

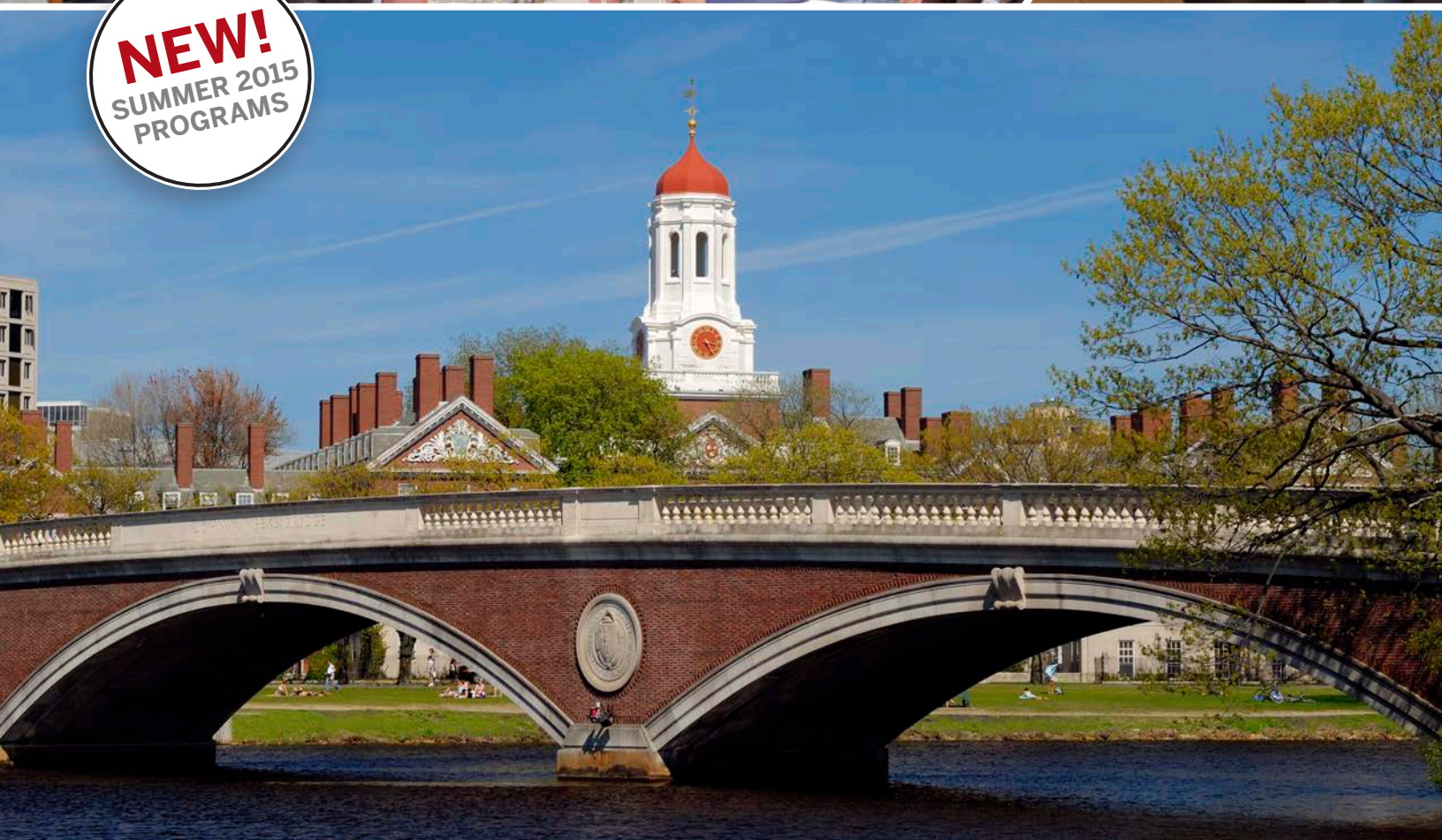


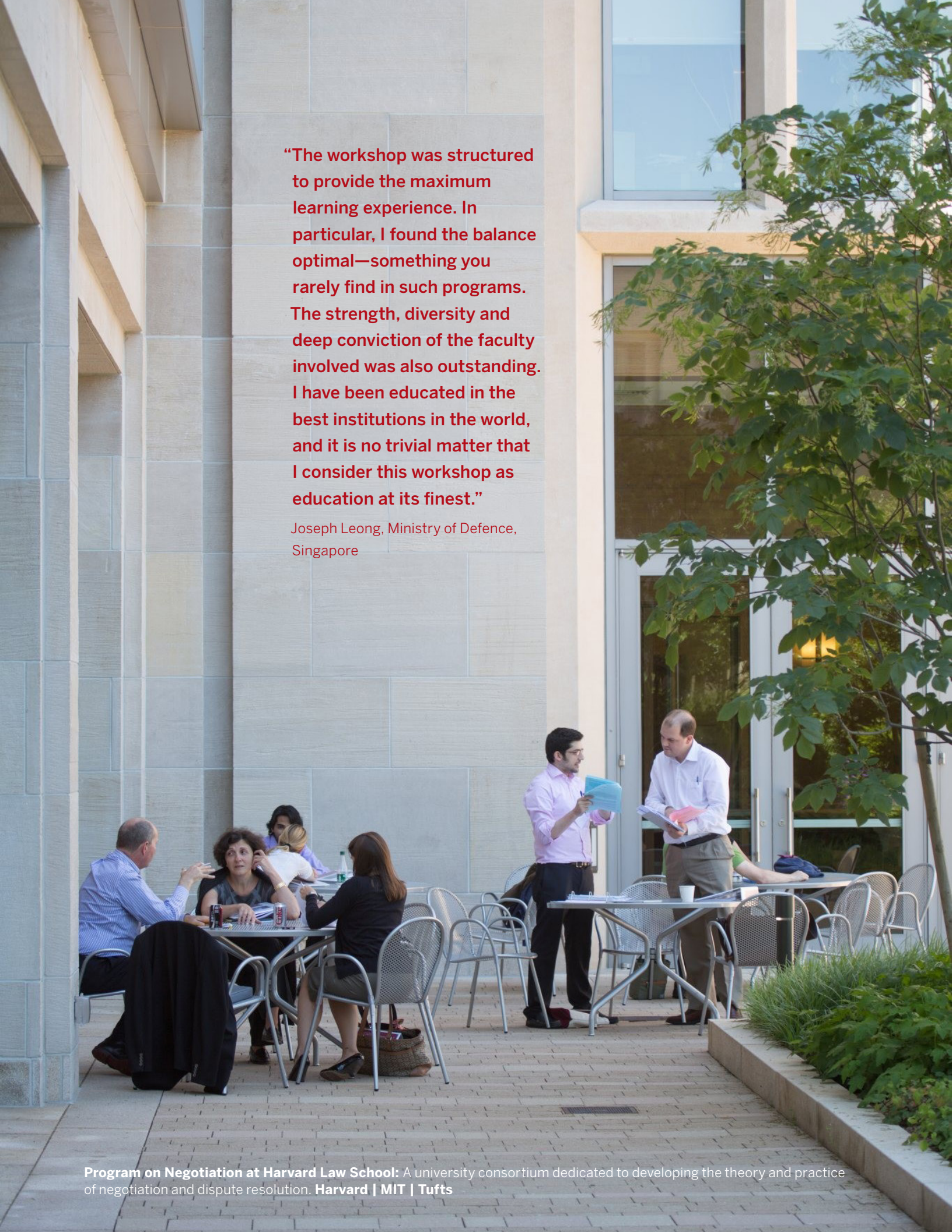
HARVARD NEGOTIATION INSTITUTE SUMMER PROGRAMS

PROGRAM GUIDE 2015



NEW!
SUMMER 2015
PROGRAMS





“The workshop was structured to provide the maximum learning experience. In particular, I found the balance optimal—something you rarely find in such programs. The strength, diversity and deep conviction of the faculty involved was also outstanding. I have been educated in the best institutions in the world, and it is no trivial matter that I consider this workshop as education at its finest.”

Joseph Leong, Ministry of Defence,
Singapore



HARVARD NEGOTIATION INSTITUTE

WHY ATTEND THE HARVARD NEGOTIATION INSTITUTE (HNI) SUMMER PROGRAMS?

1. World-class faculty

Harvard Negotiation Institute (HNI) Summer Programs are taught by world-renowned professors, distinguished thought leaders, and best-selling authors—recognized experts who have developed leading strategies in the field of negotiation, negotiated some of the biggest deals in the world, and helped resolve high-stakes, international conflicts.

2. Unparalleled networking opportunities

Accomplished executives, lawyers, judges, and leaders travel from all over the world to attend HNI programs at Harvard Law School. The diverse participant mix creates a dynamic interchange of wide-ranging perspectives and a network of friends and business contacts that lasts long after the program has concluded. To facilitate networking, built into the program are evening receptions and time for informal, small group lunches and dinners that take place on-campus and around the Boston area.

3. State-of-the-art classrooms

As a participant in the HNI summer programs, you'll take classes in Wasserstein Hall, part of a 250,000 square foot complex designed to serve as the gateway to Harvard Law School and the Harvard University community. Developed with the student in mind, Wasserstein's 21st century contemporary classrooms feature excellent acoustics and sight lines to encourage active participation.

4. Culturally vibrant city

What's better than participating in world-class negotiation programs at Harvard Law School? Experiencing them in a world-class city. Summer is a great time to explore one of the most culturally vibrant cities in the nation. Harvard Law School is within walking distance of historic Harvard Square and a short distance from some of Cambridge and Boston's best attractions. Take in a Red Sox game at Fenway Park, catch an orchestral performance at Symphony Hall, explore the Freedom Trail, or stroll the many public parks.

HARVARD NEGOTIATION INSTITUTE (HNI) SUMMER PROGRAMS

Program	Description	Faculty	Duration	Dates	Fees
FUNDAMENTALS					
Negotiation Workshop: Improving your Negotiating Effectiveness*	Learn to effectively navigate the negotiation process, from set-up to outcome.	Bruce Patton	5 days	June 1–5	\$5,497
Mediating Disputes	Discover effective ways to settle differences and resolve disputes across a variety of contexts.	Robert Mnookin Gary Friedman Dana Curtis Samuel Dinnar	5 days	June 1–5	\$5,497
The Harvard Negotiation Intensive: A 2-day Workshop	Address distinct negotiation challenges faced by lawyers and executives and acquire proven strategies for overcoming them.	Robert Bordone	2 days	June 4–5	\$3,000
Negotiation Workshop: Strategies, Tools, and Skills for Success*	Acquire a proven framework for extracting more value out of a negotiation.	Robert Bordone	5 days	June 8–12	\$5,497
ADVANCED					
Advanced Negotiation: Making Difficult Conversations Productive*	Overcome barriers and turn negotiations from difficult to collaborative.	Bruce Patton Sheila Heen Doug Stone	5 days	June 8–12	\$5,497
Secrets of Successful Dealmaking*	Explore the legal, tactical, and structural elements of complex dealmaking.	Guhan Subramanian David Lax	5 days	June 8–12	\$5,497
Advanced Mediation Workshop: Mediating Complex Disputes	Build your mediation repertoire to resolve complex disputes.	David Hoffman Larry Susskind Marjorie Corman Aaron Samuel Dinnar	5 days	June 8–12	\$5,497

* Group rates: 2–5 people from the same organization receive a \$500 discount when attending the same course.
2-course discount: When you attend 2 consecutive workshops you save \$1,997.

NEGOTIATION WORKSHOPS

WEEK I

JUNE 1–5, 2015

NEGOTIATION WORKSHOP: IMPROVING YOUR NEGOTIATING EFFECTIVENESS

STRENGTHEN YOUR NEGOTIATION CAPABILITIES

Too many negotiators leave value on the table. They painfully divide a small pie after a costly battle while failing to capture offsetting opportunities for joint gain, or they win the battle, but at a cost to relationships and reputation that limit long-term value. Reliably negotiating optimal outcomes requires a keen appreciation of the negotiation process, systematic preparation, and honed interpersonal skills. In this intensive, interactive program, you will acquire a proven framework, tools, techniques, and skills for maximizing the value of your negotiated outcomes by effectively navigating the negotiation process from setup to commitment and implementation.

Learning objectives

- Gain a proven approach for analyzing and understanding negotiation
- Assess and heighten your awareness of your strengths and weaknesses as a negotiator
- Learn how to create and maximize value in negotiations
- Gain problem-solving techniques for distributing value fairly while strengthening relationships
- Develop skills to deal with difficult negotiators and hard bargaining tactics
- Learn how to match the process to the context
- Discover how effectively to manage and coordinate across- and behind-the-table negotiations

Who should attend?

This program is appropriate for executives, lawyers, judges, government officials, nonprofit leaders, and educators who wish to improve their ability to negotiate, manage negotiators, and achieve better results—especially when the stakes are high and relationships are on the line. It has proven helpful for participants with all levels of experience. While participants are welcome from all industries and countries, a strong command of spoken and written English is expected.

Format

Featuring dynamic lectures and demonstrations, negotiation role-play and other skill-building exercises, facilitated small-group discussions, videotaping, and personal coaching, this program is designed to actively involve participants in the learning process.

Course materials

Fisher, Ury, and Patton, *Getting To YES: Negotiating Agreement Without Giving In* (3rd Ed., 2011); Fisher and Shapiro, *Beyond Reason: Using Emotions as You Negotiate* (2005); and photocopied materials to be provided.

Faculty

Bruce Patton



Bruce Patton is a Distinguished Fellow of the Harvard Negotiation Project (HNP), which he co-founded with Roger Fisher and William Ury in 1979 and administered as Deputy Director until 2009. With Fisher, Patton pioneered the teaching of negotiation at Harvard Law School, where he was Thaddeus R. Beal Lecturer on Law for fifteen years.

Patton is also a co-founder and Director of Vantage Partners, LLC, a global consulting firm that helps large companies negotiate and manage their most important relationships—with customers, suppliers, partners, and colleagues—to achieve critical bottom-line results. In addition to his work with many of the world's largest corporations, Patton has helped resolve international conflicts ranging from the Iranian hostage conflict to South African apartheid to conflict in Central America. Patton is the co-author, with Roger Fisher and William Ury, of *Getting to Yes: Negotiating Agreement Without Giving In*, which has sold more than 8 million copies, and with Douglas Stone and Sheila Heen of the *New York Times* bestselling *Difficult Conversations: How to Discuss What Matters Most*, available in more than thirty languages and in the library of the International Space Station. Patton received his A.B. from Harvard College and his J.D. from Harvard Law School.



JUNE 1–5, 2015

MEDIATING DISPUTES

BECOME A SKILLED MEDIATOR

Salvaging relationships. Opening lines of communication. De-escalating conflicts. Reaching workable agreements. The success of any mediation is predicated on the skills of the mediator. In this popular program, you will acquire practical skills and techniques for facilitating negotiations between disputing parties. From family and employment matters to public policy and business disagreements, you will discover effective ways to settle differences and mediate disputes across a variety of contexts.

This program will provide you with core mediation skills training and hands-on experience as a mediator in a variety of simulations. You will examine the mediation process through the lens of both caucus and non-caucus models of practice, and consider the role of law, as well as interest-based bargaining, in shaping mediated settlements. In addition, the course addresses legal and ethical issues in mediation, and the psychological dimensions of the mediation process.

Learning objectives

During this intensive five-day program, you will:

- Broaden your understanding of ways to resolve disputes
- Become more comfortable with the role of mediator and diverse mediation styles
- Enhance your ability to listen, express empathy, develop options, understand interests, and build agreements
- Examine the ethical dilemmas and legal dimensions of mediation practice
- Learn how to preserve value and relationships through mediation
- Acquire improved problem-solving negotiation techniques
- Gain insights as to the role of lawyers in mediation

Who should attend?

This program is appropriate for lawyers who are interested in adding mediation to their practice, and judges who are interested in setting up court-based mediation programs or becoming professional mediators.

We also welcome professionals from all backgrounds, industries, and countries who wish to improve their ability to resolve disputes.

Previous participants have included lawyers, judges, teachers, doctors, ministers, managers, directors, executives, and administrators.

To deliver the personalized learning experience for which this program is known, enrollment is strictly limited to 48 participants.

Due to the interactive and simulation-rich nature of the training, participants must demonstrate proficiency in English, as this program is conducted solely in English. Participants should be able to converse fluently in dialogue with the instructor and other students.

Format

Featuring lectures, interactive discussions, small group and one-on-one exercises, and mediation simulations, this intensive program is designed to actively engage you in the mediation process. Key to the program is the opportunity to mediate a dispute from beginning to end and to explore your own mediation technique and skills, including feedback from fellow participants and program faculty.

Recommended Course Materials and Reference Books

- *Beyond Winning: Negotiating to Create Value in Deals and Disputes*, Robert H. Mnookin, Scott R. Peppet and Andrew S. Tulumello (Belnap, 2004)
- *Challenging Conflict: Mediation Through Understanding*, Gary J. Friedman, Jack Himmelstein (American Bar Association, 2008)
- *Bringing Peace Into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution*, Daniel Bowling, David A. Hoffman (Editors, Jossey-Bass 2003)

Reading assignments and other materials will be sent to participants via email prior to the start of the course.

Faculty

Professor Robert Mnookin, Gary Friedman, Dana Curtis, and Samuel Dinnar

FACULTY



Robert H. Mnookin is the Samuel Williston Professor of Law at Harvard Law School, the Chair of the Executive Committee of the Program on Negotiation at Harvard Law School, and the Director of the Harvard Negotiation Research Project. A leading scholar and expert in the field of conflict resolution, Professor Mnookin has applied his interdisciplinary approach to negotiation and conflict resolution to a remarkable range of problems, both public and private. An experienced mediator, Professor Mnookin has successfully mediated

many complex commercial disputes that involve advanced technologies and intellectual property. He has written or edited nine books, including *Bargaining with the Devil: When to Negotiate, When to Fight*, and numerous scholarly articles. A renowned teacher and lecturer, Professor Robert Mnookin has taught numerous workshops for corporations, governmental agencies and law firms throughout the world and trained many executives and professionals in negotiation and mediation skills.



Gary J. Friedman has been practicing law as a mediator with Mediation Law Offices in Mill Valley, California, since 1976, integrating meditative principles into the practice of law and the resolution of legal disputes. Through the non-profit organization which he co-founded, The Center for Understanding in Conflict (formerly The Center for Mediation in Law), he has been teaching mediation since 1980, training lawyers, law professors and judges in the Center's method of mediation and a meditative approach to lawyering and collaborative practice. Since 1989, he has been training lawyers, judges and psychotherapists

in the United States, Europe, and Israel. He has taught courses in negotiation and mediation at Stanford University Law School and the New College of Law, the World Intellectual Property Organization in Geneva, the Program on Negotiation at Harvard Law School, and has lectured frequently at numerous other law schools. He has written extensively about mediation and conflict resolution. He is the co-author, with Jack Himmelstein, of *Challenging Conflict: Mediation Through Understanding* and author of *Inside Out: How Conflict Professionals Can Use Self-Reflection to Help Their Clients*.



Dana Curtis, an attorney mediator, mediates a broad range of disputes in her Sausalito, CA practice. Her 23-year mediation career includes four years as staff mediator for the Ninth Circuit Court of Appeals and recognition as a "Top 50"

California neutral. She conducts mediation training for organizations, courts and law schools throughout the U.S. and internationally, including at Stanford Law School, where she taught for ten years.



Samuel "Mooly" Dinnar is an experienced strategy, venture and negotiations consultant to businesses, investors, non-profits and individuals. Along with providing negotiation services, training, coaching, mediation, and dispute resolution assistance, Dinnar has conducted hands-on strategy work, re-positioning, marketing and entrepreneurial initiatives with entrepreneurs, start-ups and investors. Dinnar brings over 20 years of general management, strategic growth and operations team leadership with a track record

of corporate growth, mergers and acquisitions, value-creating product management, multifaceted sales and business development in the fields of hi-tech and aerospace. In addition to being part of two start-ups that revolutionized their industry, Dinnar has international experience as an entrepreneur, executive, board member and venture capital investor, based on technical degrees in aerospace engineering and computer sciences, as well as business management education from the Harvard Business School.



JUNE 4–5, 2015

THE HARVARD NEGOTIATION INTENSIVE: A 2-DAY WORKSHOP

EQUIP YOURSELF FOR NEGOTIATION SUCCESS

Whether you're a vice president, litigator, manager, or transactional attorney, negotiation is central to nearly every professional activity. Systematic and thorough preparation, as well as an ability to manage shared, different, and conflicting interests, is critical to success.

Designed to address the core issues that you experience as you negotiate on behalf of your clients, organizations, or yourself, this intensive two-day program provides a theoretical framework for thinking about business and legal negotiations. You will address distinct challenges faced by lawyers and professionals—ranging from multi-party, complex negotiations to situations involving difficult people and behaviors—and acquire proven strategies for overcoming them.

Learning Objectives

In this compressed, highly interactive program, you will:

- Learn how to manage shared, differing, and conflicting interests
- Discover your strengths and weaknesses as a negotiator
- Acquire a systematic framework for handling deals and disputes
- Explore ways to deal with challenging negotiators and difficult behaviors and tactics
- Gain skills in handling complex and multiparty negotiations

Who should attend?

This program is designed for lawyers and executives who wish to improve their ability to negotiate effectively and create more value in deals and disputes. Previous participants have included business executives, judges, public school administrators and physicians.

To deliver the personalized learning experience for which this program is known, enrollment is strictly limited to 48 participants.

Note: Participants who have already taken the five-day *Negotiation Workshop: Strategies, Tools, and Skills for Success* offered through HNI will find this course an attractive refresher. However, there is overlap between case materials used in the two courses, so participants are advised not to take this course and the *Negotiation Workshop: Strategies, Tools, and Skills for Success* course back-to-back.

Format

This fast-paced, intensive program features dynamic lectures, skill-based exercises, debriefs, and real-world case studies. Core to this program are negotiation simulations in which participants receive and give feedback about each other's negotiation skills and techniques.

Faculty

Professor Robert Bordone



Robert Bordone is the Thaddeus R. Beal Clinical Professor of Law at Harvard Law School and the Director of the Harvard Negotiation & Mediation Clinical Program. In 2007, Professor Bordone received The Albert Sacks-Paul Freund Teaching Award at Harvard Law School, presented annually to a member of the

Harvard Law School faculty for teaching excellence, mentorship of students, and general contributions to the life of the Law School. He was finalist for this award in 2012 and 2013 as well.

As a professional facilitator and conflict resolution consultant, Professor Bordone works with individual and corporate clients across a spectrum of industries. He specializes in assisting individuals and groups seeking to manage conflicts in highly sensitive, emotional, or difficult situations. His research interests include the design and implementation of dispute resolution systems, the development of a problem-solving curriculum in law schools, and ADR ethics. Most recently, Professor Bordone co-authored *Designing Systems and Processes for Managing Disputes*.



WEEK II

JUNE 8–12, 2015

NEGOTIATION WORKSHOP: STRATEGIES, TOOLS, AND SKILLS FOR SUCCESS

GET BETTER RESULTS ACROSS AND BEHIND THE BARGAINING TABLE

Turn disputes into deals. Transform deals into better deals. Resolve intractable problems. Negotiating effectively requires the ability to change the game—moving away from conflict and toward collaboration. In this intensive, interactive program, you acquire a proven framework for maximizing the value of your negotiation, whether you are behind the bargaining table with a client or across the table with an opposing party.

Engaged with a professional group of peers, you will participate in discussions and simulations that cover scenarios ranging from intellectual property, pricing, and licensing negotiations to international, domestic, public, and private disputes. You will refine your negotiation skills and leave with a set of strategies that you can use to deal with difficult negotiation behaviors and hard bargaining tactics.

Learning objectives

By participating in this intensive five-day program, you will:

- Acquire a systematic framework for understanding negotiation
- Heighten your awareness of your strengths and weaknesses as a negotiator
- Learn how to expand the size of the pie by creating value in negotiations
- Gain problem-solving techniques for distributing value and strengthening relationships
- Ascertain how to choose the right process to craft deals that last
- Learn how to manage across the table and behind the table negotiations

Who should attend?

This program is appropriate for lawyers, judges, government officials, leaders of non-governmental organizations (NGOs), educators, trainers, and executives who wish to improve their ability to create value at the negotiating table and who want new strategies for dealing with challenging or intractable negotiators. To foster teamwork and extend the learning across the organization, we encourage teams and small groups to attend together.

Format

Featuring dynamic lectures, facilitated discussions, skills-based exercises, and negotiation simulations, this program also includes two personalized coaching sessions—one at the beginning of the program, and another at the end—in which participants are filmed and given individualized feedback on their negotiation skills.

Course Materials

Getting to Yes: Negotiating Agreement Without Giving In by Roger Fisher, William Ury, and Bruce Patton, (Penguin, 2011).

Faculty

Professor Robert Bordone

Please see the preceding page for Professor Bordone's bio.



JUNE 8–12, 2015

ADVANCED NEGOTIATION: MAKING DIFFICULT CONVERSATIONS PRODUCTIVE

BREAKING THE BARRIERS OF NEGOTIATION

When negotiations become difficult, emotions often escalate and talks break down.

To overcome barriers and turn negotiations from difficult to collaborative, from breakdown to breakthrough, you must learn to understand the inter- and intra-personal dynamics at play.

In this program, you will examine how your own assumptions and behaviors can help create and perpetuate negotiation dynamics you desperately want to avoid, and learn how to modify even deeply held assumptions and enact new behaviors more likely to foster successful negotiations.

You will learn the concepts and skills required to overcome difficult tactics and effectively respond to emotions—your own and others’—so that you can initiate and maintain productive conversations even in complex situations with challenging counterparts. Through intensive personal coaching, you will also gain valuable insight into your own personal challenges and leave with proven techniques for greater negotiation success.

Learning objectives

In this intensive five-day program, you will:

- Learn about the “three conversations” that hold the key to whether you have an escalating “difficult conversation” or a productive “learning conversation”
- Understand why it matters and how to enhance your listening skills fundamentally
- Develop the skill to manage emotions effectively and constructively, whether yours or others’
- Come to appreciate how threats to our identity are at the root of most difficult conversations and represent our greatest opportunities for growth and increased effectiveness
- Apply these insights to deal effectively with difficult tactics

Who should attend?

The program is appropriate for those who want to take their negotiation skills and self-awareness to the next level of effectiveness. Past participants have included judges, mental health professionals, business executives, government officials, and teachers.

This program is recommended for participants who have previously taken a Negotiation Workshop covering the Harvard Negotiation Project’s seven-element analytic framework, but there are no formal prerequisites.

Format

This program features dynamic lectures and demonstrations, small group exercises, real-world case studies, hands-on simulations, and an intensive, videotaped personal coaching session.

Course Materials

Stone, Patton, and Heen, *Difficult Conversations: How to Discuss What Matters Most* (2nd Ed., Viking/Penguin, 2010) and materials to be provided.

Faculty

Bruce Patton, Sheila Heen, and Douglas Stone

“I came here to improve my credentials, but I left here with a new outlook on my career and life in general.”

Lauren Saucier, Attorney, Saucier Law Firm

FACULTY



Bruce Patton is a Distinguished Fellow of the Harvard Negotiation Project (HNP), which he co-founded with Roger Fisher and William Ury in 1979 and administered as Deputy Director until 2009. With Fisher, Patton pioneered the teaching of negotiation at Harvard Law School, where he was Thaddeus R. Beal Lecturer on Law for fifteen years.

Patton is also a co-founder and Director of Vantage Partners, LLC, a global consulting firm that helps large companies negotiate and manage their most important relationships—with customers, suppliers, partners, and colleagues—to achieve critical bottom-line results. In addition to his work with many of

the world's largest corporations, Patton has helped resolve international conflicts ranging from the Iranian hostage conflict to South African apartheid to conflict in Central America. Patton is the co-author, with Roger Fisher and William Ury, of *Getting to Yes: Negotiating Agreement Without Giving In*, which has sold more than 8 million copies, and with Douglas Stone and Sheila Heen of the *New York Times* bestselling *Difficult Conversations: How to Discuss What Matters Most*, available in more than thirty languages and in the library of the International Space Station. Patton received his A.B. from Harvard College and his J.D. from Harvard Law School.



Sheila Heen is a lecturer at Harvard Law School and teaches courses in the Program of Negotiations' Executive Education program. Through her consulting practice, Heen has worked with a wide variety of clients. In addition to corporate clients like Ford, Citigroup, IBM, Shell, DuPont, and Merck, she has provided training for the Singapore Supreme Court, assisted Greek and Turkish Cypriots, and worked with requestors at the New England Organ Bank. Recently, she spent time in Barrow, Alaska, with the Inupiat Board of Directors for the Arctic Slope Regional Corporation, who

control the Arctic Slope and ANWR. Heen spent ten years with the Harvard Negotiation Project, developing negotiation theory and practice. She specializes in particularly difficult negotiations, where emotions run high, and relationships become strained. Heen is co-author, along with Douglas Stone and Bruce Patton, of the *New York Times* business bestseller, *Difficult Conversations: How to Discuss What Matters Most* and *Thanks for the Feedback: The Science and Art of Receiving Feedback Well (Even When It Is Off-Base, Unfair, Poorly Delivered, and Frankly, You're Not in the Mood)*.



Douglas Stone is Managing Partner at Triad Consulting Group and a lecturer at Harvard Law School, where he teaches negotiation. Through Triad, he consults for a wide range of organizations, including Fidelity, Honda, HP, IBM, Merck, Microsoft, Shell, the Nature Conservancy, and the Boston Area Rape Crisis Center. He has also taught and mediated around the world. Stone is co-author, along with Bruce Patton and Sheila Heen, of *Difficult Conversations: How to Discuss What Matters Most*. His articles on negotiation and conflict

resolution have appeared in the *New York Times*, the *Los Angeles Times*, the *Boston Globe*, *Management Consultant News*, and *IT Metrics*, as well as in magazines including *Parents* and *Real Simple*. He has appeared on many television and radio shows, including *Oprah*, and served as a keynote speaker at the 2006 World Negotiation Forum in Brazil. From 1988 to 1998, Stone was with the Harvard Negotiation Project, where he worked on advanced negotiation applications and the development of negotiation theory.



JUNE 8–12, 2015

SECRETS OF SUCCESSFUL DEALMAKING

NAVIGATE COMPLEX BUSINESS DEALS

In corporate dealmaking, much of the action happens away from the negotiating table. Successful dealmakers understand that deal set-up and design greatly influence negotiation outcomes.

In this program, you will examine the legal, tactical, and structural elements of dealmaking and acquire practical skills and techniques for navigating difficult tactics and pursuing interest-based negotiations.

Whether you are an experienced negotiator or new to the field, you will learn how to abandon behaviors that hinder negotiations and emerge with new conceptual frameworks, practical skills, and a systematic approach to navigating complex business deals.

Learning objectives

In this stimulating and interactive program, you will:

- Broaden your understanding of deal set-up and design
- Learn how to set up a negotiation to increase the chances of getting a favorable result
- Acquire problem-solving negotiation techniques
- Explore how to design deals to create value
- Discover how to manage the tension between the desire to cooperate to create value and the desire to compete to claim value in deals

Who should attend?

This program is designed for executives who regularly negotiate deals and want to enhance their ability to navigate the deal process. We also welcome lawyers who regularly negotiate business transactions and want to enhance their deal structure and design capabilities. The program attracts a diverse group of professionals from different industries, backgrounds, and countries. Previous participants have included government employees; members of the military; small business owners; and CEOs, COOs, and CFOs.

Previous negotiation experience is not required, but participants must demonstrate proficiency in English, as this program is conducted solely in English. Participants should be able to converse fluently in dialogue with the instructor and other students.

Format

This intensive program features interactive lectures, negotiation exercises, and real-world case studies. By taking part in negotiation simulations, participants receive valuable feedback on their skills and techniques from fellow participants and program faculty. By comparing deals with others, participants can learn new methods and modify their skills for better results.

Course Material

Guhan Subramanian, *Dealmaking: The New Strategy of Negotiations* (Norton 2011). David Lax & James J. Sebenius, *3D Negotiation: Powerful Tools to Change the Game in Your Most Important Deals* (Harvard Business School Press 2006). Additional material will be provided in class.

Faculty

Professor Guhan Subramanian and David Lax

“In five days, not one of forty-eight participants missed a session. That’s all you need to know.”

Ron Kidd, Trial Attorney

FACULTY



Guhan Subramanian is the Joseph Flom Professor of Law and Business at the Harvard Law School and the Douglas Weaver Professor of Business Law at the Harvard Business School. He is the first person in the history of Harvard University to hold tenured appointments at both HLS and HBS. At HLS he teaches courses in negotiations and corporate law. At HBS he teaches in several executive education programs, such as Strategic Negotiations, Changing the Game, Making Corporate Boards More Effective, and the Advanced Management Program. He is the faculty chair for the JD/MBA program at Harvard University and the Program on Negotiation at Harvard Law School. Prior to joining the Harvard faculty he spent three years at McKinsey & Company.

Professor Subramanian's research explores topics in negotiations, corporate dealmaking, and corporate law. His book *Dealmaking: The New Strategy of Negotiauctions* (W. W. Norton 2011) synthesizes the findings from his research and teaching over the past decade. This book has been translated into Chinese (Mandarin), German, Japanese, Portuguese, and Spanish. Reviewers call the book "brilliant,"



David Lax is Managing Principal of Lax Sebenius, LLC, a firm that assists companies and governments in complex negotiations, and serves as a Distinguished Fellow of the Harvard Negotiation Project. Dr. Lax was a professor at the Harvard Business School and co-founded the HBS Negotiation Roundtable. Dr. Lax co-founded and taught *Strategic Negotiation*, an HBS executive education course. Dr. Lax and HBS Professor Sebenius are the authors of *3-D Negotiation* (Harvard Business School Press, 2006) as well as a number of *Harvard Business Review* articles.

"pathbreaking," and "transformative." Professor Subramanian is also a co-author of *Commentaries and Cases on the Law of Business Organization* (Aspen 4th ed. 2012), a leading textbook in the field of corporate law.

Professor Subramanian has been involved in major public-company deals such as Oracle's \$10 billion hostile takeover bid for PeopleSoft, Cox Enterprises' \$9 billion freeze-out of the minority shareholders in Cox Communications, the \$7 billion leveraged buyout of Toys "R" Us, Exelon's \$8 billion hostile takeover bid for NRG, Bank of America's \$4 billion acquisition of Countrywide, and Valeant's \$48 billion hostile takeover bid for Allergan. He also advises individuals, boards of directors, and management teams on issues of dealmaking and corporate governance. Over the past 15 years he has been involved as an advisor or expert witness in deals or situations worth over \$150 billion in total value. He is a director of LKQ Corporation (NASDAQ: LKQ), a Fortune 500 company in the automotive sector. Professor Subramanian holds degrees in Law, Business, and Economics from Harvard University.

Dr. Lax left his full-time teaching position at HBS to work as a negotiator. He worked as an investment banker and then in the private equity arm of a wealthy Canadian family. He has served for 20 years as an advisor in complex negotiations. In addition to his work for corporate clients such as Royal Dutch Shell, Diageo, Intel, and Merck, Dr. Lax has also worked on behalf of a number of governments including Mexico, Indonesia, Malaysia, and the United States and played a role in the negotiations to end the civil war in Nepal.

JUNE 8-12, 2015

NEW! ADVANCED MEDIATION WORKSHOP: MEDIATING COMPLEX DISPUTES

NAVIGATING THE COMPLEXITIES OF MEDIATION

You've handled numerous mediation sessions with ease. You are confident in your mediation skills, especially between two parties who want a fair resolution. But how do the dynamics change when their lawyers join the session? What happens when the mediation expands to multiple parties who are bringing many issues to the table? Mediators are often called upon to play a variety of roles, and success in these settings requires strategies, skills, and activities very different from what is required to mediate a 2-party dispute. This course presents two different settings—first, mediating with attorneys and parties, and, second, contending with multiple stakeholders—in which these advanced skills can be deployed.

This new advanced program helps you take your mediation skill set to the next level.

Days 1–3

During the first part of this intensive and highly interactive program, you will:

- Explore the role of counsel and learn how to manage principal-agent tensions
- Anticipate the risks and opportunities of facilitative versus evaluative mediation styles
- Understand the emotional dimensions of mediation for the parties, counsel, and mediators.

You will participate in three different commercial and employment simulations and receive feedback from the faculty team.

Days 4–5

The final two days of the program focus on mediating multiparty disputes using examples from the public and corporate sectors. Through a series of multiparty simulations, you will learn how to identify power inequities among key stakeholders and deal with coalitional behavior.

With newly sharpened problem-solving skills and tactics, you will be better equipped to anticipate stakeholder behavior, react in dynamic situations, and ultimately, help the parties arrive at a fair and equitable resolution.

Learning objectives

During this intensive, five-day program, you will:

- Sharpen your mediation skills with in-depth, real-time feedback from master practitioners
- Broaden your understanding of complex principal-agent issues that arise when lawyers engage in mediation sessions
- Deepen your awareness of the emotional reactions of all parties involved in mediation—especially your own
- Increase your ability to manage complex technical issues across multiple parties
- Enhance your understanding of multiparty power dynamics and the negative/positive effects of coalitional behavior

Who should attend?

Participants must either (a) have prior experience serving as a mediator in a professional capacity or (b) have successfully completed the five-day HNI Mediating Disputes course, or a comparable program elsewhere.

This program is appropriate for lawyers who mediate disputes and non-lawyers who have commensurate mediation experience. To deliver HNI's highly personalized experience, enrollment is strictly limited to 48 participants.

Participants must demonstrate proficiency in English and be able to converse fluently with the instructor and other students. In addition, all participants must commit to attending all five days of the training.

Format

Participants will engage in role-play simulations that simulate real-life complex disputes. Some simulations will be videotaped—allowing for analysis of participants' strengths and areas for development. The program also incorporates lectures, personalized coaching, debrief sessions, as well as the opportunity to mediate a dispute from beginning to end.

Course Materials

In advance of the class, participants are encouraged to read Susskind and Cruikshank, *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus and Get Results* (Oxford University Press, 2006) and *Mediation: A Practice Guide for Mediators, Lawyers, and Other Professionals*, David A. Hoffman (Massachusetts Continuing Legal Education, 2013).

Faculty

Marjorie Corman Aaron, Samuel Dinnar, David A. Hoffman, and Lawrence R. Susskind

FACULTY



David A. Hoffman teaches the Mediation course at Harvard Law School, where he is the John H. Watson Jr. Lecturer on Law. He is an attorney, mediator, arbitrator, and founding member of Boston Law Collaborative, LLC., and he has handled over 1,000 cases involving family, business, employment, and other disputes. His cases range from divorces to complex litigation matters involving Fortune 500 companies. He is past chair of the ABA Section of Dispute Resolution, and is a Distinguished Fellow in the International Academy of Mediators, and has received

the Lifetime Achievement Award from the American College of Civil Trial Mediators. Hoffman has published three books and more than 75 articles / book chapters on law and dispute resolution. Prior to founding Boston Law Collaborative, Hoffman was a litigation partner at the Boston firm Hill & Barlow. He also served for a year as staff counsel for the ACLU of Massachusetts. Hoffman is a graduate of Princeton University, Cornell University, and Harvard Law School, where he was an editor of the Harvard Law Review.



Lawrence E. Susskind is Ford Professor of Urban and Environmental Planning at MIT. He is one of the founders and directors of the Program on Negotiation (PON) at Harvard Law School where he is Vice-Chair for Instruction. Susskind created the Consensus Building Institute in 1993 and has been delivering mediation and organizational development services on a worldwide basis. Through the executive training programs at PON he has offered specialized negotiation training to more than 40,000 people. He has published more than 70 teaching simulations and dozens of

teaching videos and has been a visiting lecturer at more than 50 universities. He is the author or co-author of 18 books including *Good for You, Great for Me: Finding the Trading Zone and Winning at Win-Win Negotiation*; *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus and Get Results*; *Built to Win: Creating a World-Class Negotiating Organization*; and *Multiparty Negotiation*. He received a BA from Columbia University, a Master of City Planning from MIT, and a Ph.D in Urban and Regional Planning from MIT.



Marjorie Corman Aaron is a Professor of Practice and the Director of the Center for Practice at the University of Cincinnati College of Law, where she teaches courses in negotiation, client counseling, mediation, and decision analysis. Aaron is an active mediator, arbitrator, and trainer in negotiation and dispute resolution, having mediated and arbitrated a wide range of disputes. She also has designed and taught numerous workshops on mediation, negotiation, alternative dispute resolution, and litigation decision analysis for

law firms, corporations and universities. She is the author of *Client Science: Advice for Lawyers on Counseling Clients through Bad News and Other Legal Realities* as well as numerous articles, book chapters, cases, DVDs, and guides in the field of negotiation, mediation and other forms of dispute resolution. She served as the Executive Director of the Program on Negotiation at Harvard Law School, where she also was a Lecturer on Law. Aaron is a graduate of Harvard Law School and Princeton University.



Samuel "Mooly" Dinnar is an experienced strategy, venture and negotiations consultant to businesses, investors, non-profits and individuals. Along with providing negotiation services, training, coaching, mediation, and dispute resolution assistance, Dinnar has conducted hands-on strategy work, re-positioning, marketing and entrepreneurial initiatives with entrepreneurs, start-ups and investors. Dinnar brings over 20 years of general management, strategic growth and operations team leadership with a track record

of corporate growth, mergers and acquisitions, value-creating product management, multifaceted sales and business development in the fields of hi-tech and aerospace. In addition to being part of two start-ups that revolutionized their industry, Dinnar has international experience as an entrepreneur, executive, board member and venture capital investor, based on technical degrees in aerospace engineering and computer sciences, as well as business management education from the Harvard Business School.

A SAMPLING OF PARTICIPATING COMPANIES FROM PRIOR HNI PROGRAMS:

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REQUIREMENTS

Participants must demonstrate proficiency in English and be able to participate fluently in dialogue with the instructor and other students. A certification of fluency in English is not required, though we suggest a TOEFL written exam score of 570 as the minimum proficiency standard.

These programs have been approved for continuing legal education (CLE) credits in the United States.

Because the time required to obtain a visa can be lengthy, we encourage you to consult with your consulate/embassy as soon as possible. To support your visa process, PON can provide a letter of enrollment upon receipt of your registration and tuition payment.

Participants must attend **all sessions** of the course to receive a certificate of completion. Please make your travel plans accordingly.

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