

272A.7-040 Remedies for breach of marketing contract.

- (1) Damages to be paid to a limited cooperative association for breach or anticipatory repudiation of a marketing contract may be liquidated, but only at an amount or under a formula that is reasonable in light of the actual or anticipated harm caused by the breach or repudiation assessed as of the time of the making of the marketing contract. A provision that so provides is not a penalty or otherwise unreasonable.
- (2) Upon a breach of a marketing contract, whether by anticipatory repudiation or otherwise, a limited cooperative association may seek:
 - (a) An injunction to prevent further breach; and
 - (b) Specific performance.
- (3) The remedies in this section are in addition to any other remedies available to an association under law other than this chapter.

Effective: July 12, 2012

History: Created 2012 Ky. Acts ch. 160, sec. 53, effective July 12, 2012.