

KEVIN BROERMAN PREVAILS ON A COMMERCIAL BINDING ARBITRATION

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New Bauhaus v. American Green – Jones, Skelton & Hochuli Partner [Kevin Broerman](#) prevailed on a commercial

binding arbitration using the American Arbitration Association (AAA). Claimant asserted damages in excess of \$5 million (capped pursuant to agreement with AAA at \$1.5 million) arising from the alleged execution of a contract requiring minimum purchase of goods over a three year period of time. Respondent had actually signed the agreement and initialed every page. At the arbitration, Respondent maintained that prior approved drafts of any agreement did not contain any minimum purchase requirement and that the signing and initialing were done under the impression that no minimum purchase requirements were mentioned in the final document. The arbitrator found that the Claimant did not meet its burden of proof to establish a meeting of the minds. Claimant was also terminated by Respondent from a Professional Service Agreement. Claimant, at arbitration, claimed wrongful termination. The arbitrator found that Claimant did not establish he was terminated without cause.

[Kevin Broerman](#) joined Jones, Skelton & Hochuli as an Associate in 2008, and has been a Partner since 2014. He concentrates his practice on bad faith, coverage, professional liability, construction and general liability. He is a member of the Arizona State Bar Committee on Civil Jury Instructions and the Arizona Association of Defense Counsel. Mr. Broerman received his law degree from Western State University College of Law and is admitted to practice in Arizona.