

3) Remedies:

Each party acknowledges that, by entering into the New Agreements and agreeing to changes in material terms of the SAAs, it is providing significant consideration to the other party. Further, the parties acknowledge that the obligations of The CW to provide programming and the obligations of Tribune and the Affiliates to broadcast all CW Programming on the primary analog/digital channel operated by each Affiliate are special, unique, and material terms of the New Agreements. Accordingly, the parties agree that in the event that either party materially breaches the New Agreements with respect to these material terms, where such breach remains uncured after written notice and reasonable opportunity to cure, then the non-breaching party shall be entitled to seek all remedies available to it at law or in equity, including without limitation, damages, rescissionary, restitutionary, and/or equitable relief.

~~Deleted:~~ , notwithstanding paragraph 17(e) of the New Agreements,

~~Deleted:~~ damages

~~Deleted:~~ compensatory and consequential