

Supreme Court Describes 'Ordinary Principles of Contract Law'

A white paper published by Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan discusses a recent U.S. Supreme Court decision that addresses the question: In a contract governed by federal law, does "The End" really mean "The End"?

The conclusion of the paper is that, although some federal courts have said "no," the U.S. Supreme Court has just said "yes."

"Most contract cases in federal court involve the application of state substantive law and so it is uncommon for the U.S. Supreme Court to expound on what it considers to be the contract principles to be applied in federal cases where no state's substantive law applies," the paper says. "But in a recent unanimous decision, *M&G Polymers USA, LLC v. Tackett*, 135 S.Ct. 926 (2015) (four justices concurring in a separate opinion), the Court took the opportunity to do just that when it vacated a Sixth Circuit decision because that court had failed to apply 'ordinary principles of contract law' to a collective bargaining agreement."

Mike Mitchell, Scott Miskimon and Kayla Marshall wrote the paper.

Read the white paper.