

Effective 5/12/2015

70A-2-610 Anticipatory repudiation.

When either party repudiates the contract with respect to a performance not yet due the loss of which will substantially impair the value of the contract to the other, the aggrieved party may:

- (1) for a commercially reasonable time await performance by the repudiating party;
- (2) resort to any remedy for breach (Section 70A-2-703 or Section 70A-2-711), even though he has notified the repudiating party that he would await the latter's performance and has urged retraction; and
- (3) in either case suspend his own performance or proceed in accordance with the provisions of this chapter on the seller's right to identify goods to the contract notwithstanding breach or to salvage unfinished goods (Section 70A-2-704).

Amended by Chapter 258, 2015 General Session