

Recovering Millions Owed in the Solar Energy Field

Client:	Trina Solar
Industry:	Energy
Area of Law:	Contracts
Venue:	International Centre for Dispute Resolution
Result:	Arbitration recovering over \$20 million



“It was a pleasure working with Pillsbury. They were very professional and responsive during the entire litigation process. They knew the evidence, the law and our business, which resulted in a win for us during the arbitration.”

—Former Legal Director, Trina Solar U.S.

The American Recovery and Reinvestment Act of 2009—part of the federal government’s stimulus program—included some powerful, but complex, incentives for solar energy. In this dispute between our client, a pioneering Chinese manufacturer and seller of photovoltaic modules, and a Canadian project developer (both acting through their U.S. subsidiaries), the question was whether the latter would still be forced to pay for \$15 million in solar panels after it had failed to qualify for those incentives. The dispute lay squarely at the intersection of complex federal energy credit law, cutting-edge Uniform Commercial Code questions and international arbitration procedure.

Our client, the photovoltaic module seller, prevailed completely in arbitration before the International Centre for Dispute Resolution of the American Arbitration Association, recovering over \$20 million. The buyer’s claims that it had been misled and/or made mistakes regarding the qualification of the purchase under the stimulus plan were held no defense.

The combined efforts of Pillsbury’s Litigation team, which knew the arbitration process, our Energy team, schooled in the nuances of the stimulus program, and our Commercial team, which understood the intricacies of the UCC, made for a compelling case at the arbitral hearings, leading to this win for Trina Solar.

Integration among our practice groups, such as this Litigation-Energy-Commercial combination for Trina Solar, is a Pillsbury hallmark.