

MARKS & WEINBERG, P.C.

Mid-Atlantic Equipment Corporation v. Elder

1995 WL 447602 (D. Pa., 1995)

Defendant guarantor's wife signed the lease as an officer of the company and he signed the guaranty. Nevertheless, he unsuccessfully attempted to argue that a variety of technical defects release him from his obligations as a guarantor.

The court rejected his arguments but did reduce the attorney's fee award to the extent that Mid-Atlantic's attorneys sought compensation for correcting their own error in an improper filing and also denied summary judgment on accelerated rental payments, which will be awarded only after a hearing on mitigation of damages issues under California law.

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