

TITLE 5: UNIFORM COMMERCIAL CODE
DIVISION 2: SALES

§ 2713. Buyer's Damages for Non-Delivery or Repudiation.

(1) Subject to the provisions of this division with respect to proof of market price (5 CMC § 2723), the measure of damages for non-delivery 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 division (5 CMC § 2715), 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.

Source: PL 3-56, § 1 (§ 2713).