

**16-16-704 Remedies for breach of 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. A provision that so provides is not a penalty.
- (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.

Enacted by Chapter 363, 2008 General Session