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. who won)?
- 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.