

Press Coverage | August 15, 2023

Disney-DeSantis Battle May Breathe Life Into Contract Clause

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Robert Austin Jenkin, II

Robert Austin Jenkin II, an associate in Troutman Pepper's Business Litigation Practice Group, was quoted in the August 15, 2023 *Law360* article, "[Disney-DeSantis Battle May Breathe Life Into Contract Clause](#)."

"Until the COVID pandemic, contract clause litigation was uncommon," Troutman Pepper associate Robert A. Jenkin II said. "However, during the pandemic, there was a notable increase in contract clause litigation challenging pandemic-related statutes at both the state and local level."

...

Justice Gorsuch's interpretation of the contract clause would, if adopted, drastically alter contract clause jurisprudence, according to Jenkin.

"Under such an interpretation, any state law which retroactively alters a contract's obligations would be very unlikely to survive a contract clause challenge," Jenkin said.

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