

"Trends in M&A Provisions: Exclusion of Consequential Damages," Bloomberg BNA Mergers & Acquisitions Law Report

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Buyers and sellers often negotiate the scope and types of damages covered by the indemnification obligations, including whether consequential damages suffered by the buyer as a result of the seller's breach under the purchase agreement should be included in—or excluded from—the seller's indemnification obligations. This article, written by Goulston & Storrs director Dan Avery and Boston University School of Law student Kevin Lin, examines trends in the prevalence of consequential damage exclusions in private company [M&A transactions](#).