

Course Number	Course Title	Semester	Year
CRI 740	The Creative Negotiation	Fall	2019
Section	Day of Week	Time	Classroom
070	Monday	6:30 to 9:30	VIC 206
Professor	Ryerson Email	Phone	Office & Office Hours
Prof James Nadler	jnadler@ryerson.ca	416-979-5000 ext 1-2297	RCC 311 until my office move TBD. KHS-0349-A after that. Mondays 2:00 to 4:30 or by appointment
Emails are the best way to contact me. I usually respond within 24 hours. I do not respond to voicemail or texts.			
Only Ryerson emails are to be used for communication between faculty, staff, and students. All news (announcements) posted on class D2L.			

Course Description

This course provides students with a comprehensive introduction to negotiation, enhancing students' abilities in preparing to opening, bargaining and closing negotiations effectively over the course of their careers. Students learn theories of negotiation and apply those ideas in exercises focusing on specific contractual issues found in creative industries. Topics covered include dealing with agents, how to value creative work, leverage at different career stages and cross-cultural negotiation.

Course Objectives

By the end of this course, students will be able to:

- Describe key **theories** and legal aspects of negotiation and contracts applicable to the creative industries [1a, 4a]
- Understand how the specific nature of creative workers (artists), enterprises and IP in the creative industries affects negotiations and their outcomes [1a, 3c]
- Create effective and dynamic **strategies** for negotiations [3c, 6a&c, 8a&b]
- Apply basic **tactics** for successful negotiations and dispute resolution [2a, 3a, 6a&c, 8a&b]
- Apply their understanding of theory, strategy and tactics to negotiate, draft and close basic agreements for themselves as future creative workers, managers and entrepreneurs [2a, 3a, 4a&b, 8a&b]
- Prepare (research) and make cogent recommendations for future negotiation strategies and contractual terms on behalf of creative workers and enterprises [1b, 3a]
- Build confidence as negotiators but with a knowledge of their personal style, strengths and areas for improvement as negotiators [2a, 4a&b, 6a&c, 8]; and,
- Take an informed and ethical approach to business negotiations [8].

And in doing so will fulfil the following program learning outcome (at least in part):	
Contribute productively to the Creative Industries	Level achieved by end of class I - Introduced R - Reinforced P - Proficiency
LO 1a- critically analyze and synthesize knowledge of the cultural, economic, legal, political, and technological environments in which the Creative Industries function,	R
LO 1b- recommend how Creative Industries as sectors or as individual enterprises should best manage interactions with cultural, economic, legal, governmental and technical spheres and work confidently with industry, government and community organizations in the Canadian and international contexts;	P
Demonstrate an entrepreneurial capacity	
LO 2a- engage in independent learning	R

LO 2b- transform creative ideas into commercial products and services through the application of business and management concepts and practices applicable to media and cultural production.	R
Facilitate the work of artists, writers, designers and media makers by	
LO 3c- recognizing and responding to future challenges and opportunities in their sectors including technological change to facilitate the work of artists, writers, designers and media makers,.	P
Communicate	
LO 4a- verbally communicate within and to creative enterprises, academia and industry effectively and persuasively	R
LO 4b- in written form, communicate within and to creative enterprises, academia and industry effectively and persuasively	R
Conduct research relevant to cultural and industry issues	
LO 5a - formulate appropriate research questions and conceptual frameworks; employing appropriate data collection techniques	I
LO 5c - Apply appropriate qualitative tools and methodologies	R
Implement and manage projects	
LO 6a - problem-solve to implement and manage projects	P
LO 6c- negotiation - implement and manage projects requiring	P
Apply skills and knowledge	
LO 7a- critically evaluate the aesthetic quality of creative works	R
LO 7b- apply fundamental business and management skills within organizations and as entrepreneurs,	R
LO 7c- integrate an aesthetic sensibility and business acumen to the practical realities of production, promotion, and distribution of commercial or noncommercial cultural products with an understanding of the theoretical and historical underpinnings of one or more creative industry sectors;	I
LO 7d -Recognize when more information is required to address the limits of one's own knowledge, abilities, and analyses and determine appropriate next steps	R
Autonomy, Professional Capacity, and Social Responsibility	
LO 8a-Develop a personal plan for continuing development of professional skills and flexible ongoing career paths	P
LO 8b -act as socially responsible citizens with integrity and strong ethical mores	P

Required Readings and Resources

Wheeler, Michael. *The Art of Negotiation: How to Improvise Agreement in a Chaotic World*. New York: Simon & Shuster / Harvard Business School 2013.

Paper Moon Productions simulation, Ametros Learning. This software will be available for students to download third week of the term. There is a fee for this app.

A paper notebook and pen. I am asking you to turn off your electronic devices in this class except for specific points for on-line research purposes. Take notes on paper.

All readings are expected to be completed before class. The week-to-week below specifies which screenings are in class and which screenings need to be completed before that week.

Weekly Schedule (Subject to change)

WEEK ONE		Monday, September 9
	TOPICS	The Beauty of the Contract.
	WORKSHOP	Bargaining for your bonus.
	DISCUSS	Course Structure and Expectations.
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 1 to 17
WEEK TWO		Monday, September 16
	TOPICS	What is Negotiation? Distributive vs Integrative agreements.
	WORKSHOP	Two Dollars
	GUEST SPEAKER 6:30 pm	TBA - Guest speakers are drawn from different sectors of the creative industries
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 18 to 35.

WEEK THREE

Monday, September 23

	TOPICS	Valuing creative work and creative workers / Scale Idea (IP) vs Expression (Person holding IP) Setting Clear Objectives: Part 1 Ability to walk away (BATNA) (ZOPA)
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 36 to 56
	SCREENING (before class)	Freelance Tool Kit https://www.youtube.com/watch?v=GMZvrTscVrk How to Price Your Work https://www.youtube.com/watch?v=Uu_qFDanGPY
	DISCUSS	Next week's in class essay / quiz.

WEEK FOUR

Monday, September 30

	TOPICS	Preparation. Pre-negotiation Getting Players to the Table (You & The Other Side.) Setting Clear Objectives Part 2 - Flexibility
	WORKSHOP	D & D (Predicting the Future)
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 57 to 72
	DUE/QUIZ	In-class analysis of a deal. Material to be covered includes all lectures and readings to this date.

WEEK FIVE Monday, October 7

	TOPICS	Opening Positions and Communication Clarity and Tone of Communication Leverage (#1) Emotion in Negotiations
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 73 to 96, 144-162 Note: Worth reviewing previous chapters. Ebner, Noam et al. <i>You've Got Agreement: Negoti@ting Via Email</i> (April 20, 2009). RETHINKING NEGOTIATION TEACHING: INNOVATIONS FOR CONTEXT AND CULTURE, C. Honeyman, J. Coben, & G. De Palo, eds., 2009; Marquette Law School Legal Studies Paper No. 09-16
	DUE IN CLASS	Students signed up for the Paper Moon / Ametros Learning Simulation.
	DISCUSS	Paper Moon Productions Simulation
	SCREENING (in class)	Lumet, Sidney, and Reginald Rose. <i>Twelve Angry Men</i> . Los Angeles: Orion-Nova, 1957.

Study Week – No class - Monday October 14

WEEK SIX Monday, October 21

	GUEST SPEAKER Advertising	Tori Laurence, Partner, BT/A (TBC)
	TOPICS	Tactics Yes and... Prisoners' Dilemma Gender in Negotiations
	WORKSHOP	Developer and Tenant
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 97 to 139 Konokova, Maria. "Lean Out: The Dangers For Women Who Negotiate." <i>New Yorker</i> , June 2014 https://www.newyorker.com/science/maria-konnikova/lean-out-the-dangers-for-women-who-negotiate
	DUE	Paper Moon: ongoing interaction with simulation

WEEK SEVEN Monday, October 28

	TOPICS	Managing the Negotiation Critical moments Deal Memos Leverage (#2), Status & Geography
	READINGS	Wheeler, <i>Art of Negotiation</i> ; pp 163 to 182 Haven, Timothy. <i>Negotiating Values in the Creative Industries: Fairs, Festivals and Competitive Events</i> Chapter 6: "Inventing universal television: restricted access, promotional extravagance and the distribution of value at global television markets"
	DUE	Paper Moon: ongoing interaction with simulation

WEEK EIGHT Monday, November 4

	TOPICS	Ethics and the long game Empathy / Understanding the other side
	WORKSHOP	McMaster Tool & Dye
	READINGS	McMaster Tool & Dye: Part One (on D2L) Hawaii Five-O articles (on D2L)
	DUE	Paper Moon: ongoing interaction with simulation

WEEK NINE Monday, November 11

	TOPICS	Closing the Agreement. Cross-cultural negotiations
	GUEST SPEAKER	TBA
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 183 to 200 for class pp 201 to 221 for next assignment.
	DUE	Deal memo submitted to Eli Geddes, Paper Moon

WEEK TEN Monday, November 18

	GUEST SPEAKER Publishing, Theatre and Film	Michael Levine Chairman, Westwood Creative Artists
	TOPICS	Renegotiations Best and worst-case scenarios Exit strategies and the tragedy of success
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 201 to 221

WEEK ELEVEN Monday, November 25

	TOPICS	Measuring Success. Reanalysis of a Deal. Multiparty negotiations
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 221 to 235 TBA
	DUE By start of class	Reflective paper

WEEK TWELVE Monday, December 2

	TOPICS	Summing Up Exam Review
	WORKSHOP	The Bare-Knuckle Round.
	READINGS	Wheeler, <i>Art of Negotiation</i> pp 236 to 255
	SCREENING IN CLASS	TBA

Final Exam	To be scheduled by the university. Please do not make any travel plans during this period as I will not be scheduling alternative dates to accommodate family vacations and so on.
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Assignments, Evaluation, Marking

All work for this class is individual work. You may of course discuss ideas but your progress with each other but do not share your work with each other.

Assignment	Brief Description	Due Date	% of Final Grade
		Start of class unless noted	
#1	Analysis of a deal / Quiz.	In class. September 30, 2019	10
#2	Negotiation for acquisition of rights to the novel <i>Scavengers</i> for Paper Moon Productions	Ongoing interactive simulation which begins October 7 and concludes November 18	5 – coverage 15 - process 10 – deal memo
	Deal Memo to Eli Geddes, VP Development & Acquisition	November 11	
#3	Reflective Paper	November 25	20
#4	Participation	Ongoing	10
#5	Exam	During the exam period.	30
#6	Bonus Marks	Ongoing. 0% to 5% available depending on how well the class negotiates the deal.	TBD

Description of Assignments

Please note that additional details / information on assignments may be posted on the Course D2L or through the Paper Moon Productions simulation's portal.

Assignment #1 – In class **Analysis of a Deal / Quiz**. Based on the concepts discussed in class and in the readings you will be provided with some materials about a recent concluded deal in the creative industries. The fact that the negotiated agreement made the news indicates

that its scope and impact are significant. For example, past deals which were considered for this assessment and will **not** be on the in class analysis / quiz include:

Netflix & Shondaland (Shonda Rhines)
Netflix & The Ministry of Heritage (Canada)
Disney & 20th Century Fox
Amazon & The Estate of J.R. Tolkien
RCA and TDE for the rights R&B singer-songwriter [SZA](#)'s album *Ctrl*

In addition to some specific questions, you will be asked to analyze the value and success (or potential success) of the publicly reported deal concluded. Be sure to describe the parties to the agreement. What was exchanged? What was at stake? Who benefits the most from the agreement? Any losers? Does this agreement have an impact over and above the impact on the parties involved? Please apply the concepts discussed in the readings and the lectures to that date to your analysis of the process of the negotiation.

There will also be 5 multiple choice questions to warm you up.

Assignment #2. Through the Paper Moon simulation platform negotiate and conclude a Deal Memo for adaptation rights for the YA novel *Scavengers* by Lisa Ridgway. This starts with a thorough assessment of quality of the property (aka coverage). Students must demonstrate professional and effective communication and negotiation strategies and tactics with Ms. Ridgway and her literary agent, Selma Diamond, by e-mail. You will receive individual instructions from your supervisor at Paper Moon Productions, the VP of Development and Acquisitions, Eli Geddes. Students submit the Deal Memo for Mr. Geddes' evaluation on November 6. This is individual work.

This assignment is assessed on the following dimensions: quality and effectiveness of your on-line negotiations and how good a deal you closed for Paper Moon. Please note: sometimes the best deal is the deal that did not close.

Assignment #3 Reflective paper of four to six pages: a reflective description with citations of your negotiations and the final results using the Wheeler Learn-Adapt-Influence model and using at least two other substantive secondary sources. Attach the final deal points to the paper. This assignment is assessed on the quality of your research, analysis/reflection and writing and how well you speak to Wheeler's model.

CLASS PARTICIPATION. Your participation grade is determined in part by your attendance and the quality and quantity of your participation in class. Please note that higher quality participation offsets lower quantity. This class is structured around student involvement and discussion so ensure that you attend and speak up.

BONUS MARKS may be accorded for attending outside lectures and events. If asked to tweet use both #CRI740 and @RyersonCreative in the tweet. The tweet must be sent during the lecture/ event or within 15 minutes of the event's end.

EXAM. Two hours. Mix of multiple choice and essays drawn from lectures and readings.

Handing in Papers

Late Policy

Other Relevant Information

- It is the student's responsibility to contact the professor or the Academic Manager, Student Affairs (Paula) or the Student Affairs Assistant (Angella) promptly concerning any situation that may have an adverse impact upon their academic performance as soon as the issue becomes known. E-mail them at criadvising@ryerson.ca. Please note that when a student formerly requests consideration on health grounds the University requires a Health Certificate of letter from an appropriate health professional to be submitted to the School (in this case, Paula or Angella). The form is at <http://www.ryerson.ca/senate/forms/medical.pdf>
- Any considerations for academic accommodation for religious reasons must be requested by the end of the second week of the term.
- We expect that all communications by e-mail and in person between students, their colleagues, and instructors will be civil and professional as per *Senate Policy #61*.
- Grades are posted on the D2L. Not all materials submitted for marking will be returned, so make extra copies for your records.
- Assignments submitted late, without extension, will result in a penalty of (5% deducted per day, 10% for a weekend). Do not wait until the last moment to submit your paper. Allow for technical glitches.;
- Check with your professor to see if they require hard copies or not of the assignments.
- Students are required to retain a copy of all work undertaken as well as *all rough materials, references, sources, and notes* until the marked original has been returned.
- The professors reserve the right to modify the syllabus and assignments as required over the course of the term, but any changes to the course assignments, due dates, and/or grading scheme will be discussed with the class prior to being implemented.
- On occasion guest speakers may attend our class. Students should refrain from contacting these guests after the class, unless invited to do so.
- Turnitin.com is a plagiarism prevention and detection service to which Ryerson subscribes. Students who do not want their work submitted to this service must, by the end of the second week, consult with the instructor to make alternate arrangements.
- The unauthorized use of intellectual property of others, including your professors', for distribution, sale, or profit is expressly prohibited, in accordance with Policy 60 (Sections 2.8, 2.10). Intellectual property in this context includes, but is not limited to:

slides, lecture notes, presentation materials used in and out of class, lab manuals, course packs, and exams.

Students are expected to show respect for their fellow students:

- ❖ Arrive on time (before 6:30 pm). Be ready to start.
- ❖ Do not indulge in side conversations in class. Disruptive students will be asked to leave. We reserve the right to adjust a student's overall mark if they interfere with their colleagues' learning.
- ❖ NO eating in class. Coffee or water are fine.

Technology Statement

At the discretion of the instructor, computers, tablets, and other electronic devices are allowed in class to take notes, annotate lecture slides, and do quick internet searches of relevant materials only. All devices should be on silent/mute. Computers and tablets should not be used to email or message during class. Phones are not to be used, including for texting and messaging. Students on Facebook or Youtube, watching the hockey game or texting distract not only themselves but also their colleagues. Any student who gratuitously "multitasks" will not be allowed to use electronic devices in the classroom.

No electronic recording of any segment of lectures / sessions without the express prior agreement of the instructor.

It is expected that assistive technologies as detailed in Ryerson Senate Policy 159 (Academic Accommodation of Students) are to be used in keeping with this technology statement.

This course is conducted in accordance with all relevant University academic policies and procedures and students are expected to familiarize themselves with them and adhere to them. Students should refer online (ryersoncreative.ca) to the Creative Industries Student handbook for specific information with respect to the following policies:

- [Policy #60](#): Student Code of Academic Conduct
- [Policy #61](#): Student Code of Non-Academic Conduct
- [Policy #134](#): Undergraduate Academic Consideration and Appeals.
- [Policy #157](#): Ryerson's E-mail Accounts for Official Communication
- [Policy #159](#): Academic Accommodation of Students with Disabilities