

# NEGOTIATION: COURSE SYLLABUS SPRING 2010

Professor Brook K. Baker

**Course Texts** - Fisher & Ury, Getting to Yes (2d ed.).  
Krieger & Neumann, Essential Lawyering Skills (3d ed.).  
Course Materials I & II, Gnomon Copy  
(*Maxwell v. Garcia* Case File available Week Two)  
(*UNITAID Patent Pool* Case File available Week Four)

**Class Meeting Times** – Mondays: 8:15-10:00 Dockser Rm. 44  
Wednesdays 8:30-10:00 Dockser Rm. 44

## **TIMELY ATTENDANCE AT ALL CLASSES IS MANDATORY**

### **MARCH 1 - WEEK ONE: INTRODUCTION & *PEOPLE V. BINS***

Class 1 - *INTRODUCTION TO COURSE, NEGOTIATION STORIES/GRAB BAG: DUCK DECOY, ROLEX WATCH*

**HANDOUTS:** 1. Student Negotiation Self-Assessment (**due: Class 2**)  
2. People v. Bins materials

Class 2 - *ANALYSIS OF BARGAINING RANGE: PLEA BARGAINING ALTERNATIVES IN PEOPLE V. BINS (written evaluation of plea bargaining alternatives due at beginning of class)*

**HANDOUTS:** 1. Range of Alternatives in Bins Plea Bargaining  
2. Supplemental Instructions People v. Bins (ADA & Defense)  
3. People v. Bins Matchups

### **MARCH 8 - WEEK TWO: *PEOPLE V. BINS*: PLEA BARGAIN NEGOTIATION**

Class 3 - *BINS PLEA BARGAINING (IN CLASS)*

**HANDOUTS:** 1. Opposite Side's Supplemental Instructions  
2. Newton v. Rummery  
3. News article – NYPD

Class 4 - *DEBRIEF BINS –INTRODUCTION TO CASE EVALUATION METHODOLOGY*

**HANDOUTS:** 1. Maxwell v. Garcia Matchups

**Due: Bins Journal by end of week (Friday midnight)**

**MARCH 15 - WEEK THREE: *MAXWELL V. GARCIA*: CASE EVALUATION**

Class 5 - *MAXWELL V. GARCIA* CASE EVALUATION ASSIGNMENT:

Course Matls., pp. 3-13, 25-98

**Due: written case evaluation at beginning of class**

Class 6 - *MAXWELL V. GARCIA* CASE EVALUATION CONTINUED  
*MINI-NEGOTIATION - LEROI DAVID*

HANDOUT: Confidential Counseling Instructions

**MARCH 22 - WEEK FOUR: *MAXWELL V. GARCIA*: CLIENT COUNSELING & FIRM MEETING.**

Class 7 - *GRAB BAG – HOUSE-SPLIT NEGOTIATION & ATTORNEY/CLIENT COUNSELING: ONE-ON-ONE*:

Course Matls., pp. 15-24

HANDOUT: 1. Confidential Client Negotiation Instructions Maxwell or Garcia  
2. Firm meeting agendas

Class 8 - *FIRM STRATEGY MEETINGS*

**Due: Maxwell Case Evaluation or Counseling Journal due by Friday midnight**

**MARCH 29 - WEEK FIVE: *MAXWELL V. GARCIA*: ONE-ON-ONE NEGOTIATION AND DEBRIEF.**

Class 9 *MAXWELL V. GARCIA* ONE-ON-ONE NEGOTIATION

**Due: Maxwell v. Garcia Negotiation Plan at end of class**

Class 10 *DEBRIEF MAXWELL v. GARCIA NEGOTIATIONS*

**Due: Maxwell Negotiation Debrief Journal by end of week**

**APRIL 5 - WEEK SIX: GENDER ROLES IN NEGOTIATIONS; PERSONAL INJURY NEGOTIATION**

Class 11 - *GENDER ROLE ISSUES IN NEGOTIATIONS*

Course Matls., pp. 95-101

Class 12 - *MINI-NEGOTIATION – PERSONAL INJURY CASE*

**Due: Reflective Journal on gender roles in negotiations by end of week**

**APRIL 12 - WEEK SEVEN: INTRODUCTION – UNITAID PATENT POOL NEGOTIATION**

Class 13 – Introduction to UNITAID Patent Pool

Class 14 - *ANALYSIS OF PARTIES' INTERESTS & PROBABLE GOALS*

**Students select roles and teams for patent pool negotiation**

**APRIL 19 - WEEK EIGHT: PLANNING – UNITAID PATENT POOL NEGOTIATION**

MONDAY January 18, Martin Luther King Holiday

Class 15 – *DETAILED ANALYSIS OF KEY CONTESTED ISSUES*

HANDOUTS: Confidential Negotiation Instructions: ViiV, UNITAID, Cipla

**APRIL 26 - WEEK NINE: UNITAID PATENT POOL NEGOTIATION**

Class 16 - *SEPARATE TEAM MEETINGS PATENT POOL*

Class 17 - *IN-CLASS NEGOTIATION*

**Due: exchange of draft negotiation proposals**

**MAY 3 - WEEK TEN: UNITAID PATENT POOL NEGOTIATION**

Class 18 - *IN-CLASS NEGOTIATION CONTINUED*

Class 19 – *IN-CLASS NEGOTIATION CONTINUED*

**MAY 10 - WEEK ELEVEN: UNITAID PATENT POOL NEGOTIATION**

Class 19 – *FINAL IN-CLASS NEGOTIATION*

Class 20 *DEBRIEF PATENT POOL NEGOTIATION; EVALUATIONS*

HANDOUTS:  
1. Course Evaluation  
2. Instructor Evaluations

**Due: Patent pool Negotiation Journal & Final Negotiation Journal due end of exam period**