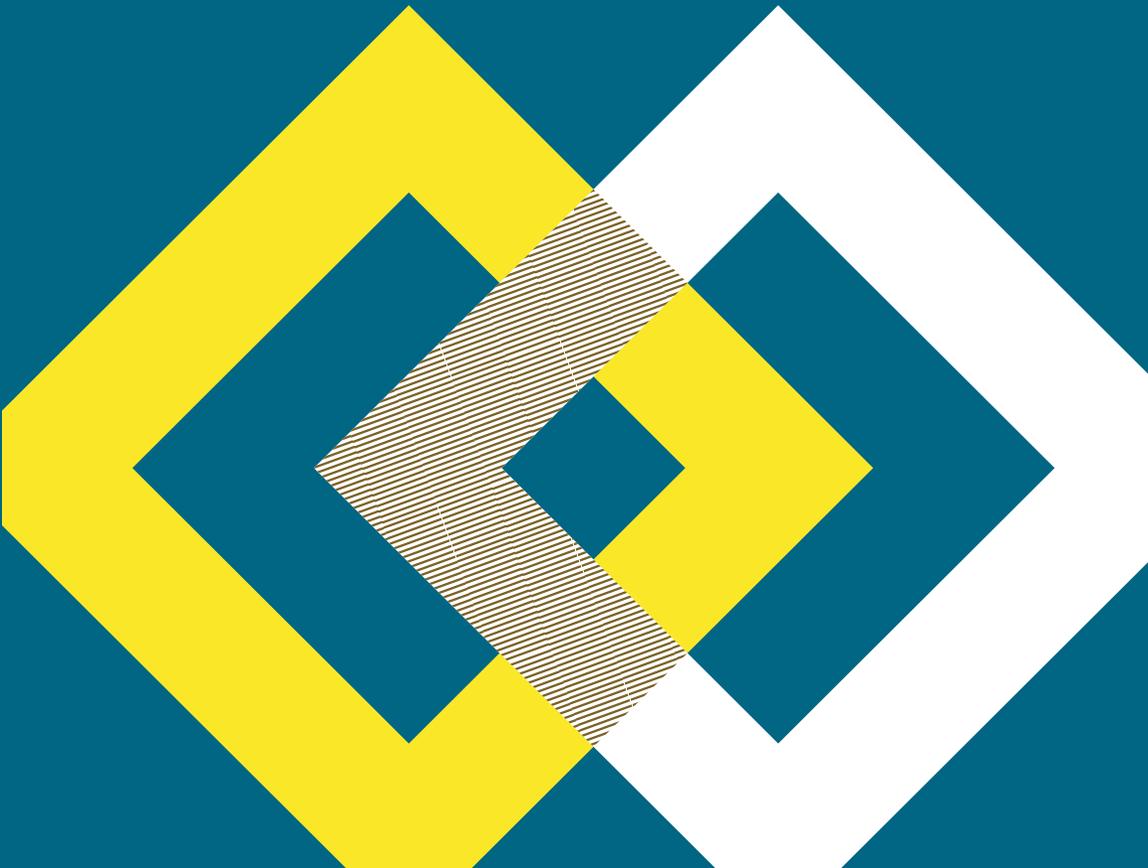


# NEGOTIATION

**2017**

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## CASES

Cases, slices of business life, focus on actual problems and decisions facing a company. Students are challenged to put themselves in the protagonist's place and suggest business strategies, tactics, and solutions.

### New Cases

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#### Launching Yelp Reservations (A)

This case presents a multiparty negotiation among Yelp, its current partner OpenTable, and 2 startups in the online restaurant reservation industry. **TN** *Harvard Business School* #916003

#### Negotiating the Path of Abraham, 2015 Progress and Challenges

The Abraham Path Initiative seeks to revitalize a route of Middle East cultural tourism following the path of Abraham 4,000 years ago. In this case, the Abraham Path board reviews the Initiative's past 5 years and seeks to frame and act on its major strategic, negotiating, and operational challenges going forward. *Harvard Business School* #916027

#### Nora-Sakari: A Proposed JV in Malaysia (Revised)

Negotiations have broken down between Malaysian and Finnish telecom firms Nora Bhd and Sakari Oy. Students are asked to try to restructure a win-win deal. This case examines some of the most common issues involved in a negotiation between 2 companies.

**TN** *Ivey Publishing* #W15389

#### To Buy or What to Buy: Your First Home

Peter and Kate Rose are a young couple looking to buy their first home. They have narrowed down a target list to 3 homes, but are wondering if it makes more sense to continue renting. The couple must make decisions regarding whether to buy, which home to buy, a price, a broker, a mortgage package, and how to source a down payment.

**TN** *Harvard Business School* #215080

### Popular Cases

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#### Fairstar Heavy Transport (A)

In 2009, the small heavy marine transport company Fairstar entered into bidding on one of the largest contracts in the history of the industry. This case chronicles the company's yearlong tendering process leading to a final make-or-break meeting. B and C cases available. **TN** *Harvard Business School* #911036

#### Frasier (A)

This case documents the negotiations between NBC and Paramount Studios to renew the hit television show *Frasier*. Paramount, which produced the show, threatened to move *Frasier* to another network if NBC did not agree to a substantially higher license fee. The case allows students to apply negotiation concepts such as BATNA, reservation price, and ZOPA. **TN** *Harvard Business School* #801447

#### Luna Pen (A)

This case covers the negotiation of a possible trademark infringement involving a German conglomerate and a Taiwanese trading firm. Students identify and evaluate key tactical choices in opening negotiation, discover overlooked connections between tactics and broader strategy, and explore gender, culture, and power issues in bargaining. B, C, and D cases available. **TN** *Harvard Business School* #396156

### **Name Your Price: Compensation Negotiation at Whole Health Management (A)**

A potential employer asks MBA student Monroe Davies to determine his own compensation package. This case follows Davies and Jim Hummer, president and CEO of Whole Health Management, through a unique recruitment process that raises questions of compensation and employee incentives, negotiation strategy, and human resource management.

**TN** *Harvard Business School* #908064

### **Negotiating on Thin Ice: The 2004-2005 NHL Dispute (A)**

After months of negotiations to try to end the 2004 National Hockey League (NHL) lockout, NHL Commissioner Gary Bettman threatened to cancel the entire season. This case provides a rich history of the 2 sides' relationship and an account of the negotiations that led up to the season-cancellation threat. **TN** *Harvard Business School* #906038

### **Negotiation Analysis: An Introduction**

This note provides an overview of the 7 elements of negotiation analysis, including BATNAs, parties, interests, value creation, barriers to agreements, power, and ethics. Illustrations are drawn from a range of contexts, from buying a car and the sale of a business to dispute resolution and international diplomacy. *Harvard Business School* #801156

→ [Find more cases at hbsp.harvard.edu](https://hbsp.harvard.edu)

## **NEW ROLE PLAYS**

Role plays help students develop their decision-making skills by setting up realistic business challenges that require students to use negotiation techniques to work out the best possible solutions.

### **Astra Precision—Labour Negotiation (A): Confidential Instructions for Karim Faizal**

This role play presents a multi-issue, 1-on-1 collective bargaining agreement negotiation between the senior manager of labor relations and the new head of Astra Workers' Federation. Astra Precision is the Indian subsidiary of a German auto company in which violence erupted over working conditions. It ended up in a lockout and lost \$300 million. For use with *Astra Precision—Labour Negotiation (B): Confidential Instructions for Monika Schmidt* (#IN1221). **TN** *INSEAD* #IN1220

### **Boost M6700 (A): Buyer Seller Negotiation—Confidential Instructions for John Payne**

Cindy Tan, a procurement manager at a business consulting firm, has invited senior sales manager John Payne to discuss his proposal to sell 50 high-end Boost laptops to Cindy's firm. For use with *Boost M6700 (B): Buyer Seller Negotiation—Confidential Instructions for Cindy Tan* (#IN1145). **TN** *INSEAD* #IN1144

### **Double Career Negotiation (A): Confidential Instructions for the MBA Student**

In this role play, 2 romantic partners—an MBA student and a medical doctor—must reach an agreement on life and work decisions. Will the couple settle in India, as previously agreed, or move to Amsterdam to further the MBA student's career? Paired with *(B): Confidential Instructions for the Medical Doctor* (#IN1226). **TN** *INSEAD* #IN1225

### **HalaMaterials (A): Negotiating Equity between Partners**

This multi-issue negotiation is between a young entrepreneur and a close-to-retirement CEO. Before embarking on a new venture together, John and George must negotiate partnership details and address thorny ethical issues. Paired with #IN1119. **TN** *INSEAD* #IN1118

### **Honoring the Contract**

This is a 2-party negotiation role play between a search engine startup, YOUReka, and Quantron, a supplier of the subassembly boards used at YOUReka's data centers. At issue is a possible breach of contract. Roles include *Role for Quantron* (#916035) and *Role for YOUReka* (#916036). *Harvard Business School* #916035 and #916036

### **The Indian Railways 'Cash Cow'—Over or Extra Loading? (A): Confidential Instructions for Sudhir Kumar**

This negotiation explores how to maximize revenues for ailing Indian Railways. The role play emphasizes the tension between commercial gains and social needs, and lends itself to discussions about safety, corruption, government, and business in India. For use with #IN1232

**TN** INSEAD #IN1231

### **The Indonesia Strategy Case: Confidential Instructions for Joanna**

In this role play, Joanna and Rupert discuss a new strategy for their firm's Indonesian operations. Joanna is Rupert's recently promoted boss, and Rupert is disgruntled at being passed over for promotion. Paired with #INS979. **TN** INSEAD #INS978

### **The Kitchen Purchase: Briefing for Buyers: Mr. and Mrs. Stulle**

*The Kitchen Purchase* asks students to negotiate the price of a fitted kitchen. It requires minimal preparation, and the case facilitates discussion of the ethics of bargaining, the distributive and integrative conduct of negotiations, and the handling of bargaining power. For use with #ES1611. **TN** *European School of Management & Technology* #ES1601

### **Lombardi Co. (A): A Company Buyout: Confidential Instructions for Luca Lombardi**

This multi-issue negotiation takes place between an aging Italian entrepreneur in North Africa and a young M&A specialist from a large Asian corporation. Due diligence has been completed and the parties discuss the price for the Lombardi company. Role-players find that their ideas of what the company is worth are at odds. Paired with #IN1179.

**TN** INSEAD #IN1177

### **Managing Up (A): Grace**

Grace, a junior hire, is ready to take on more responsibility in her career. But she thinks her boss is standing in the way of potential promotions to better positions. Paired with #W15270.

**TN** *Ivey Publishing* #W15269

### **Selling at ServiceBox (A): Jon Clifford's Perspective**

ServiceBox is a web-based software-as-a-service (SaaS) work order management system for plumbing and heating businesses. In this exercise in sales negotiation, the Service Box founder works to sell a subscription to a heating contractor. For use with *Selling at ServiceBox (B): Heating Contractor's Perspective* (#W16040). **TN** *Ivey Publishing* #W16039

### **Three-Way Organization**

Playing the role of the Neptune, Pluto, or Venus division of the old Sirius Corporation, students seek to form a 2- or 3-way conglomerate of maximum economic value. Individual and shared interests are in conflict. *Harvard Business School* #916037

### **WABTY.com—Salary Negotiation Case**

This negotiation is between an HR manager, May Hirewell, and MBA job candidate Larry Dover. Larry has been offered a job with WABTY.com and is meeting with May to discuss terms of a potential employment contract. The (A) case is paired with (B): *Confidential Instructions for May Hirewell* (#IN1208). **TN** INSEAD #IN1207

## Popular Role Plays

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### Adam Baxter Co./Local 190

In this role play series, students balance economic considerations with employee well-being. Mirroring an actual, historically significant labor v. management negotiation, 2 opposing teams of students square off. The 3 role plays include: the 1978 Negotiation (#396318, #396319), the 1983 Negotiation (#396322, #396321), and the 1985 Negotiation (#396324, #396325).  
*Harvard Business School*

### BCPC Internet Strategy Team: An Exercise

This team decision-making exercise describes a cross-functional management team at a telecommunications company. Groups of 6 students meet to decide whether to conduct a full-scale launch of a new high-speed Internet service. Role information is found in the Supplements tab. **TN** *Harvard Business School* #604035

### The Cinnamon Case: Sales Negotiation

Students act as either buyers or sellers of a perishable but rare commodity. Each role has limited information, but students attempt to negotiate a price, aiming for a best-case scenario for themselves.

**TN** *Ivey Publishing* 2 roles: (A) *The Seller* #w12258, (B) *The Buyer* #w12259

### Hamilton Real Estate: Confidential Role Information for the CEO of Estate One (BUYER)

This 2-party negotiation takes place between the executive VP of Pearl Investments and the CEO of Estate One for the sale of real estate in the town of Hamilton. For use with *Hamilton Real Estate: Confidential Role Information for the Executive VP of Pearl Investments* (#905053). **TN** *Harvard Business School* #905052

### Riggs-Vericomp Negotiation (A): Confidential Information for Riggs Engineering

This role play involves a possible agreement between computer chip manufacturer Vericomp and an environmental engineering firm that sells recycling equipment, Riggs Engineering. Students are assigned 1 of 2 roles and pair up to negotiate. Illustrates the potential for integrative, value-creating bargaining even when parties have conflicting interests and priorities. For use with (B): *Confidential Information for Vericomp* (#801097).

**TN** *Harvard Business School* #801096

### V-Cola: General Instructions

This exercise simulates a negotiation between a boutique advertising agency and a beverage company launching a new product. Each of 6 parties has different incentives and information, which leads to a complex, realistic simulation about agency issues, misaligned incentives, and the (mis)use of contingent contracts. Role information is found in the Supplements tab. **TN** *Harvard Business School* #912043

## Online Role Play

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### Negotiating Equity Splits at UpDown

In this online, team-based role play, students complete an equity-split renegotiation among 3 entrepreneurial business partners. The role play offers pre- and post-negotiation polls and agreement terms for each team member. Instructors can use the online tools to track progress, examine responses, and review results for use in a classroom debrief session. From authors Noam Wasserman and Deepak Malhotra. Multiplayer: 3 roles

**TN** Seat Time: 120 minutes #812701

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## ARTICLES

Articles from *Harvard Business Review*, HBR.org, and other renowned sources provide up-to-the-minute ideas from the best business thinkers.

### New Articles

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#### **Be Your Own Best Advocate**

Negotiating on your own behalf can feel harder than negotiating for a company, especially when it isn't part of a hiring or review process. This article explains how to seize everyday negotiation opportunities at work. *Harvard Business Review* #R1511J

#### **Control the Negotiation Before It Begins**

Some of the costliest negotiation mistakes occur before anyone sits down at the bargaining table. To succeed, negotiators must resolve process before substance, set expectations, map out the negotiation space, and control the frame. *Harvard Business Review* #R1512D

#### **Getting to Si, Ja, Oui, Hai, and Da**

In international negotiations, a manager may lack the contextual understanding to interpret counterparts' communications—especially unspoken signals. This article outlines 5 rules for negotiating between different cultures. *Harvard Business Review* #R1512E

#### **A Definitive Guide to the Brexit Negotiations**

In this article, Deepak Malhotra analyzes the negotiation landscape facing U.K. and E.U. officials over upcoming "Brexit" talks and provides advice on navigating the process effectively. *Harvard Business Review* Web Article #H031TM

#### **Emotion and the Art of Negotiation**

Research shows that regulating the anxiety, anger, excitement, disappointment, or regret that one may feel and express during the course of a negotiation can help one make better deals. *Harvard Business Review* #R1512C

#### **How to Make the Other Side Play Fair**

In adversarial negotiations, one party is likely to open with an inflated claim, a lowball bid, or another unreasonable offer. This approach is often costly to all involved. The authors propose an alternative, the "final-offer arbitration" challenge: one side presents an objectively fair offer, challenges the other to make its own best offer, and then allows an arbitrator to decide which of the 2 is more reasonable. *Harvard Business Review* #R1609F

#### **How to Negotiate with a Liar**

When trying to make a deal, it is important to defend against deception. The best strategy, according to author Leslie K. John, is to focus not on detecting lies but on preventing them. She proposes 5 research-based tactics: encourage reciprocity, ask the right questions, watch for dodging, don't dwell on confidentiality, and cultivate leaks. *Harvard Business Review* #R1607J

#### **More Reasons Women Need to Negotiate Their Salaries**

This article explores how companies end up with significant gender pay inequalities—and what to do about them. The authors introduce economic models and research to help explain the gap—and potential solutions for closing it. *Harvard Business Review* Web Article #H0266F

#### **The Secret to Negotiating Is Reading People's Faces**

In her work as a body language researcher and instructor, the author suggests that a key difference between exceptional and average negotiators is the ability to read micro-expressions, gauging visceral reactions to ideas or proposals. One must then strategically steer the other party toward a preferred outcome. *Harvard Business Review* Web Article #H02Y0U

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## Popular Articles

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### **3-D Negotiation: Playing the Whole Game**

According to negotiation experts David Lax and James Sebenius, executives face obstacles in 3 common dimensions: tactics, deal design, and setup. Most executives fixate on the first 2, but 3-D negotiators reshape the scope and sequence of the game itself to achieve a desired outcome. Lax and Sebenius describe the tactics that 3-D negotiators use and cite examples from business and intergovernmental affairs. *Harvard Business Review* #R0311D

### **Getting Past Yes: Negotiating as if Implementation Mattered**

The best deals don't end at the negotiating table—they begin there. This article asserts that organizations and negotiators must transition from a deal-maker mentality to an implementation mind-set, which sets the stage for a healthy working relationship long after the ink has dried. *Harvard Business Review* #R0411C

### **Hidden Challenge of Cross-Border Negotiations**

International deal-makers have long bowed to local traditions and etiquette. But negotiators need to understand something deeper than table manners and attitudes about deadlines. They must understand the subtle but powerful ways that culture shapes the governance and decision-making process. *Harvard Business Review* #R0203F

### **Investigative Negotiation**

Negotiators often fail by focusing too much on selling their own position and too little on understanding the other party's perspective. This article outlines 5 principles of negotiation to help students develop an investigative methodology in order to negotiate the best possible deal. *Harvard Business Review* #R0709D

### **Negotiating with Emotion**

When facing an important negotiation, rigorous preparation is essential. But it's only half the story. The truth is that passions matter in real-life deal-making and dispute resolution. Good negotiators understand, channel, and learn from their emotions in order to adapt to the situation at hand and engage others successfully. *Harvard Business Review* #R1301G

### **Putting More on the Table: How Making Multiple Offers Can Increase the Final Value of the Deal**

Presenting multiple offers at once can increase the other side's satisfaction as well as the odds of reaching an agreement. Research shows that negotiators who use "multiple equivalent simultaneous offers," or MESOs, achieve better outcomes than those who make a single packaged offer—without sacrificing relationships or losing credibility. This article explains the benefits of MESOs as well as how and when to make them. *Harvard Business Publishing Newsletters* #N0504B

### **Should You Make the First Offer?**

Whether negotiators are bidding on a firm, seeking agreement on a compensation package, or bargaining over a used car, someone has to make the first offer. Who should begin? How will the first offer influence the negotiation process and any final agreement? New research on the anchoring effect suggests that the best strategy is often to speak up first. *Harvard Business Publishing Newsletters* #N0407A

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## BOOKS & CHAPTERS

Many academic titles from Harvard Business Review Press are now available as eBooks. Each eBook title is available as a PDF and comes with a full-text Educator Copy available to registered Premium Educators on the HBP for Educators web site.

### Books

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#### **Harvard Business Review on Winning Negotiations**

This collection of best-selling *Harvard Business Review* articles helps students forge better deals, uncover the other party's motives, conquer faulty assumptions, build long-term relationships, make realistic promises, gain an adversary's trust, and understand when to walk away. *Available as an eBook. Harvard Business Review Press #10327*

#### **HBR Guide to Negotiating**

This guide outlines a collaborative and creative approach to negotiation that results in better outcomes and stronger relationships. This approach works in any situation in which 2 or more parties need to come to terms, from multimillion-dollar sales agreements to informal conversations with colleagues about how to tackle a quick project. *Available as an eBook. Harvard Business Review Press #15027*

#### **HBR Guide to Office Politics**

Employees need to work effectively with colleagues—even challenging ones—for the good of the organization and their careers. This book offers guidance on building relationships with difficult people, gaining allies and influence, wrangling resources, moving up without ruffling feathers, avoiding power games and petty rivalries, and claiming credit when it is due. *Available as an eBook. Harvard Business Review Press #16547*

#### **HBR's 10 Must Reads on Communication (with featured article “The Necessary Art of Persuasion” by Jay A. Conger)**

This collection of 10 *Harvard Business Review* articles by experts such as Deborah Tannen, Jay Conger, and Nick Morgan provides insights on communicating effectively and persuasively. *Available as an eBook. Harvard Business Review Press #11364*

#### **Negotiating Outcomes**

*Negotiating Outcomes* helps students prepare, conduct, and close a negotiation successfully. The book includes useful tools, self-tests, and real-life examples to help students identify strengths and weaknesses and hone critical skills. *Available as an eBook. Harvard Business Review Press #13256*

### Chapters

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#### **Assess Current Challenges and Opportunities: The Role of Assessment in Successful Negotiation**

The authors introduce a criteria assessment key that will help organizations develop their own successful negotiation practice.

From *Built to Win: Creating a World-Class Negotiating Organization* #3258BC

#### **Four Key Concepts: Your Starting Points**

Any successful negotiation must have a fundamental framework based on 4 key concepts: BATNA (best alternative to negotiated agreement), reservation price, ZOPA (zone of possible agreement), and value creation through trade. This chapter develops these 4 concepts with examples for students.

From *Negotiation*, *Harvard Business Review Press* #5672BC

### **Negotiation Checklists: Preparation, Value-Creation, and Implementation Checklists**

This chapter features a negotiation preparation checklist with questions every negotiator should review with stakeholders before beginning a negotiation; a value-creation checklist that suggests analytical sources of value creation; and an implementation checklist that suggests ways to address surprises and conflicts in the future.

From *Built to Win: Creating a World-Class Negotiating Organization* #3263BC

### **Trust Building in Intergroup Negotiations: Challenges and Opportunities for Creative Leaders**

The authors of this chapter focus on questions in order to examine how leaders can build trust between groups in negotiation settings. How should trust be conceptualized in this context? What special barriers to trust exist? How can leaders creatively stimulate intergroup trust, especially when climates of suspicion prevail?

From *Crossing the Divide: Intergroup Leadership in a World of Difference* #3791BC

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## **SIMULATIONS**

**Online simulations present real-world management challenges for students and encourage classroom interaction and discussion. Results are available immediately for a comprehensive debrief session. All simulations include a detailed Teaching Note.**

### **Entrepreneurship Simulation: The Startup Game**

This multiplayer simulation immerses students in the fundamentals of forming a new company. Students role-play as founders, investors, and potential employees who must interact with their classmates to negotiate deals, calculate valuation, find the right staffing mix, and debate financial gains versus organizational control. Designed for classes of 20-86 students.

**TN** *The Wharton School, University of Pennsylvania* Seat Time: 60 minutes #WH0001

### **Finance Simulation: Blackstone/Celanese**

This simulation re-creates the landmark acquisition of Celanese AG by the Blackstone Group in 2003. Students take on the role of Blackstone or Celanese and conduct due diligence, establish deal terms, respond to bids and counterbids, and consider the interests of other stakeholders. **TN** Seat Time: 120 minutes #3712

### **Finance Simulation: M&A in Wine Country V2**

Students play the role of CEO at 1 of 3 publicly traded wine producers. Each player evaluates merger and acquisition opportunities among the 3 companies, determines reservation prices and value targets, and negotiates deal terms before deciding to accept or reject final offers.

**TN** Seat Time: 90 minutes #4805

### **Leadership and Team Simulation: Everest V2**

Students experience group dynamics and leadership through the dramatic setting of a Mount Everest expedition while playing 1 of 5 roles on a team of hikers. As they attempt a climb to the summit, students must reach individual goals while also sharing information to maximize group achievement. **TN** Seat Time: 120 minutes #7000

### Negotiation Simulation: OPEQ

This multiplayer simulation immerses students in the complex world of oligopolistic oil pricing. Teams of students act as members of an oil production board tasked with setting petroleum production levels for 1 of 3 fictional countries: Alba, Batia, and Capita. The simulation allows students to explore the dynamics of cartels and competition, negotiation, best response, Nash equilibrium, and a variety of other negotiation and economic principles.

**TN** *The Wharton School, University of Pennsylvania* Seat Time: 60 minutes #WH0002

### UPDATED Strategy Simulation: Competitive Dynamics and Wintel V2

In this updated simulation, students face the dynamics of cooperation and competition between 2 businesses. Playing the role of Microsoft or Intel, students determine product release schedules and pricing, and consider whether to coordinate schedules and frequency of releases. Asymmetries in profit potential expose students to multifaceted problems of simultaneously cooperating and competing. Ideal for courses in Strategy and Negotiation.

**TN** *Harvard Business School* Seat Time: 60 minutes #716801

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- Managing Upward
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## TEACHING GUIDES

### NEW! Negotiation Curriculum Map and Teaching Videos

Created by Harvard Business School professor Michael A. Wheeler, the Negotiation Curriculum Map recommends course materials for an MBA-level introductory course in negotiation. Divided into course units and class sessions, the map suggests specific Harvard Business Publishing course materials including cases, articles, role plays, and more.

*A series of videos on teaching negotiation is also available. Videos include:*

- Introducing the Negotiation Curriculum Map
- Secrets to a Great Negotiation Course
- Grading Students in a Negotiation Course
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