


# **Cancellation of Order**

## ***Goods Not Received***

- 🔊 Use this letter when the seller has failed to deliver the goods to you on a timely basis.
- 🔊 If the seller fails to make timely delivery of the goods, or refuses to live up to other obligations according to your Agreement, the buyer may recover damages for breach of contract.
- 🔊 If the written sales contract or purchase order states that the delivery must be made by a certain date, failure to deliver by that date constitutes breach by the seller and permits the buyer to cancel.
- 🔊 To help ensure the buyer's rights, the buyer should promptly send a notice of cancellation to the Seller.
- 🔊 Among other remedies, the buyer may be entitled to damages for “cover” goods ( the additional expense incurred by the  er to obtain the same or similar goods elsewhere).
- 🔊 We advise buyers to specify a delivery date in the sales agreement or purchase order to prevent disagreements as to whether delivery was timely.
- 🔊 If no date for delivery is specified, then the appropriate delivery date will depend upon what would be reasonable under the circumstances.

# From JIAN

## NOTICE:

We wish we could provide an agreement that was tailored *exactly* to your business. While this is not always possible, we feel that we've come very close and that this document provides you with the head-start that you need to get your deal moving. Nevertheless, we must make this disclaimer:

- 🔊 **Do Not Use This Agreement 'As-Is.'**
- 🔊 **This Agreement Is Not Legal Advice.**
- 🔊 **Read it Thoroughly and Make All Appropriate Changes to Fit Your Requirements.**
- 🔊 **You Should Have this Agreement Reviewed and Approved by a Qualified Attorney at Law Before Using It.**
- 🔊 **JIAN Accepts No Liability for the Effectiveness of This Document For Your Purposes.**

## Free Access to Attorneys, Accountants & Consultants in Your Area

We're building a network of business experts who are eager to help you when you need it. They can review your work, make suggestions, handle unique situations and introduce you to influential people. On our website you can search by expertise and location, then e-mail or jump straight to their website. Although they are professionals and charge for their services, most offer an initial consultation free of charge. They're in your area and you can contact them directly.

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[www.JIAN.com](http://www.JIAN.com)

## Editing Your Sample Contract

Since this entire agreement is formatted in Word, you can edit it like any other Word document. You can jump from variable to variable by clicking the above  green arrows (JIAN Menu) which will take you forward / backward and highlight the entire sample text identified within the "[ ]" brackets – simply edit / type-over with your information.

To make sure you have filled in all the variables, use Word's 'FIND' function to locate any "[ ]" which may contain an unedited variable.

- Click the  icon in the JIAN menu above to turn the expert comments on/off.
- Upon completion, delete any unnecessary blank lines that remain.
- You may format this document any way you like.
- Delete this page.

# [Company Legal Name]

[Address] \* [City], [State] [Zip Code]

[Telephone] \* [WebSite Address]

[Date]

[Seller]

[Seller's Address]

Dear [Seller's Representative]



Pursuant to our [Contract] dated [Contract Date], we agreed to purchase:

- [Describe Goods]
- Xxx
- xxx.

However, we still have not received delivery of those goods.

Because of the lengthy delay in receiving the goods, we are cancelling the order.

We demand [Demand].

The total amount due is \$[000,000].

Please understand that if the money is not received within ten (10) business days of receipt of this letter, we will be forced to take legal action to compel the payment of these damages.

Thank you for your immediate attention to this matter.

Sincerely,

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[Owner/Founder]