

NEGOTIATION AND CREATIVE PROBLEM SOLVING

Sec. No. 11761; Course No. 6217

University of Houston Law Center

Summer Mini - May 2026

Professor(s): NATHAN BLOCK & TARA KELLY

Credits: 2 hrs.

Course Areas: *Law & Society/Interdisciplinary*

Mode of Instruction: Face-to-face

Time: Monday, May 18th through Thursday, May 21st - 9:30 AM – to 4:30 PM each day; Friday, May 22nd - 9:30 to 12:30PM

Location: Room - 210 (In person)

Overview: A negotiation skills course covering preparation, tactics, deal design, persuasion, problem solving, decision-making and conflict management, as applied to a variety of commercial, interpersonal, and legal contexts. The course will have a substantial simulation component, requiring student participation in exercises and case studies. Lectures and debriefs linking negotiation to legal practice will be interspersed. Depending on availability, guest lecturers may include accomplished negotiators, mediators, and lawyers, discussing the application of course concepts.

Prerequisites: None

Course Objective: Students will develop familiarity with essential concepts of negotiation and an awareness of negotiation theory. Students will also develop negotiation competencies through simulated negotiation and feedback / coaching. The course will enhance the students' negotiation skills by introducing a broadly applicable framework (e.g., principle centered negotiation, 3-D Negotiation) along with other complementary concepts. Students are provided an opportunity to practice as they learn. The course contains the following major components:

- Principle-centered negotiation
- Defining, creating, and claiming value
- Influence and persuasion
- Conflict management
- Addressing emotion and interpersonal relationships
- Negotiation preparation and decision making
- Multi-party negotiation / coalitions
- Negotiation ethics
- Cross-cultural negotiation
- Introduction to mediation

In addition to in-class activities as described above, this course will entail reading assignments (required books are listed under “Course Materials” below). The professors recommend starting the reading as early as possible. Instructions will be given each day regarding simulation assignments. As required, students will be expected to have downloaded simulation materials and have prepared for full, active participation. Students may purchase these books and read the excerpts listed at any time before the final exam.

Class Size: Enrollment is limited to sixteen (16) students.

Course Materials & Required Reading

The course materials will be comprised of a variety of Harvard Business School case studies and following three books:

Negotiation: A Very Short Introduction by Carrie Menkel-Meadow. 2022 ed., Oxford Univ Press

Chapters 1 – 7; Appendix: Negotiation Plan

Beyond Reason by Roger Fisher and Daniel Shapiro. 2006 ed., Penguin, copyright 2005, published 2006.

Chapters 1-2 (Introduction); Chapters 8-10 (Some Additional Advice); Conclusion (Seven Elements of Negotiation, Glossary, Work Consulted)]

Before the first day of class, students are also responsible for purchasing the two required books, which are reasonably priced and available online at Amazon.com and other book retailers.

Simulation exercises will be provided by the professors before or during class, as appropriate, depending on the learning objectives for the exercise.

Attendance: Attendance is a critical component of this course. Mock negotiation / simulation is an important part of the learning experience for this class. Attendance is vital to ensure that all the exercises can be completed. The instructors track attendance and participation and may reduce a student’s final grade if the student is absent from more than 10% of the total minutes scheduled for the class. These requirements are not intended to be punitive rather; they are necessary because the ability for all students to practice negotiation depends on the presence and preparedness of peers. At each class, attendance will be taken. If / when class is held virtually/on-line due to exigent circumstances, expectations for online etiquette will be presented early during the first class.

Promptness: Because the case simulations are run on a specific timetable, and all students must be present for the simulations to occur, promptness is critical. Please try to arrive 10 minutes early for class each day. Class will start promptly. In the event of an unavoidable absence, please provide notice via e-mail to both professors, as soon as possible. Repeated

tardiness or tardiness that impacts a student's ability to participate fully in in-class exercises will adversely affect a student's participation score.

Participation:

Classroom Engagement: A sizable portion of your grade is based on participation, which involves both preparations outside of class and active engagement in class. When exercises are assigned ahead of time, students are expected to come to class having read the simulation fact pattern and prepared for the role they will play. During class discussions, in addition to participation in class exercises/simulations, students can participate by answering questions posed by the professors, engaging in the flow of conversation facilitated by the professors, and asking well-timed, relevant questions themselves. Students are encouraged to make regular contributions with a focus on quality over mere quantity.

Daily Journal: In addition to class participation, students will maintain a daily journal to capture observations about class including student discussions and the simulation exercises. Each day of class, a particular question or topic will be provided and required as part of the journal score. This journal should be produced daily with one to two (type written, 12pt font, 1-inch margins, full justified) pages expected each day. The completed journal must be e-mailed to the professors **NO LATER THAN 5:00 PM** on Friday, May 22nd. Late journals will not be accepted without explanation and prior approval from the professors.

Grading: Final grades will be assigned 50% based on the Daily Journal, and 50% based on in class participation, including attendance. The participation score includes engagement with class discussion, negotiation exercises, exercise critique, and self-evaluation.

Honor Code: The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Recording of Class: Pursuant to Law Center policy, classes will be recorded. Students may not otherwise record all or part of class, livestream all or part of class or make / distribute screen captures, without advanced written consent of the instructor.

Prohibition on the Use of AI: The use of Generative Artificial Intelligence (GenAI) technology (e.g., Chat GPT, MS Copilot, Claude, Gemini, DALL-E, etc.) to generate text of content for any aspect of this course is prohibited. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI generated text in relation to any activity or assessment in this course. This applies to AI generated text from yourself or others. This pledge includes that your Daily Journal and other work product in the course is without any contribution from AI generated text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts

of the Honor Code: AI generated text will be treated as from another/others in applying the plagiarism policy to this course.

Anti-Discrimination and Sexual Misconduct Policies: UHLC and the University of Houston are committed to maintaining and strengthening an educational, working, and living environment in which students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University system's Anti-Discrimination Policy webpage, AntiDiscrimination Policy, Sexual Misconduct Policy webpage, and Sexual Misconduct Policy. Under the University Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Inclusion: Ours will be an inclusive learning space. In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veterans' status, sex, sexual orientation, gender identify, gender expression, political affiliation, marital status, and other diverse identities that we each bring to class. Our class is richer for this diversity. We encourage you to speak up and share your view but also understand that you are doing so in a learning environment in which all are expected to engage respectfully and with regard to the dignity of others.

If you feel like your class performance is impacted by your experiences inside or outside of class, please reach out to us. We want to be a resource for you. If you feel more comfortable speaking with someone else, the Office of Student Affairs (OSA) is an excellent resource.

Accessibility and Accommodations: The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400 or emailing jdcenter@Central.UH.EDU.

If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is located in the Office of Student Services suite, and she can be reached at sary@central.uh.edu or (713) 743-7466. Requests for accommodation that involve graded assignments must be directed to Ms. Ary and should be made as soon as possible to allow adequate time to document and to process the request. If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let either instructor know as soon as possible, so that we may make arrangements.

Mental Health and Wellness Resources: The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment, and sadness. CAPS provides individual and couples counseling, group therapy, workshops, and connections to other support services on and off campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Office Hours: By request. Please do not hesitate to contact the professors with any questions, concerns, or requests for office hours. Individual appointments are likely to occur either before or after class and may be conducted via videoconferencing. The professors can be reached at:

Prof. Block: nblock4082@outlook.com or 512-627-4181

Prof Kelly: Tara.Kelly@bp.com or 609-488-0097.

Daily Agenda (Sequence of lessons may change. Subject to availability, guest speakers may be added and / or lectures sequence changed to accommodate guest availability):

| Date | Activity | Lead Instructor | Learning Objective* | Description/Teaching Points |
|---------------------|---|-----------------|--|--|
| Monday, 5/18 | Intros, Course Mechanics, The Role of Cooperation | Block | Introduction of the role of cooperation in generating mutually beneficial outcomes | <ul style="list-style-type: none"> • Breakdowns in cooperation • Logic governing individual interests • People factors |
| | The Job Negotiation – problem discussion and set up | Kelly | Job negotiation involving a mid-career student negotiating job offers via email | <ul style="list-style-type: none"> • Conducting effective negotiations via email • Effective self-advocacy and persuasion • Identifying and dovetailing interests |

| Date | Activity | Lead Instructor | Learning Objective* | Description/Teaching Points |
|----------------------|---|-----------------|--|---|
| | Principles of Negotiation to 3D Negotiation | Block | Overview of a framework for understanding the key dynamics of the deal-making process and of building winning agreements | <ul style="list-style-type: none"> • Focus on setup, deal design, and tactics. Introduction of key concepts. Develop familiarity with essential concepts of negotiation applicable across a wide range of contexts |
| | Hong Kong Property Deal | Kelly | A price negotiation using a real estate example, followed by application to valuing litigation settlements | <ul style="list-style-type: none"> • Anchoring • Framing expectations • Valuation methodology • BATNA and ZOPA |
| Tuesday, 5/19 | Negotiation Preparation and Decision Making | Block | | <ul style="list-style-type: none"> • Examine tools to utilize in preparation for negotiation • Introduce tools of decision-making and analysis applicable to negotiation |
| | Sally Soprano Exercise and Debrief | Kelly | Two party integrative negotiation between agents for an opera singer and opera house regarding a contract for an | <ul style="list-style-type: none"> • Comparing principled and positional bargaining. • Dovetailing interests • Bargaining from a weak BATNA • Creative deal making that expands the pie |

| Date | Activity | Lead Instructor | Learning Objective* | Description/Teaching Points |
|------------------------|---------------------------------------|-----------------|--|---|
| | | | upcoming position. | |
| | Conflict and Influence in Negotiation | Block | Understanding conflict in negotiation and tools of influence | <ul style="list-style-type: none"> • Introduce tools for managing conflict during negotiation • Discuss the concept of influence and how to harness it negotiation. • Exercise to illuminate individual conflict management styles and preferences |
| | Job Negotiation – exercise time | | Targeting 4:00 close of class to allow time to conduct exercise | <ul style="list-style-type: none"> • Participation in e-mail negotiation |
| Wednesday, 5/20 | Beyond Reason | Kelly | Overview | <ul style="list-style-type: none"> • Developing expertise in managing certain emotional factors that may be at play during negotiations |
| | Difficult Conversations | Kelly | Hard bargaining | <ul style="list-style-type: none"> • Strategies for tackling difficult conversations and hard bargainers |
| | Power Screen | Kelly | Lawyers attempt to diffuse crisis over IP and future direction between a company's co-owners | <ul style="list-style-type: none"> • Sequencing in confronting issues • Scope of relationship & role • Attractiveness of alternatives to negotiation, such as arbitration |
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| Date | Activity | Lead Instructor | Learning Objective* | Description/Teaching Points |
|-----------------------|-----------------------------------|----------------------------|---|--|
| Thursday, 5/21 | Cross-cultural Negotiation | | Understand the importance of culture and language on negotiation | <ul style="list-style-type: none"> • Develop tools for recognizing and constructively addressing cultural differences |
| | Mediation | Block | Introduction to mediation process and use in dispute resolution | <ul style="list-style-type: none"> • Understand how to value a claim in litigation and use mediation process as a resolution tool |
| | World Trade Center Reconstruction | Video and class discussion | Simulation of six party negotiation scenario | <ul style="list-style-type: none"> • Looks at coalition building and breaking and the complexity of multi-party, multi-interest negotiations |
| | Negotiation Ethics | Block | Discuss ethical foundation and the application of disciplinary rules to negotiation | <ul style="list-style-type: none"> • Distinguish disciplinary rule requirements from ethical prescriptions • Consider and apply ethical considerations to negotiation and dispute resolution |
| | Job Negotiation Debrief | Kelly | | <ul style="list-style-type: none"> • Discuss outcomes and observations from a negotiation conducted via e-mail |
| Friday, 5/22 | Multi-party negotiation exercise | Kelly / Block | Six party negotiation to practice coalition dynamics. | <ul style="list-style-type: none"> • Scored simulation exercise with defined criteria for success |