

70A-2-713 Buyer's damages for nondelivery or repudiation.

- (1) Subject to the provisions of this chapter with respect to proof of market price (Section 70A-2-723), the measure of damages for nondelivery or repudiation by the seller is the difference between the market price at the time when the buyer learned of the breach and the contract price together with any incidental and consequential damages provided in this chapter (Section 70A-2-715), but less expenses saved in consequence of the seller's breach.
- (2) Market price is to be determined as of the place for tender or, in cases of rejection after arrival or revocation of acceptance, as of the place of arrival.

Enacted by Chapter 154, 1965 General Session