

Negotiation and Mediation | Fall 2022  
3 credits  
(May be used to Satisfy Upper Level Writing Requirement)

LAW 592  
Fall 2022

**Professor Carrie Menkel-Meadow**  
Email= [cmeadow@law.uci.edu](mailto:cmeadow@law.uci.edu)  
Office 4800-J

**Assistant: Maria Gonzalez** [mgonzalez@law.uci.edu](mailto:mgonzalez@law.uci.edu)

**Office Hours:** Mondays 2-4 and by appointment (contact me by email for an appointment;  
Zoom appointments possible)

**Class Schedule:** Mondays and Wednesdays 10:25am-11:55am (absence from class requires  
prior authorization; all classes will have in-class participatory exercises)

**Rooms:** Regular meetings 4750; breakout room 4700

**Course Materials:**

1. The **required** texts for the class are:
  - a. Menkel-Meadow, Schneider, Love, *Negotiation Processes for Problem Solving* 3<sup>rd</sup> ed. (Wolters Kluwer, 2021).
  - b. Fisher, Ury and Patton, *Getting to YES: Negotiating Agreement Without Giving In* (Penguin 3<sup>rd</sup> ed. 2011).
  - c. **CANVAS COURSE PAGE:** please log in as soon as you receive this syllabus: <https://canvas.eee.uci.edu/courses/47642>.
  - d. *Optional:* When published sometime in the fall of 2022, Menkel-Meadow, *Very Short Introduction to Negotiation* (Oxford University Press).
  - e. *There will be many other readings, role assignments and other materials posted on Canvas page.*
2. Recommended additional reading:  
Douglas Stone, Bruce Patton & Sheila Heen, *Difficult Conversations: How to Discuss What Matters Most* (Penguin Press, 1999); Carrie Menkel-Meadow and Michael Wheeler, *What's Fair: Ethics for Negotiators* (Jossey-Bass, 2004); Robert Mnookin, Scott Peppet and Andrew S. Tulumello, *Beyond Winning: Negotiating to Create Value in Deals and Disputes* (Harvard-Belknap Press, 2000); Howard Raiffa, *The Art and Science of Negotiation* (Harvard Univ. Press 1982); and Kenneth Arrow,

Robert Mnookin, Lee Ross, Amos Tversky and Robert Wilson, (eds), *Barriers to Conflict Resolution* (W.W. Norton, 1995).

There are also many popular books on negotiation that might be of some interest to you. Occasionally throughout the semester other materials will be assigned, posted on CANVAS course page. PLEASE CHECK CANVAS AND EMAILS FOR SPECIFIC ASSIGNMENTS.

3. The literature on negotiation and mediation is now vast. I will be happy to make bibliographic suggestions as you request them, either during work on particular negotiation problems, or as you complete your paper assignments. There are also several important journals you might want to become familiar with including *Negotiation Journal*, *Conflict Resolution Quarterly*, *Ohio State J of Disp. Res.*, the *Journal of Dispute Resolution* (Missouri-Columbia), *Alternatives to the High Cost of Litigation* (CPR Institute for Dispute Resolution) and the *Harvard Negotiation Law Review*. All of these should be available in the library or online.

### Course Description:

This course is designed to teach you the theory and practice of negotiation and provide an introduction to mediation (as facilitated negotiation) by exposing you to both conceptual and behavioral forms of learning. Every lawyer negotiates, whether in *dispute resolution (litigation)* or *transaction and planning* contexts. Many do so without understanding why they do what they do or how they actually behave during a negotiation. In this course I hope to give you some theoretical models and frameworks to guide your conceptualization of the negotiation process in particular contexts, as well as to help you understand how your own behavior may or may not be congruent with the analytical choices you think you have made. Most importantly, I hope to teach you how to be aware of your own negotiation processes, both in terms of how you *conceptualize* a negotiation “problem” (what is at *stake*) and how you *behave* (what *skills* are appropriate) when negotiating. In addition, I hope to help you see how lawyer-client interactions structure the negotiation choices you have. My goals in this course include teaching you how to *continue to evaluate your own negotiating work* so that when you leave this course you will always be reflective and evaluative about what you are doing.

You will be required to **read, write, discuss and perform**. Unlike many law school courses, this one will require you to apply what you have read immediately, by asking you to think about and plan an approach to solving a negotiation problem and then to act on your plans. Because negotiation is an interactive process, you will frequently have to adjust your analysis and behavior, based on what other parties (and your own client) may do. Thus, this course will teach you to *act, as well as, think, like a lawyer*. I will also teach you how to give feedback to each other and to yourself. Being criticized for one’s behavior as well as for one’s thinking is often quite threatening, but if done well, it is the best way to learn and this may be one of the last opportunities for you to get “free” feedback on how you are perceived by others. In short, whether or not you actually practice law, this course should help you live your life, no matter what you do.

Many people act from assumptions about what is at stake in a negotiation, what the other side wants or is like, and what they think they can do to “win.” You will learn to look at and question those assumptions. If this course is successful, it will teach you to *think about every negotiation as an opportunity to solve a problem that exists or create new value* where there was none or try to make a bad situation a bit better (making lemonade out of lemons, as a wise person once said to me!). I hope to enhance your *ability to think creatively and synthetically, as well as analytically*. You will also learn that

**planning and preparation** is essential and can sometimes make up for your novice status as a new legal negotiator. And, you will learn that “people” skills may be just as important as technical skills. *The skills you will learn include analysis, persuasion, creativity, listening, interviewing, counseling, question-framing, and the use of law and legal principle.* We will also explore the *moral and ethical issues* implicated in negotiation—honesty, integrity, character, reputation and personal identity. We will examine how negotiations may be different, calling on different skill sets in different **contexts—e.g. disputes/litigation, transactional, multi-party, international, crisis or hostage, interpersonal, familial and organizational.**

I will also introduce you to the process of *facilitated negotiation: mediation*. When negotiators are unsuccessful in negotiating their own agreements directly they may turn to third parties for help, with analysis, communication or solution-crafting. Increasingly in American courts you will be asked to participate in mediation or other forms of assisted dispute resolution before going to trial. So, these processes are used both in private (and transactional) settings as well as in public ones. Mediation and negotiation processes are also being used for policy formation, conflict resolution in a wide variety of complex disputes (environmental, international), as well as in family disputes and conventional and large class action lawsuits. We will explore some of the difficult policy and ethical issues in uses of these processes in different settings.

In short, I want you to develop the “micro” skills necessary to be effective negotiators at the same time that you develop a “macro” consciousness about the uses to which your skills will be put.

This is a lot to do in a relatively short time, so I require your commitment and welcome your comments, reactions and suggestions.

### Course Objectives and Learning Outcomes

1. *Understand conceptual and analytic models of negotiation*, drawn from behavioral sciences, game theory, decision sciences and legal studies.
2. Understand how to *analyze aspects of a negotiation problem* to know which models are appropriate in which contexts.
3. Learn how to *plan for a legal negotiation*, considering needs, interests, and objectives of one’s own client and the needs, interests and objectives of other parties to the negotiation or others affected by the negotiation in order to properly prepare both overall *strategy and implement particular behaviors (or tactics)*.
4. Learn how to *“create value” and “solve problems”* in both dispute and transactional negotiation settings.
5. Consider what the *“role of law”* is in negotiated legal problem solving.
6. Learn to understand and plan for the strategic behaviors of different models of negotiation to *implement effectively appropriate behaviors* for particular kinds of negotiation in many different *contexts*.
7. Learn to appreciate and *plan around common “barriers” to negotiated agreements in human cognition and behavioral errors or misperceptions*.
8. Learn to *communicate effectively* with others, in person, in writing and using technology in negotiation (clients, principals, other negotiators, colleagues).
9. Learn how to *analyze your own behavior and try to interpret the behaviors of others*.
10. Consider the *ethics of negotiation* and make “ethically effective and appropriate” choices.

11. Consider and *appreciate the role of culture, values, personality, race, class, gender and other "differences" in negotiation choices.*
12. Understand the *differences in dyadic (2 person) negotiations and multi-party negotiation and dispute resolution processes.*
13. Consider negotiation processes as "foundational" models and skill sets for other dispute resolution processes, like *mediation, consensus building, etc.*
14. Develop your own capacity to reflect on, *learn from and critique your own performances and experience for future learning.*
15. Consider the *policy issues in the use of negotiation* and related dispute resolution processes for resolving disputes and planning transactions.
16. *Understand that negotiation is a dynamic and complex interactive process engaged in with others, everchanging and requiring adaptability in thinking and action.*

### Course Page:

Students must use the NEGOTIATION Canvas course page to find additional readings and in-class assignments. To access the Canvas course page, please follow the instructions below:

- (1) Visit <https://canvas.eee.uci.edu>
- (2) Enter your UCInetID and password
- (3) *Negotiation, Law 592* should appear on the homepage. If the course does not appear, then click **Dashboard** on the left navigation to access the course. If you do not see *Negotiation* on your Dashboard, click on **Courses**, then **All Courses** to access the course. Be sure to click on the **star** next to *Negotiation* so it will appear in your Dashboard.

To learn more about how to use Canvas, visit <https://community.canvaslms.com/docs/DOC-10701-canvas-student-guide-table-of-contents>. If you are still having technical difficulties, email [eee@uci.edu](mailto:eee@uci.edu) with the Canvas course page URL and a screenshot of your issue in the message.

### Course Requirements

#### 1. Attendance

Because you will be playing roles as clients and lawyers and the learning of the whole class depends on it, **attendance is mandatory for all sessions. Absence, for any reason, must be approved by the instructor. If you miss more than two classes, without instructor permission, your grade will be affected.**

#### 2. Written Assignments

There will be short written assignments at *least once a week*, including guided reflection pieces, legal memos, negotiation plans, negotiation agreements, analyses and self-critiques of negotiation exercises, etc. All assignments are due on the date specified--no extensions will be permitted without

instructor approval and you will be penalized for any late papers. All written assignments should be submitted by email to both [cmeadow@law.uci.edu](mailto:cmeadow@law.uci.edu) and [mgonzalez@law.uci.edu](mailto:mgonzalez@law.uci.edu).

### 3. Final Paper

You should submit a final paper (about 10-15 pages in length) that will be due at the end of the examination period. This paper can be on any topic of your choice with my approval. You may choose to analyze a negotiation, mediation or dispute resolution problem that you have participated in or observed, an international, domestic or legal problem that you would like to analyze from a dispute resolution perspective or you may write a critique of some existing literature or do a small research project in the area of dispute resolution, negotiation or mediation. You should discuss all writing projects with me. There is no final examination in this course. **You may obtain upper-level writing credit for this course by writing a longer paper (approximately 20 pages, 7,000 words as per UCI Upper-Level Writing Requirement) and submitting a draft by Nov. 18 for revision due by the end of exam period.**

### 4. Grading

The grade for this course will be based on the quality of your written work and your participation in the negotiation exercises. Grades will not be based on competitive grounds of the “results” of outcomes of your negotiations. Your grade will be based on your ability to think creatively and to come up with good and wise solutions to the legal and other problems you are being asked to solve. I want to encourage you to take risks and experiment with your own thinking and behavior and I don’t want grading to inhibit that activity. Your preparation, commitment, insight and improvement during the duration of the course will count in your final grade. You will receive comments and some indication of progress on your assignments. Note that you will have many interim “grades” on the multiple assignments in this course. There will be as many as ten separately graded exercises (check, check plus or check minus), so no one grade should inhibit you from trying new behaviors. Class contributions (quality not quantity) will count toward your grade. The final paper will be weighted more heavily than the shorter assignments in the course. You may be asked to provide feedback on your own performance and those of the classmates with whom you work and this too is one measure of your total class performance.

### 5. Confidentiality

**Many of the simulation and role play problems depend on confidential instructions. Some of the time you will work with a partner and often you will work in larger groups working on the same side of a case or transaction. It is important that you not share instructions about a problem until you are told you can do so by the instructor (following the de-briefing of an exercise). Your honesty, integrity and ethical conduct here will not only count in your grade but in how you are seen by your peers, as well as by your instructor. If you have any questions about the confidentiality of any facts, ask the instructor.**

**Attendance:**

*UCI Law's Academic Rule I.L. requires that students attend the classes in which they are enrolled. The rule also states that "[i]f a student must miss a class because of an unavoidable urgent matter, the student is responsible for contacting the instructor or the Assistant Dean for Student Services as soon as the problem presents itself."*

*UCI Law's Policy on Attendance and Verification of Student Identity requires instructors to use UCI Law's Attendance App to verify attendance at each Distance Education course in order to comply with ABA Standard 306(f). <https://www.law.uci.edu/academics/registrar/policies/attendance-and-id.html>.*

*Under UCI Law's Policy on Attendance and Verification of Student Identity, an instructor may prohibit a student from taking the final examination, submitting a final paper, or participating in or receiving credit for other graded class activities, if the instructor determines that the student's attendance has been unsatisfactory. However, the instructor must first notify the student in writing of the unsatisfactory attendance record and warn the student about the consequences if attendance is not corrected. The student will have an opportunity after the warning to improve attendance in the course.*

As an attorney, you will be expected to attend required court hearings, conferences, and client meetings. Similarly, you must be prepared for, arrive on time to, and attend all synchronous and asynchronous sessions of this class, as well as all other class-related meetings.

If you must miss a class session or other class-related meeting due to an unavoidable urgent matter OR illness or family care-related reason, please contact me **by e-mail before that class** to discuss your absence and request an excused absence. If you are not comfortable explaining the reason for your absence to me, please contact the Assistant Dean for Student Services, Kyle Jones.

**This class requires you to conduct client interviews and meetings, meetings with other lawyers, negotiation sessions, both in class and outside of class. Some of these sessions may be in break-out groups in class settings, outside class or on Zoom (where I will be able to "drop in" and watch you); in other cases you will negotiate in front of your classmates, to obtain feedback and to illustrate different approaches to the problems. Thus, the learning of all your classmates depends on your presence in every class.**

If you miss a class, you are responsible for learning the information you missed, including accessing any handouts, assignments, or other materials that I distributed in your absence on Canvas or via e-mail; and handing in any assignments that were due in the class.

**If you accumulate 2 (two) or more unexcused absences, you may fail the course.**

**Class Recordings:**

This class is not recorded since classes involve student confidential performances and proprietary intellectual property.

**Please note that student recording of class sessions by any means is prohibited.** Replication, redistribution, sharing, or posting of a class recording without my express written permission is strictly prohibited. **Students who violate this policy are subject to disciplinary action under the Honor Code.**

### **Disability Services:**

UCI affords all students with disabilities equal access under the law. If you are in need of accommodation under the Americans with Disabilities Act (ADA) or similar statute, you must contact the Disability Services Center (DSC) at (949) 824-6272, or preferably, complete the intake form available at this link: <https://portal.dsc.uci.edu/intake/>. DSC will contact you within five business days to schedule an appointment with the Law School DSC Counselor.

### **Academic Integrity:**

UCI takes academic honesty very seriously. You are responsible for knowing and adhering to the explicit details of our policies available at the link below:  
<https://www.law.uci.edu/academics/registrar/academic-rules.html>.

You are also responsible for ensuring that your conduct conforms with UCI Law's Honor Code at all times ([https://www.law.uci.edu/academics/registrar/policies/UCI Law Honor Code.pdf](https://www.law.uci.edu/academics/registrar/policies/UCI%20Law%20Honor%20Code.pdf)).

In addition, you are responsible for complying with my specific instructions about the rules governing each individual and group assignment.

### **Inclusivity Regardless of Citizenship:**

The University of California supports all students regardless of immigration status. Thus, this course will work to make sure that all students feel included and respected in order to best heighten each student's academic experience. If you feel that you need assistance because you are affected by either your immigration status or that of a loved one (family member, parent, friend, partner), please contact the UCI DREAM Center at [dream@uci.edu](mailto:dream@uci.edu).

### **Student Health and Wellness:**

Your instructors want you to thrive at UCI, and we believe that your physical and emotional well-being are the pathways to getting there. We encourage you to do your best to maintain a healthy lifestyle this semester by eating well, exercising, getting educated about the effects of illicit drugs and alcohol, getting enough sleep, and taking some time to relax. This will help you achieve your goals and cope with stress.

All of us benefit from support during times of struggle. You are not alone. There are many helpful resources available on campus and an important part of the law school experience is learning how to ask for help.

Here at the Law School, Student Affairs and Student Services are available to help you with personal and academic advising, counseling, and referrals. Please feel free to reach out to Dr. Jennah Jones, Assistant

Dean for Student Affairs and Inclusive Excellence ([jjones@law.uci.edu](mailto:jjones@law.uci.edu), 949-824-1304), or Dean Kyle Jones, Assistant Dean for Student Services ([kjones@law.uci.edu](mailto:kjones@law.uci.edu), 949-824-1384).

You should also consider reaching out to the **Counseling Center** ([counseling.uci.edu](http://counseling.uci.edu); 949-824-6457). The Counseling Center provides urgent care/walk-in services, crisis intervention, brief individual and couples counseling, groups, and workshops on a variety of personal and academic issues. There is a Satellite Office at the Law School, (and virtual Law School hours during COVID) where Dr. Diana Chan will provide short-term therapy to help you address your concerns. You can schedule an appointment with Dr. Chan by calling 949-824-6457. When you call, please specify that you would like to be seen by Dr. Chan during her virtual Law School hours.

If you are concerned about a life-threatening situation, we encourage you to contact the UCI **Police Department** at 9-1-1.

For more information on mental health resources, please visit our site: <https://www.law.uci.edu/campus-life/mental-health/>.

## COVID-19 POLICIES

Promoting a healthy environment at UCI Law is a collective effort of everyone in our community—students, staff, and faculty. Your individual choices directly affect the well-being of others. All students, staff, and faculty must be familiar with and comply with [UC Irvine's \(UCI\) campus-wide COVID-19 Policies](#) (the “UCI COVID-19 Policies”), which are intended to mitigate the risk of spreading COVID-19 and help keep our community healthy. These include, among others:

- the [UC COVID-19 Vaccine Policy](#), which requires vaccination and boosters;
- the [UCI Executive Directive on Testing](#);
- the [UCI Executive Directive on Face Coverings](#); and
- the [UCI Daily Symptom Check](#).

UCI has [reinstated its indoor masking requirement](#). **Under this directive, you must wear an approved face covering at all times in this class. It must cover your nose and mouth.** You are not permitted to eat in class. If you drink in class, you may remove your face covering briefly to sip and then must promptly put it back on.

Students are expected to attend class sessions in person, unless UCI campus-wide public health directives provide otherwise. However, **do not come to this class if you are exhibiting COVID-19 symptoms.** [The UCI Daily Symptom Check app will instruct you to stay in your residence and get tested.](#) If you miss a class for this reason, or because you are required to isolate or quarantine under [these guidelines](#), please notify me to make alternative arrangements about what you have missed, as there will be no automatic Zoom recordings of classes. Such notifications are subject to the Honor Code. I will also be happy to answer any questions about the class session you missed.



By coming to this class, you are self-attesting to all others in attendance that you are in compliance with the UCI COVID-19 Policies. These policies may change from time to time to adapt to changing circumstances.

**Your conduct in this class is academic conduct.** An essential aspect of that conduct is your compliance with the UCI COVID-19 Policies, which is necessary to foster a classroom environment conducive to the academic activity we will engage in this semester. Consequently, noncompliance with any of the UCI COVID-19 Policies or the UC COVID-19 Vaccination Policy, or noncompliance with any request I may make that you comply with one of these policies or leave the classroom due to noncompliance, by any student attending this class is instructor-prohibited conduct for purposes of Article II, Section 6, of the Honor Code and may lead to disciplinary action under the Honor Code. In addition, noncompliance may subject you to discipline through UCI's Office of Academic Integrity and Student Conduct. Disciplinary action is reportable to the state bar and may adversely affect your ability to be admitted to the practice of law.

Full class schedule appears on following pages:

**Schedule for Class Sessions, Readings, and Other Assignments**

This schedule serves as a general guideline for the semester. I may delete, add, or change readings or assignments as the semester progresses based on the progress of the class, the schedule of guest speakers, and other factors. You are responsible for keeping track of changes made to the syllabus, whether I indicate such changes in class, on Canvas, or by e-mail. Please note that in order to pass this course, you must complete every part of every assignment, graded or ungraded.

Date	Class Subject(s)	Assignments/Exercises	Readings for Class	Learning Objectives
Monday, August 22	<b>Unit I: Introduction to Models of Negotiation</b>	Negotiating Course Requirements	Text: Chapter One  Intro: <i>Getting to Yes</i> (xxvii-xxix)	Conflict Theory and Negotiation;  Introduction to class and requirements
Wednesday, August 24	Basic Concepts of negotiation-dyadic	<i>Sally Swanson</i>	<i>GTY-chapter 1</i>	Creating Learning Agendas
Monday, August 29	Working with clients; defining goals	<i>Walker (assigned roles as either lawyer or client)</i>  <i>(Start in class- <b>Agreement and analysis due Wed. August 31</b>)</i>	Text: chapters 2 and 3;	Interviewing and Counseling Clients in Negotiation: Whose Goals?
Wednesday, August 31	Evaluating Negotiations: Process and Outcomes	<b>Walker due</b>	<i>GTY - chapter 3</i>	<i>What went well?</i> <i>What should have been done differently?</i> <i>Criteria for evaluating negotiations?</i> <i>Clients' perspectives?</i> <i>Lawyers' perspectives?</i>  <i>Other (outside/ external criteria)?</i>

Monday, September 5	Labor Day – what is the role of negotiations in labor relations? NO CLASS			
Wednesday, September 7	<b>Model 1: Traditional/Adversarial Negotiation</b>	<i>Bedding/Swealy</i>	Text Ch. 6 pp.153- 173	What is at stake? When do we use distributive negotiation approaches?  What are effective negotiation approaches when we divide value?
Monday, September 12	<b>Model 2: Principled Negotiation</b>	<i>Getting A Better Price (due Wed. Sept. 14) and Distribution of Klare v. J. of Human Experience-Memo due Monday Sept. 19</i>	Text Ch. 5 and Ch. 13 pp. 375-387 <i>GTY; chapter 5</i>	What principles do we use in legal negotiations? Role of Law? Reasons for persuasion? Other?
Wednesday, September 14	<b>Model 3: Problem Solving Negotiation</b>	In class exercises	Finish <i>Getting to Yes</i>	How do we create value? Conduct “integrative” negotiations? Develop ‘creative solutions’?
Monday, September 19	<b>Model 4: Mixed Models Creating and Claiming Value</b>	<i>Klare Memo Due Cunningham/Devens</i>	Text: Ch. 7	What is the “res” of the negotiation? How do we choose what approach or model to use? What behaviors are appropriate for what kinds of matters?
Wednesday, September 21	<b>Stages and Phases of Negotiation: Planning for Negotiation</b>		Text: pages 23-37	How do negotiations proceed? Is there

				an order? Agenda development
Monday, September 26	Putting it together: Agenda, Information Exchange, Offers, Proposals, Movement, Solutions, Agreements	<i>The Gallery</i>	Text: Ch. 4;	Who goes first? How do we make proposals and offers?  Who decides? Clients/lawyers?  How do we construct agreements?
Wednesday, September 28	<b>Unit II: Dispute Resolution (Litigation) Negotiations</b>	<i>Client Interview (in designated class time)</i>  <i>Litigation Negotiation Materials distributed in class (email-confidential); instructions for exercise on CANVAS</i>	<i>Interview and work on Planning Documents; Conduct legal research and plan for legal discussion</i>	How to plan for and conduct dispute resolution negotiation?  What is the role of law in a legal negotiation?
Monday Oct. 3 – Friday Oct.7	Conduct litigation dispute Resolution negotiation	Out of class (as scheduled)		
Monday Oct. 10- Friday Oct. 14	Mid-Semester Review Week NO CLASSES			
Monday Oct. 17	<b>Debrief Litigation Negotiation: choosing models, behaviors, assessment of process and outcomes</b>	<b>Due: Planning document, Agreement and Analysis (self-critique)</b>		How do we assess a good agreement in a dispute problem? Tracking the law? Other?
Wednesday, October 19	<b>Barriers to Negotiated Agreements</b>	<i>In class exercises</i>	Text: Chapter 10	Looking at cognitive, social and psychological errors in human behavior and decision making
Monday, October 24	<b>The Psychological and Social Dimensions of Negotiation</b>	<i>MODE exercise</i>	Text:	How do we assess ourselves and

			Ch. 9; GTY, Ch. 2	others in negotiation? Is it the “people” or the “problem”?
Wednesday, October 26	<b>Ethics in Negotiation</b>	<i>Confectioner’s, Inc.;</i> <b>Ethical dilemma paper due</b>	Text: Chap. 12	What is “ethical” behavior in negotiation? Disciplinable? Moral? Reputation? How do we make ethical choices in negotiation?
Monday, October 31	<b>Dealing with Differences in Negotiation: Race, Culture, Gender, Class and Other</b>	Class exercises	Text: chapter 11	How do we deal with stereotypes, attributions? Assumptions; discrimination? Strategies for addressing (“moves and turns”)
Wednesday, November 2	<b>Information Issues in Negotiation: Getting, Giving and Processing</b>	Class Exercises <b>(info exercise due)</b>	Menkel- Meadow (on canvas, Know when to show your hand); Text: Ch. 8 pp. 211- 220; 224- 241	How do we get information in a negotiation? What do we do when asked for information? How do we understand/process the information we have/get?
Monday, November 7	<b>Unit III: Different Contexts in Negotiation</b>  1. Special cases: Hostage Negotiation 2. Complex Multi-Party Negotiation 3. International/diplomatic Negotiation	Guest Negotiator	Optional: G. Noesner, <i>Stalling for Time: My Life as An FBI Hostage Negotiator</i>  <i>Watch: WACO on Netflix;</i>	What lessons for “everyday” and legal negotiations can we learn from the more extreme forms of hostage negotiations?  What negotiation lessons are context specific and which are generalizable?

			<i>Bridge of Spies; other materials on CANVAS</i>  Text: Chapter 15	
Wednesday, November 9	<b>Transactional Negotiations: How are they different? Negotiating in Teams</b>	Distribution of Transactional Negotiation Exercise	Materials on CANVAS	How are transactional/deal negotiations different from dispute negotiations?  How is working in teams different from dyadic negotiations?
Monday, November 14	<b>Preparing for Transactional Negotiation</b>	<i>Meet with client-assigned times during class</i>	Preparing deal sheets and goals	Preparation for transactional negotiation
Wednesday, November 16 and rest of week	Transactional Negotiation (in teams)	(Conducted 2 x 2 out of class time; as scheduled)		Conducting transactional negotiation—in teams? How different?
Monday, November 21	<b>Debrief Transactional Negotiation</b>	<b>Due: Planning Document, Deal Agreement, Analysis-self-critique</b>		<i>How do we assess process and outcomes? What other “deals” possible?</i>
Wednesday, November 23	<b>Multi-Party Negotiations</b>	<i>House of Threads</i>	Text: Chap. 14	How are multi-party negotiations different from dyadic? coalitions, sequencing, blockers, ZOPAs—when do we have agreement?
Monday, November 28	<b>Unit IV: Mediation: Facilitated Negotiation</b>	<i>Ed/Jo I</i>	Text: Chap. 16	When to make use of a third party facilitator/mediator

				to assist in negotiations?
Wednesday, November 30	<b>Mediation, Negotiation and Conflict Resolution: Why Hasn't the World Gotten to Yes</b>	<i>Ed/Jo II</i>	Menkel- Meadow, Why Hasn't the World Gotten to Yes (on Canvas)	Course and self- evaluation: Were your goals met? What kind of a negotiator/problem solver will you be?

**Final Paper Due: December 21, 2022**  
**First Draft ULWR: November 18**