SPRING 2023

PROGRAM ON NEGOTIATION
HARVARD LAW SCHOOL
EXECUTIVE EDUCATION

NEGOTIATION AND LEADERSHIP
DEALING WITH DIFFICULT PEOPLE AND PROBLEMS

Three-Day In-Person Programs with In-Depth, One-Day Bonus Sessions

April 3–5 • May 15–17 • June 20–22

Join us at The Charles Hotel in Cambridge, MA

THE WORLD'S PREMIER PROGRAM ON NEGOTIATION

IN-PERSON PROGRAMS

Dear Executive:

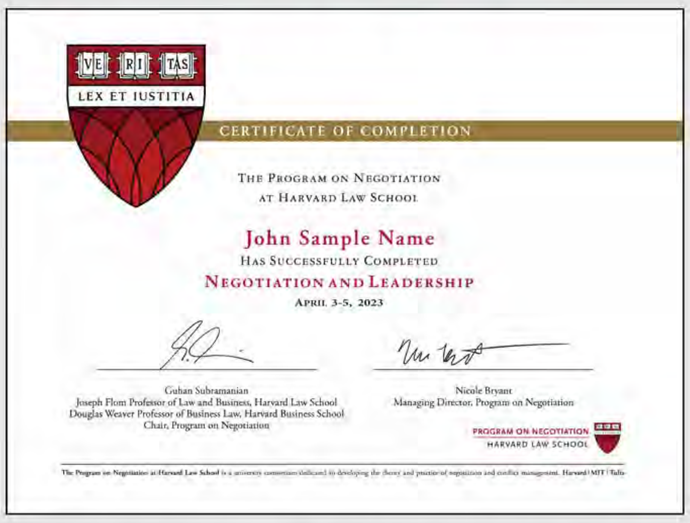
I've dedicated my career to studying the theory and practice of negotiation, and I know without a doubt that negotiation is an essential skill for leaders and executives. At the Program on Negotiation, we believe that with training, everyone can become a better negotiator, and when you are a skilled negotiator, you will have greater success at closing deals, building partnerships, and avoiding costly disputes. This Executive Education program, Negotiation and Leadership, distills cutting-edge research and real-world examples into three days of targeted negotiation training. If you are ready to become a more skilled negotiator and a more effective leader, I strongly encourage you to join us in Cambridge this spring.

Guhan Subramanian
Chair, Program on Negotiation at Harvard Law School

Joseph H. Flom Professor of Law and Business, Harvard Law School

H. Douglas Weaver Professor of Business Law, Harvard Business School

Earn a Certificate of Completion from Harvard Law School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CERTIFICATE OF COMPLETION
THE PROGRAM ON NEGOTIATION AT HARVARD LAW SCHOOL
John Sample Name
HAS SUCCESSFULLY COMPLETED
NEGOTIATION AND LEADERSHIP
APRIL 3-5, 2023
Guhan Subramanian
Joseph Flom Professor of Law and Business, Harvard Law School
Douglas Weaver Professor of Business Law, Harvard Business School
Chair, Program on Negotiation
Nicole Bryant
Managing Director, Program on Negotiation
PROGRAM ON NEGOTIATION
HARVARD LAW SCHOOL

Upon successful completion of the program, participants will receive an official certificate of completion from the Program on Negotiation at Harvard Law School.

NEGOTIATION AND LEADERSHIP

April 3–5 | May 15–17 | June 20–22
The Charles Hotel | Cambridge, Massachusetts

Day 1

8:00 am – 9:00 am	Registration, Continental Breakfast and Overview
9:00 am – 12:30 pm	**Negotiation Fundamentals: Key Concepts and Core Vocabulary**
12:30 pm – 1:30 pm	Lunch
1:30 pm – 5:30 pm	**Managing the Tension Between Creating and Claiming Value**
5:30 pm – 6:30 pm	Reception

Day 2

7:30 am – 8:30 am	Continental Breakfast
8:30 am – 12:30 pm	**Managing Emotions and Relationships**
12:30 pm – 1:30 pm	Lunch
1:30 pm – 5:30 pm	**Dealing with Difficult Situations**

Day 3

7:30 am – 8:30 am	Continental Breakfast
8:30 am – 12:30 pm	**Complex Negotiations and Organizational Challenges**
12:30 pm – 1:30 pm	Lunch
1:30 pm – 5:30 pm	**Putting It All Together: Leading Through Negotiation**
5:30 pm	Adjournment

With in-depth, one-day bonus sessions:

April 6 | 8:30 am – 4:30 pm
3D Negotiation: Powerful New Tools to Turbocharge Your Effectiveness, James K. Sebenius

May 18 | 8:30 am – 4:30 pm
Negotiating the Impossible, Deepak Malhotra

June 23 | 8:30 am – 4:30 pm
Unlocking Value in Complex Business Deals, Guhan Subramanian

PROGRAM ON NEGOTIATION
HARVARD LAW SCHOOL
EXECUTIVE EDUCATION

Program on Negotiation at Harvard Law School: A university consortium dedicated to developing the theory and practice of negotiation and dispute resolution.
Harvard | MIT | Tufts

5 REASONS TO ATTEND

1 Lead at the bargaining table

There may not be a single mold from which all great leaders are cast, but there is one quality they all share: the ability to negotiate. While some are born with this ability, most leaders hone their negotiation skills over time, through on-the-job experience. At the Program on Negotiation, we accelerate that process and focus on techniques that work in the corner office and at the bargaining table.

2 Achieve better outcomes

The strategies you learn during this three-day program will help you shape important deals, negotiate in uncertain environments, improve working relationships, claim (and create) more value, and resolve seemingly intractable disputes. You'll work through complex scenarios and learn problem-solving tactics that you can apply to future negotiations.

3 Learn from the best

Our faculty members have negotiated peace treaties, brokered multibillion-dollar deals, and hammered out high-stakes agreements around the globe. With their guidance, you will learn how to become a more successful negotiator, deal with difficult people, and manage conflict. They will also teach you how to leverage your strengths to achieve better results.

4 Practice with confidence

It's not enough to listen to a lecture. That's why our program includes opportunities to work through negotiation scenarios. Alongside a diverse group of executives from all over the world, you'll test groundbreaking theories, practice new approaches, and put your newfound knowledge into action, right then and there. You'll leave the program with a time-tested tool kit—one that works in both theory and practice.

5 Extend your learning

Whether you want to excel in 3D Negotiation, negotiate the impossible, or unlock value in your business deals—you can extend your learning by attending one of our in-depth sessions. These sessions are a great opportunity to take a deeper look at complex issues.

> "It is an extremely well-prepared, well-delivered program packed with invaluable theoretical frameworks, research data, and highly efficient exercises and practical tips. I feel well-equipped to start applying what I learned in my work and life environments."
>
> —**ANNA VIDYAKINA**
> Senior Manager, Corporate Development,
> The Coca-Cola Company

UNDERSTANDING KEY NEGOTIATION CONCEPTS

MORNING

Negotiation Fundamentals: Key Concepts and Core Vocabulary

9:00 am – 12:30 pm

Negotiation is a high-transaction-cost activity, and the side that is better prepared nearly always has the upper hand. This session will examine core frameworks of negotiation, including the importance of principled bargaining and shared problem solving.

Alongside your fellow participants, you will:

- Prepare for your negotiation
- Explore the difference between interests and positions
- Determine alternative options you are open to if you cannot reach an agreement with your counterpart
- Learn to analyze a negotiation problem and find ways to unlock new value
- Evaluate your standing with your counterpart and identify potential actions for developing a more positive relationship

Through negotiation exercises and interactive discussions, you will examine ways to structure the bargaining process to accommodate joint problem solving, brainstorming, and collaborative fact finding. These frameworks will help you create smarter negotiation conditions, make more strategic decisions, and leave the bargaining table with improved outcomes.

> "Negotiation and Leadership provides usable tools and concepts that help people improve their negotiations and get more mutually beneficial outcomes in both their work and personal lives."
>
> —**KRISTIN ROSNER, Ph.D., CA-AM**
> GBD Global Alliance Management Lead, Takeda

AFTERNOON

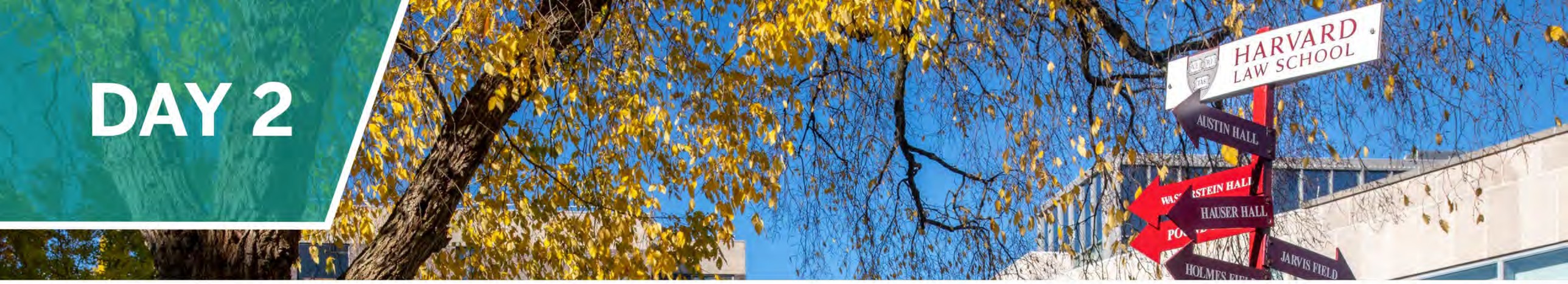
Managing the Tension Between Creating and Claiming Value

1:30 pm – 5:30 pm

In most negotiations, we pursue two goals: value claiming and value creating. Successful negotiators know how to create more value by negotiating trades across issues and then claim the lion's share of that value through distributive negotiation strategies. In this session, you will:

- Learn to clarify your interests and priorities, and then estimate your counterpart's interests, identifying which interests are shared and which are different
- Identify the range of alternatives you are willing to consider if your counterpart does not give consent
- Brainstorm possible agreements or concessions that might creatively satisfy both parties' interests
- Establish legitimacy for your side: research or create standards, principles, and arguments that make an agreement or a term feel more fair and appropriate
- Draw up statements of what each party will or will not do
- Assess your relationship with your counterpart and determine whether you can take steps to generate positive emotions and avoid negative reactions
- Outline your communication strategy and ask yourself, What do you want to learn from your counterpart? What are you willing to share? What is your agenda, and how will you handle disagreements or stalemates?
- Identify opportunities to capture and create value. Do you understand the other party's interests and goals, recognizing that cooperative behaviors facilitate value creation while competitive behaviors do not?

You will learn how to evaluate the best alternative to a negotiated agreement, create a zone of possible agreement, and implement the mutual gains approach to negotiation.



DAY 2

MANAGING INTERPERSONAL DYNAMICS

MORNING

Managing Emotions and Relationships

8:30 am – 12:30 pm

Negotiating better outcomes is contingent upon building successful relationships. To be effective, executives must learn to navigate personality differences, diverse agendas, and social pressures. Building on the frameworks learned the previous day, you will examine how positive working relationships are vital to creating and implementing lasting agreements. You will discover strategies for:

- Creating a relationship through engagement (Who are we?), framing (What are we doing?), and process (How will we do it?)
- Projecting warmth and competence
- Determining when to cooperate to create value and when to compete to claim your share
- Recognizing the structure and social context of the game
- Separating intention from impact
- Identifying the core concerns that must be addressed to manage emotions in the workplace
- Understanding your own negotiation style and the styles of others
- Understanding your own biases and tendencies
- Proactively changing the game by how you play
- Avoiding common pitfalls and errors
- Achieving negotiation success

By taking part in negotiation simulations, you will gain a better understanding of different negotiation and decision-making strategies—enabling you to determine which approach is most appropriate in a given situation.

AFTERNOON

Dealing with Difficult Situations

1:30 pm – 5:30 pm

In this session, you will be introduced to a set of breakthrough strategies for dealing with manipulative tactics, stonewalling, obstructive behavior, and dirty tricks in negotiation. Designed to enhance your skill in mutual gains negotiation and increase your proficiency in overcoming hard bargainers and hard bargaining situations, this session will help you:

- Equip yourself for difficult negotiations
- Prepare to negotiate when you do not have much time
- Understand the importance of active listening
- Improve your ability to analyze a situation and choose the appropriate strategy and response
- Neutralize threats, lies, and insults
- Deal with someone who is more powerful than you
- Handle power more constructively
- Strengthen interpersonal relationships in business
- Regain control of the negotiation
- Identify and control your own tendencies in the face of conflict

You will learn to recognize the most common manipulative tactics used by difficult people, along with strategies for neutralizing their effects. Discover how to succeed, not by defeating the other side but by advocating persuasively for your own.

> “This course delivers widely applicable knowledge presented memorably and well.”
>
> —**MAX PAPPAS**
> Senior Manager, External Affairs,
> Google

DAY 3

ADDRESSING NEGOTIATION COMPLEXITIES

MORNING

Complex Negotiations and Organizational Challenges

8:30 am – 12:30 pm

In managing internal and external negotiations, what can you do to maximize the deal for both sides—even in the face of obstacles and barriers? What tools work best for managers who need to shape agreements and informal understandings within a complex web of relationships? In this session, you will discover strategies for anticipating and responding to an array of complicating factors—from multiple parties and coalitions to cultural and value differences. You will acquire sophisticated techniques for:

- Working in highly complex situations and planning ahead for future negotiations
- Understanding the tension between principals and agents
- Dealing with multiparty negotiations, including building coalitions, mapping out stakeholders, and blocking coalitions
- Building alliances and facilitating large, complex, multinational negotiations
- Addressing cultural differences
- Examining value differences and determining when they can be reconciled (and when they cannot)
- Coping with values-based disputes
- Responding to obstacles
- Adopting preparation guides and procedures
- Committing to value-creating moves
- Considering contingent agreements that take into account different assumptions about the future
- Creating dispute-handling procedures
- Identifying internal obstacles that can hinder your negotiations
- Addressing insufficient investment by one or both sides
- Overcoming anxiety about committing to cooperative efforts that can create value

AFTERNOON

Putting It All Together: Leading Through Negotiation

1:30 pm – 5:30 pm

In this culminating session, you will focus on "locking in the learning" by highlighting the key concepts, frameworks, and tools you've acquired throughout the program and analyzing how they can be applied in diverse leadership settings. Through relevant case studies, faculty will bring to life different negotiation problems and examine their real-world outcomes. You will emerge with a performance improvement plan aimed at building your negotiation agility and resilience—a tool kit you can use to lead more effectively within and beyond your organization.

The curriculum will focus on the following key lessons:

BUILDING BLOCKS TO NEGOTIATION PROFICIENCY

6 — **Putting It All Together: Leading Through Negotiation**
The negotiator as a resilient, reflective, and results-driven practitioner

5 — **Complex Negotiations and Organizational Challenges**
The negotiator as a cross-boundary, multistakeholder coalition builder

4 — **Dealing with Difficult Situations**
The negotiator as an active listener: recognizing and responding to manipulative tactics and obstructionist behaviors

3 — **Managing Emotions and Relationships**
The negotiator as an effective navigator: handling difficult conversations and personality styles

2 — **Managing the Tension Between Creating and Claiming Value**
The negotiator as a creative problem-solver

1 — **Negotiation Fundamentals—Key Concepts and Core Vocabulary**
The negotiator as an interest-based bargainer who recognizes possibilities for mutual gains

IN-DEPTH, ONE-DAY BONUS SESSION

JUNE 23, 2023

Unlocking Value in Complex Business Deals

8:30 am – 4:30 pm
Led by Guhan Subramanian

Dealmaking is often viewed through two lenses: negotiation theory and auction theory. In negotiations, competitive pressure comes from across the table as you negotiate against your counterpart (or counterparts). In auctions, competitive pressure comes from individuals or entities on the same side of the table, who drive up the price. Yet the reality is that most assets are bought and sold through "negotiauctions"—a murky middle ground that falls between pure one-on-one negotiations and pure Sotheby's-style auctions.

In this focused one-day session, Guhan Subramanian shows you how to successfully navigate complex deals, including negotiauctions, by bringing together auction and negotiation strategies in a meaningful way. You'll explore proven frameworks for achieving better outcomes in complex negotiations—and learn how to take your negotiation game to the next level.

Through interactive lectures, freeze/unfreeze experience-based learning exercises, and personalized feedback, you will enhance your ability to prepare for complicated bargaining situations. You'll also learn how to boost leverage by creating the right kind of competition (or in some cases, merely the perception of competition) and how to examine the four critical considerations of complicated negotiation situations: the parties, their interests, the alternatives to agreement on all sides, and the incentives of those at the table.

You will also explore three primary negotiauction moves:

- **Setup:** Establishing the negotiation conditions under which you are willing to engage
- **Rearranging:** Adjusting the assets or parties (or both) in ways that unlock new value
- **Shutdown:** Short-circuiting the auction process in order to create value—for yourself and potentially for your counterparty as well

In this session, you will go beyond traditional negotiation frameworks and techniques, and learn how to incorporate relevant, cutting-edge tools into 21st-century deals—and shape them to your advantage.

Guhan Subramanian
Faculty Chair, Program on Negotiation at Harvard Law School; Joseph H. Flom Professor of Law and Business, Harvard Law School; H. Douglas Weaver Professor of Business Law, Harvard Business School; Faculty Chair, JD/MBA Program, Harvard University

The first person in the history of Harvard University to hold tenured appointments at both Harvard Law School and Harvard Business School, Guhan Subramanian is a consummate educator, dealmaker, and leader. As the chair of the Program on Negotiation, he spearheads negotiation and mediation training programs for the more than 3,000 professionals who attend every year.

Subramanian's research focuses on corporate governance, corporate law, and negotiation. A prolific writer, he has authored several world-renowned books, including *Dealmaking: The New Strategy of Negotiations*, and 11 of his articles have been selected as being among the "top 10" articles published in corporate and securities law.

The two-volume treatise *Law and Economics of Mergers and Acquisitions*, which includes 33 seminal articles from the field, written over the past 45 years, contains 4 of his articles—more than those of any other scholar.

PROGRAM ON NEGOTIATION
Teaching Team

Max Bazerman, Jesse Isidor Strauss Professor of Business Administration, Harvard Business School; Co-director, Center for Public Leadership, Harvard Kennedy School

Gabriella Blum, Rita E. Hauser Professor of Human Rights and International Humanitarian Law, Harvard Law School; Vice Dean for the Graduate Program and International Legal Studies, Harvard Law School

Francesca Gino, Tandon Family Professor of Business Administration, Harvard Business School

Debbie Goldstein, Lecturer on Law, Harvard Law School; Lecturer on Education, Harvard Graduate School of Education; CEO, Triad Consulting

Sheila Heen, Thaddeus R. Beal Professor of Practice, Harvard Law School; Deputy Director, Harvard Negotiation Project; Co-founder, Triad Consulting

Kessely Hong, Senior Lecturer in Public Policy and Faculty Chair of MPA Programs, Harvard Kennedy School

Deepak Malhotra, Eli Goldston Professor of Business Administration, Harvard Business School

Brian S. Mandell, Vice Chair of Executive Education, Program on Negotiation Executive Committee; Director, Kennedy School Negotiation Project; Senior Lecturer in Public Policy, Harvard Kennedy School

Robert H. Mnookin, Samuel Williston Professor of Law, Harvard Law School; former Chair, Executive Committee, Program on Negotiation at Harvard Law School; Director, Harvard Negotiation Project

Bruce M. Patton, Co-founder and Distinguished Fellow, Harvard Negotiation Project

Jeswald W. Salacuse, Dean Emeritus and Distinguished Professor Emeritus, The Fletcher School of Law and Diplomacy, Tufts University

James Sebenius, Gordon Donaldson Professor of Business Administration, Harvard Business School; Director, Harvard Negotiation Project

Daniel L. Shapiro, Associate Professor of Psychology, Harvard Medical School / McLean Hospital; Director, Harvard International Negotiation Program; Associate Director, Harvard Negotiation Project

Douglas Stone, Lecturer, Harvard Law School; Co-founder, Triad Consulting

Guhan Subramanian, Faculty Chair, Program on Negotiation at Harvard Law School; Joseph H. Flom Professor of Law and Business, Harvard Law School; H. Douglas Weaver Professor of Business Law, Harvard Business School; Faculty Chair, JD/MBA Program, Harvard University

Lawrence E. Susskind, Ford Professor of Urban and Environmental Planning, Massachusetts Institute of Technology

William L. Ury, Senior Fellow, Harvard Negotiation Project; Co-founder, Program on Negotiation at Harvard Law School

Michael A. Wheeler, Class of 1952 Professor of Management Practice, Harvard Business School; former Editor, *Negotiation Journal*

Robert Wilkinson, Lecturer, Harvard Kennedy School

Max Bazerman

Gabriella Blum

Francesca Gino

Debbie Goldstein

Sheila Heen

Kessely Hong

Deepak Malhotra

Brian S. Mandell

Robert H. Mnookin

Bruce M. Patton

Jeswald W. Salacuse

James Sebenius

Daniel L. Shapiro

Douglas Stone

Guhan Subramanian

Lawrence E. Susskind

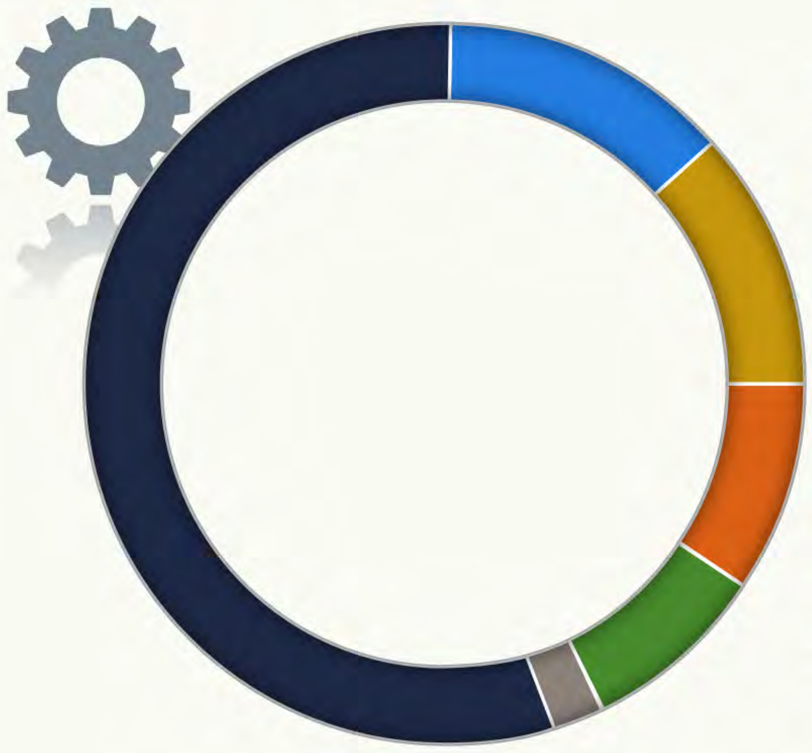
William L. Ury

Michael A. Wheeler

Robert Wilkinson

WHO ATTENDS

INDUSTRIES



57% CORPORATE

13% GOVERNMENT

12% LAW

9% EDUCATION

7% NONPROFIT

2% OTHER

TOP TITLES

22% MANAGER

21% DIRECTOR

11% PRESIDENT, CEO, OWNER

6% PARTNER/ PRINCIPAL

5% ATTORNEY

3% PROFESSOR

34% FEMALE

66% MALE

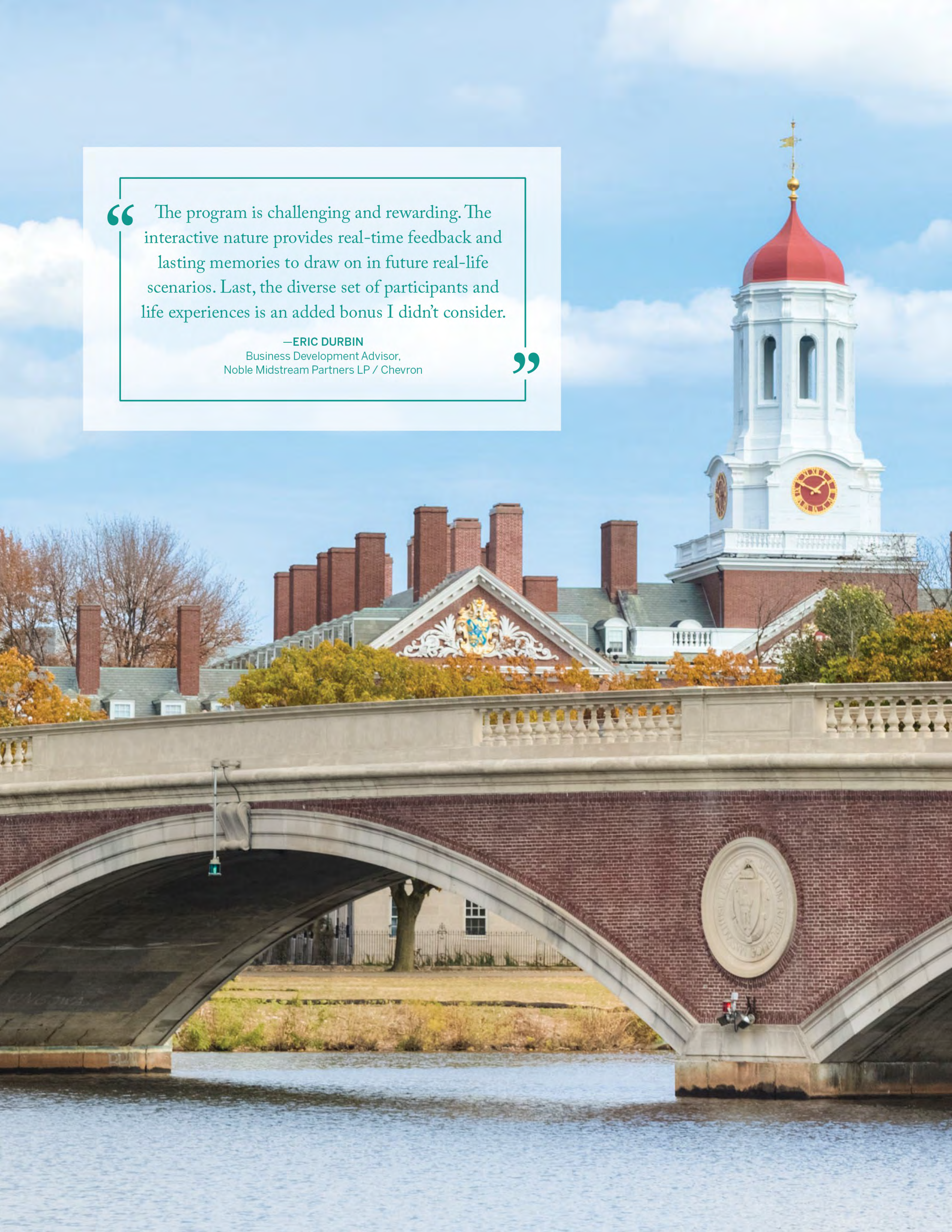
HAILING FROM **100+ COUNTRIES**

64% REGISTER INDIVIDUALLY

36% ATTEND WITH ONE OR MORE COLLEAGUES

Here's a sampling of organizations whose executives have participated in our programs.

AARP
African Development Bank Group
Allied Pilots Association
AMC Theatres
American Student Assistance
Analog Devices
AT&T
Bacardi Corporation
BASF
Bell
Blue Cross Blue Shield
Bose
Boston Consulting Group
Boston Medical Center
Bryant Park Corporation
Cisco Systems
The City of New York
Covidien
Dunkin' Donuts
Federal prosecutors from Brazil
Fisk Alloy Inc.
Fitch Ratings
Ghana Civil Aviation Authority
Google
Government of Canada
Government of Greenland
Intel Corporation
Intermountain Healthcare
Intuit
Johnson & Johnson
KPMG
Lockheed Martin
Los Angeles County Sheriff's Department
Macquarie AirFinance
McKinsey & Company
Medtronic
Mercedes-Benz Grand Prix
NATO Headquarters
The Nature Conservancy
New York Power Authority
Penguin Random House
Petrobras
Pfizer Inc.
Philadelphia Energy Solutions
Salesforce
Sherwin-Williams
Siemens Healthcare Diagnostics
Southern New Hampshire University
Southwest Airlines
Target Corporation
Teva Pharmaceuticals
TransCanada
United States Steel
U.S. Army
U.S. Department of Defense
U.S. Department of Education
U.S. Department of Justice
U.S. Navy
Verizon Wireless
Visa Inc.
Zscaler



> The program is challenging and rewarding. The interactive nature provides real-time feedback and lasting memories to draw on in future real-life scenarios. Last, the diverse set of participants and life experiences is an added bonus I didn't consider.
>
> **—ERIC DURBIN**
> Business Development Advisor,
> Noble Midstream Partners LP / Chevron