

How to Analyze a Case: 6-part analysis

Frigalment Importing Co. v.
BNS International Sales Corp.
US District Court for Southern District of NY
190 F. Supp. 116 (1960)

The 6 interrogative words

- Who
- Where
- When
- What
- How
- Why

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 (π) – Buyer of chickens
Defendant (Δ) – 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.

How ?

Stewing hens are 'chickens';
Defendant prevails.

Why ?

Plaintiff had the 'burden of proof' for
establishing its interpretation.