

How to Analyze a Case:
6-part analysis
Frigaliment v International Sales

The 6 interrogative words
Who?
Where?
When?
What?
How?
Why?

The 6 interrogative words
• Who - are the Plaintiff and the Defendant?
• Where - did the incident take place?
• When - did the incident occur?
• What - happened?
• How - was the case resolved (i.e. how on)?
• Why - was the case decided the way it was (i.e. the legal reason or issue)?

Who?
Plaintiff - Buyer of chickens
Defendant - Seller of chickens

Where?
Switzerland and New York

When?
1960

What?
Buyer ordered frozen chickens
Seller sent stewing hens
Buyer says 'chicken' means younger fowl.
Seller says 'chicken' means any member of the species including 'stewing fowl'.
Buyer sues for breach of contract.

How?
Defendant seller prevails

Why?
Parol (extrinsic) evidence was inconclusive.
Plaintiff had the 'burden of proof' for establishing its interpretation.