

# IN THE NEWS

## Butzel hosts July 25 webinar focused on recent Michigan Supreme Court opinion

### Firm News

7.25.2023

DETROIT, Mich. – A recent Michigan Supreme Court opinion on supply chain contracts clarifies uncertainty on terms and conditions. However, what does it mean for the industry moving forward? The Butzel Global Automotive Industry Team will discuss “*MSSC v. AirBoss: Will it Change the Automotive Supply Chain*” during a free webinar from **8-9 a.m. (EST) on Tuesday, July 25, 2023. To register online, click here.**

In *MSSC v. AirBoss*, the Michigan Supreme Court redefined the boundaries of requirements contracts governed by Michigan law, ruling that: (1) a contract in which the buyer promises to purchase the goods for which it issues releases, but does not promise to issue releases, is not a requirements contract, but is instead a “release by release” contract which only requires the seller to supply the quantities in accepted releases; and (2) the label “Blanket Order” is not sufficient to create a requirements contract. *MSSC* creates new risks and opportunities for buyers and sellers that are parties to such contracts, which are not uncommon in the automotive supply chain.

In this one-hour briefing, attorneys from Butzel’s Global Automotive Industry Team will explain the significance of *MSSC*, discuss the practical steps that suppliers should be taking to assess whether and how it affects their supply contracts, and how to best remediate the risks that it creates for buyers and to take advantage of the opportunities that it creates for sellers. Butzel attorneys also will be available to answer questions.

### Featured speakers include the following Butzel attorneys:

- **Cynthia J. Haffey** has been an advocate for businesses, with a specialty in representing automotive suppliers, for more than 20 years. She focuses her practice on litigation and counseling. Haffey is a co-chair of the firm’s Global

### Related People

James C. Bruno  
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Sheldon H. Klein  
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Automotive Industry Group.

- **Sheldon H. Klein** regularly represents automotive industry suppliers in matters relating to upstream and downstream commercial relationships, including counseling on terms and conditions and litigation arising out of supply chain disruptions and disputes. Klein is a co-chair of Butzel's Global Automotive Industry Group.
- **Daniel R.W. Rustmann's** practice has been devoted principally to litigation. He has handled cases in numerous substantive areas, including product liability defense, UCC warranty and product defect/recall litigation, class action litigation, and other commercial contract litigation and arbitration. Rustmann is a co-chair of the firm's Global Automotive Industry Group.
- **James C. Bruno's** primary practice includes corporations and limited liability companies; the Uniform Commercial Code; sales representatives and distributorships; automotive and other industry supplier relations; international business law and foreign employment; closely held business; mergers and acquisitions; and joint ventures.