%
Final Journal Project	30%
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Total	100%

Option 3

Class Participation	10%
Class Preparation	20%
Client Memo	20%
Email Negotiation Outcome	2%
Journals	18%
Final Journal Project	30%
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Total	100%

ASSIGNMENTS

The tentative list of assignments for the course is provided below. You should read the assigned material and prepare and (if applicable) negotiate the assigned negotiation role-play simulations before the relevant class. **I strongly recommend that you read the assigned readings before negotiating the assigned negotiation role-play simulations.** This assignment list may be modified during the course of the semester, in which case I will give you notice of the revised assignments. *See “Class Preparation Negotiation,” “Client Memo,” “Journals,” and “Final Journal Project,” above, for additional information regarding due dates and submission instructions.* Please note that you bear the risk of any submission malfunction (Moodle is offline, submission fails to upload, etc.) that results in submission of any assignment after the relevant deadline.

<i>Class #</i>	<i>Date</i>	<i>Subject</i>	<i>In-Class Simulation</i>	<i>Assignment for This Class</i>
1	August 22	Introduction: Overview	<i>Win as Much as You Can</i>	<p>Read GTY.</p> <p>Think about what you already know about negotiation, negotiation tactics, and what makes someone an effective negotiator. Make a brief list of your thoughts and be prepared to discuss your list.</p> <p>Watch an episode (any one) of <i>Pawn Stars</i> or <i>Cajun Pawn Stars</i> on TV on <i>The History Channel</i> or streaming on www.history.com/shows. Make a brief list of effective negotiation techniques and negotiation pitfalls you see in the show and be prepared to discuss your list.</p> <p>Recommended reading: David DeSteno, <i>Who Can You Trust?</i>, 92 HARV. BUS. REV. 112 (2014) [available through EBSCO Business Source Premier].</p>

2	August 24	Self-Awareness; Negotiation Ethics	<i>The U-Phone</i>	<p>Think about your goals for this course. What particular skills do you hope to improve in this class? Make a list of these goals and skills.</p> <p>Read BW, "Introduction," pgs. 1 – 8; ch. 11, pgs. 274 – 294.</p> <p>Read Andrea Kupfer Schneider, <i>Teaching a New Negotiation Skills Paradigm</i>, 39 WASH. U. J.L. & POL'Y 13 (2012). [Read pages 27-36 closely; skim the rest.]</p> <p>Read James J. White, <i>Machiavelli and the Bar: Ethical Limitations on Lying in Negotiation</i>, 1980 AM. B. FOUND. RES. J. 921.</p>
3	August 29	Creating and Distributing Value: Creation of Value; Sources of Value		<p>Read BW, ch. 1, pgs. 9 – 43.</p> <p>Read JAMES FLAHERTY, COACHING: EVOKING EXCELLENCE IN OTHERS 47-59 (2005).</p> <p>Read Atul Gawande, <i>Top Athletes and Singers Have Coaches. Should You?</i>, NEW YORKER (Oct. 3, 2011).</p> <p>Prepare to negotiate <i>Sally Soprano</i>.</p>
4	August 31	Creation of Value (Continued)	<i>Sally Soprano</i>	<p>Continue preparing to negotiate <i>Sally Soprano</i>.</p> <p>Read Russell Korobkin, <i>Bargaining Power as Threat of Impasse</i>, 87 MARQUETTE L. REV. 867 (2004).</p>
5	September 5	Distribution of Value		Negotiate <i>Discount Marketplace</i> .
6	September 7	Distribution of Value (Continued); Criteria and Norms		Read BW, ch. 8, pgs. 204 – 211, 216 – 223.

7	September 12 (class will be held in Room 126)	Criteria and Norms (Continued)	<i>67 Fish Pond Lane</i>	Prepare to negotiate <i>67 Fish Pond Lane</i> .
8	September 14	Hard Bargaining		Read BW, pgs. 24 – 25, 211 – 216. Read Gary Goodpaster, <i>A Primer on Competitive Bargaining</i> , 1996 J. DISP. RESOL. 325.
9	September 19	Hard Bargaining (Continued); Preparation		Negotiate <i>Chuck's Wagon</i> . Email me your results (outline of your agreement or fact that no agreement was reached) by 4 p.m. on Monday, September 18 . Both negotiators should review the email and agree on its accuracy prior to sending. Only one negotiator need send the email (you decide who will do it).
10	September 21	Preparation (Continued)		Prepare to negotiate <i>PowerScreen</i> . Submit <i>Chuck's Wagon</i> client memo by Monday, September 25 . Read BW, ch. 5, pgs. 127 – 155.
11	September 26	Preparation (Continued)		Negotiate <i>PowerScreen</i> .
12	September 28	Empathy and Assertiveness: Introducing Empathy and Assertiveness; Conflict Tendencies		Go to http://www.humanmetrics.com/cgi-win/jtypes2.asp and take the short online quiz to find your Myers-Briggs type. Read BW, ch. 2, pgs. 44 – 68. Read Don Peters, <i>Forever Jung: Psychological Type Theory, The Myers-Briggs Type Indicator and Learning Negotiation</i> , 42 DRAKE L. REV. 1 (1993).

13	October 3	Barriers to Conflict Resolution: Partisan Perceptions		<p>Complete <i>Role Reversal Exercises</i>.</p> <p>Read BW, ch. 6, pgs. 156 – 172.</p> <p>Read DC, chs. 1 – 6, pgs. 3 – 128.</p>
14	October 5	Difficult Conversations		<p>Read DC, chs. 7 – 12, pgs. 131 – 234.</p> <p>Come up with one topic (in any context) you are passionate about and can explain to someone else.</p> <p>Come up with three “difficult conversations” in the context of your personal, professional, or family life that you would be comfortable sharing with the class.</p>
<p>Law school recess Tuesday, October 10. No class.</p>				
15	October 12	Difficult Conversations (Continued); Gender in Negotiation	<i>Casino</i>	<p>Begin negotiating email negotiation on *October 11*.</p> <p>Prepare to negotiate <i>Casino</i>.</p> <p>Read Dina W. Pradel et al., <i>When Does Gender Matter in Negotiation?</i>, 8 NEGOTIATION 3 (Nov. 2005).</p> <p>Read Deborah M. Kolb, <i>Too Bad for Women or Does It Have to Be? Gender and Negotiation Research Over the Past Twenty-Five Years</i>, 25 NEGOT. J. 515 (Oct. 2009).</p>
16	October 17	Difficult Conversations (Continued)	<i>Weathers and Evans</i>	<p>Prepare to negotiate <i>Weathers and Evans</i>.</p> <p>Submit sentences by email (instructions will be emailed to you).</p>
<p>Class cancelled Thursday, October 19— mandatory make-up class either Friday, November 3, or Friday, November 10, 2 – 3:30 p.m., Room 129 (see page 15 of this Syllabus)</p>				

17	October 24	Technology and Negotiation		<p>Complete <i>email negotiation</i> by *October 18*.</p> <p>*Note: You will be assigned to negotiate this simulation with students from another school. The negotiation will take place entirely via email (no phone calls, text messages, instant messages, etc.). You will receive the instructions, including the timeline for completing this negotiation, on or about October 10.</p> <p><i>Prior to beginning this negotiation,</i> read Noam Ebner et al., <i>You've Got Agreement: Negotiating via Email</i>, 31 HAMLINE J. PUB. L. & POL'Y 427 (2009 – 2010).</p>
18	October 26	Principal and Agent Tensions: Multiparty Negotiations	<i>Parking Facility Venture</i>	<p>Prepare to negotiate <i>Parking Facility Venture</i>.</p> <p>Read BW, ch. 12, pgs. 295 – 314.</p>
19	October 31	Team Negotiations		<p>Negotiate <i>MAPO</i>.</p> <p>Read BW, ch. 3, pgs. 69 – 91.</p>
20	November 2	Negotiation and Clients	<i>Sue or Settle; DONS Client Interviews</i>	<p>Prepare to play <i>Sue or Settle</i>.</p> <p>Prepare for <i>DONS</i> client interviews.</p> <p>Read BW, ch. 7, pgs. 173 – 203; ch. 9, pgs. 232 – 240.</p> <p>Read John L. Barkai, <i>How to Develop the Skill of Active Listening</i>, 30 PRAC. LAW. 73 (Jun. 1984).</p>

21	November 3 (mandatory make-up class, 2 – 3:30 p.m., Room 129 *See note below)	Negotiation and Clients (Continued)	<i>DONS</i>	Prepare to negotiate <i>DONS</i> . Read BW, chs. 9 – 10, pgs. 224 – 232, 240 – 271.
22	November 7	Interviewing and Counseling		Negotiate <i>Eazy's Garage</i> . Read BW, ch. 4, pgs. 97 – 126.
23	November 9	Looking Ahead: Preparing for Job Interviews	Mock Interviews	*Bring a paper copy of your résumé with you to class. Read Erin Binns, <i>Earn What You're Worth</i> , 35 <i>STUDENT LAW</i> . 17 (2006 – 2007).
24	November 14	Bringing It Together	<i>Fastskin</i>	Prepare to negotiate <i>Fastskin</i> . Conduct <i>Fastskin</i> “behind the scenes” negotiation.
25	November 16 (class will be held in Room 126)	Course Wrap- up		TBD.

***Note: This mandatory make-up class may be moved to Friday, November 10, from 2 – 3:30 p.m., Room 129, depending upon the date of the ABA Negotiation Competition. The date will be confirmed as soon as possible.**