

**13-827. Course of dealing.**

A course of dealing is a manner of dealing between the parties in previous transactions which it is reasonable to regard as establishing the parties' common understanding of the meaning of the term[s] in dispute.

USE NOTES

This instruction should be given in conjunction with UJI 13-825 NMRA when there is a dispute as to the meaning of an ambiguous term or terms in a contract and there has been a sufficient evidentiary showing of a prior course of dealing between the parties to submit the evidence to the jury to consider in resolving the dispute.

[Adopted, effective November 1, 1991; as amended by Supreme Court Order No. 20-8300-006, effective for all cases pending or filed on or after December 31, 2020.]