NEGOTIATIONS

Boalt Hall-Fall 2013

Professor Ellyn Moscowitz

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Wednesdays: 3:30-6:15 Room 134

Before first class, read Introduction to end of Chapter 4 in *Getting to Yes.*[[1]](#footnote-1)

Also read Chapter 1 in *Lawyer Negotiations*.

Week 1 (8/21): Course Introduction; Negotiation vs. Mediation; Styles of Negotiation and first in-class exercise.

Read Ch. 5- to pg. 145 in *Getting to Yes*.

Read Chapter 2 in *Lawyer Negotiations*

Week 2 (8/28):

Perceptions, Fairness and settlement Psychology

In-class exercises

Read rest of *Getting to Yes*.

Read Chapter 3 in *Lawyer Negotiations*

Week 3 (9/4):

Competitive and Cooperative Negotiation

In-class exercise

Read Chapter 4 in *Lawyer Negotiations*

Week 4 (9/11):

A Combined Approach and choosing a style

In-class exercise

Read Chapter 5 in *Lawyer Negotiations*

Week 5 (9/18):

Negotiation Step by Step-The beginning

In-class exercise

Read Chapter 6 in *Lawyer Negotiations*

Week 6 (9/25):

Negotiation Step by Step-The Middle

In-class exercise

Read Chapter 7 in *Lawyer Negotiations*

Week 7 (10/2):

Negotiation Step by Step-The End

In-class exercise

Read Chapters 7-10 in *Lawyer Negotiations*

Read: San Francisco Airport Commn case (will pass out in class)

First draft of Model PLA due next week.

Week 8 (10/9):

Negotiating the Project Labor Agreement (“PLA”)-Problem for final handed out.

Discussion of Law

Read Chapter 12 in *Lawyer Negotiations*

Week 9 (10/16):

Project Labor Agreements

Guest Speaker

In-class exercise

Week 10 (10/23): Negotiate sections of the PLA

Film of labor mediation

Week 11 (10/30): Negotiate sections of the PLA

New draft of PLA exchanged with other side

Week 12 (11/6): Negotiate sections of the PLA

Week 13 (11/13): Negotiate sections of the PLA

Week 14-final (11/16): Negotiate the PLA with another class.

9:30-2:30

Class Exercise and Role Play

This course combines theory, skills and law. You will read, discuss, participate in class role plays and negotiate. Let yourself really get into the roles, prepare where appropriate and take them seriously. Role play provides an opportunity to experience the process, experiment and receive feedback.

Class homework

The reading assignments are important and in some instances you will be asked to answer homework questions in the book or from class for short insights and turn them in. Toward the end of semester you will turn in 2 drafts of PLA. Email is acceptable as well.

You will be required to attend one mediation session for this class with a professional mediator, scheduled by the Professor.

Course Grading:

Class preparation, attendance and Participation-35% of grade. Attendance is mandatory as the team make-up is seriously if when a person misses class. Please email me ahead of time if you MUST miss class.

Short homework assignments: 25% of grade. All must be turned in for credit.

Final paper on final negotiation of the PLA- 40%. The last 6 weeks of class will be negotiating parts of the PLA and negotiating with another Negotiations class. This last class will be held on Saturday, 11/16 from 9:30-2:30.

1. Required Textbooks: *Lawyer Negotiations 2d*, Folberg and Golan; Aspen Publishers; *Getting to Yes*, Fisher, Ury and Patton and various class handouts. [↑](#footnote-ref-1)