3.8 Exercises #3

3. A court in Illinois will enforce the arbitral awards because under the Convention on the Recognition and Enforcement of Arbitral Awards, agreements to arbitrate and arbitral awards are enforced across national boundaries.

3.9 Ferlito v. Johnson & Johnson Q:1-2

1. The alleged breach of duty by the defendant here is that Johnson & Johnson Products failed to warn of the flammability of their cotton batting product.

2. Judge Gadola reasoned that JJP had no duty to warn in this case because the use of JJP’s product by the plaintiffs and the injuries resulting from it were unforeseeable. The intended use of the product was far from the plaintiffs’ use of the product. Ordinarily, they would not have a duty to warn of danger from an unforeseeable misuse of the product, but because the misuse of the product in this case is foreseeable, the manufacturer now has a duty to warn.