Judge rules in favour of Terra Global, Anew case goes to arbitration

Brazil ETS REDD+

14 Nov 2025

Quantum Commodity Intelligence - A Delaware judge has ruled in favour of a request from carbon developer and investment fund Terra Global to dismiss a case brought by project developer Anew Climate, meaning the ongoing dispute is now headed for arbitration in California.

Anew filed the civil court case with the Delaware Superior Court in May of this year, after it fell out with Terra Global a month earlier, when it unilaterally terminated its two-and-a-half-year-long partnership through which it invested millions in dozens of nature-based carbon projects.

Anew Climate argued in its complaint that Terra Global's carbon pool "has failed" and that the carbon pipeline is "in shambles", seeking injunction relief from the court after it was threatened by Terra with $30 million in collateral.

The carbon developer added that it was within its right to unilaterally cancel the contract as Terra Global failed to be a "reasonable and prudent operator" of the carbon pool as required under one of the contracts signed.

But Terra Global rejected those claims, saying it is a "sham, both substantively and jurisdictionally", as it asked the judge to dismiss the case.

Terra argued that the dispute should be arbitrated before the International Chamber of Commerce (ICC) in San Francisco, as set out by another contract signed between the two parties.

The $30 million was already committed by Anew, Terra argued in its motion to dismiss, adding that those funds were needed to maintain the Cocomacia REDD+ project in Colombia and the Kulera afforestation, reforestation and revegetation project in Malawi.

Judge Meghan Adams sided with Terra Global in a court ruling published on Friday and seen by Quantum, effectively referring the case to the ICC in California.

Who signed which contract?

The core of the case is about which entity signed what document, and therefore which contractual clauses are relevant to the ongoing dispute.

Terra's attorney argued that the original Securities Purchase Agreement (SPA) was only signed by the Terra parent company, Terra Global Capital, which is not a defendant in this case.

The defendants are two Terra subsidiaries, Terra Global Investment Management and Terra Bella NBS Carbon Pool, which never signed the SPA and should therefore not be bound to it, Terra Argued.

The SPA, which is governed by Delaware law, includes a so-called 'forum selection clause', which states that either party agrees that any lawsuit or legal dispute should be brought only in Delaware.

"The issue pending before the Court is whether the forum selection clause in a securities purchase agreement [SPA] binds the non-signatory subsidiaries. The Court finds that it does not," Judge Meghan Adams wrote in the ruling.

"Rather, both the subsidiaries and the buyer are bound by the arbitration clause in a separate acquisition and management agreement [AMA]. This action is therefore dismissed for arbitration," the judge wrote.

The carbon pool itself is governed by a separate document, the AMA, which was signed by the two Terra subsidiaries.

That contract includes the arbitration clause, which states that any unresolved dispute should be brought to the ICC.

Leslie Durschinger, Founder and CEO of Terra Global, welcomed the court's decision in a statement to Quantum.

"The Court confirmed that the dispute belongs in arbitration under the governing agreements, rejecting Anew's attempt to litigate in Delaware and acknowledging their failure to meet their legal requirements," Durschinger said.

"We... are confident that the arbitration process will affirm Terra's position and demonstrate our continued commitment to deploying climate finance investments to nature-based solutions projects in developing countries to deliver integrity and transparency to carbon markets."

Anew Climate declined to comment.

The Quantum View: It took the judge nearly three months to come to Friday's ruling, following the August hearing when she stalled on her decision due to the "lots of moving pieces" in the case. In the end, Anew failed in its attempt to seek injunction relief, meaning the high-stakes case with millions of dollars on the line on either side will now head to arbitration.

Terra Global, Anew Climate reach resolution in arbitration case

VCM ARR REDD+

30 Apr 2026

Quantum Commodity Intelligence - US-based developer/investment fund Terra Global and another developer Anew Climate have reached an agreement at an arbitration court in California to settle their one-year-old dispute, the chief executive of Terra told Quantum.

After striking a deal in early 2023, the two partners fell out in April last year when Anew Climate unilaterally terminated the partnership with Terra Global through which it had invested millions in dozens of nature-based carbon projects.

Terra Global rejected Anew Climate's termination notice and demanded $30 million from the project developer in collateral, as those funds were needed to maintain the Cocomacia REDD+ project in Colombia and the Kulera afforestation, reforestation and revegetation project in Malawi.

Anew Climate took the case to the Delaware Superior Court a month later, seeking injunction relief from the court as it argued that Terra Global's carbon pool "has failed" and that the carbon pipeline is "in shambles".

Terra Global rejected those claims, saying the Delaware case is a "sham, both substantively and jurisdictionally", asking the judge to dismiss the case and refer it to the International Chamber of Commerce (ICC) in San Francisco.

The Delaware judge sided with Terra Global in mid-November last year, as it found that their agreement was bound by an arbitration clause in one of the documents signed, effectively referring the case to the ICC.

Proceedings at the ICC are held behind closed doors and are largely confidential, with the outcomes of cases rarely made publicly available.

In a statement to Quantum, Leslie Durschinger, Founder, CEO and CIO at Terra Global, said that the arbitration case has now been concluded.

"The parties reached a mutually satisfactory resolution of their dispute," adding that Terra Global and Anew Climate "have no future rights and obligations to one another."

Daniel Holdridge, Senior Director of Marketing at Anew Climate, confirmed to Quantum that both companies found a "mutually satisfactory resolution".

The Quantum View: The reaching of a "mutually satisfactory resolution" between Terra Global and Anew Climate means the arbitration has been successful, effectively severing the ties between the two companies. It means that the partnership, once hailed as a $640 million investment potential into nature-based projects, has been fully terminated.