

# Michelle Corrigan Erikson

## PARTNER

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Office: St. Louis



**Focused on the defense of product liability claims against manufacturers and suppliers at trial and in all stages of pretrial litigation, as well as the navigation of state and federal regulations of products, Michelle has a firm grasp of the legal ramifications and underlying concepts governing products liability defense and product regulatory compliance.**

Michelle concentrates her practice on products liability litigation, regulatory compliance of consumer products and food, and business litigation. She represents manufacturers and distributors of a wide range of products in products liability litigation involving claims of personal injuries and property damages. She also has a specialty focus in regulatory compliance of children's products, consumer products, food packaging and food products.

With more than 25 years' experience, Michelle defends product liability claims involving consumer products, industrial products and medical devices. She has tried products liability cases before juries in multiple jurisdictions, and has led trial teams for manufacturers in products liability litigation in Missouri. She has served as national counsel for manufacturers and suppliers in all stages of products liability litigation in jurisdictions throughout the United States.

## PRACTICES & INDUSTRIES

Product Liability  
Business Litigation  
Children's Products

## ADMISSIONS

Louisiana, 1997  
Missouri, 2005  
U.S. District Court for the Eastern District of Louisiana, 1997  
U.S. District Court for the Eastern District of Missouri, 2005  
U.S. District Court for the Western District of Missouri, 2011  
U.S. District Court for the Southern District of Illinois, 2015

## EDUCATION

Loyola University, J.D., 1997

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She consults with sellers of products about their warning programs and preventative risk management strategies, especially regarding children's products and other consumer products, as well as food. Michelle also helps clients develop and strengthen their supply chain agreements, including indemnity and product warranty provisions, and navigate the requirements of state and federal regulations governing persistent, bioaccumulative and toxic chemicals. Michelle assists clients with product recalls, and works with the Food and Drug Administration (FDA), Consumer Product Safety Commission (CPSC) and other government agencies to implement and streamline product recalls and withdrawals. She also consults with clients on compliance with California Prop 65, state regulations of PFAS in consumer goods and food packaging, and other state regulations applicable to consumer products and food.

Canisius College, B.S., Management and Marketing, *cum laude*, 1994

## EXPERIENCE

### Litigation and Regulatory

For over 10 years, Michelle has served as national counsel for a chemical manufacturer, defending hundreds of product defect claims against it in state and federal courts throughout the United States.

She defended a medical device manufacturer in a two-week wrongful death jury trial in which the Plaintiffs claimed that the device at issue was defective and caused the decedent's death. The manufacturer obtained a complete defense verdict with the jury finding no liability.

In April 2022, Michelle led the litigation team of a bullet-resistant body armor manufacturer in a jury trial in St. Louis in which a former police officer claimed that the body armor he wore was defective and caused his paralysis. The manufacturer obtained a complete defense verdict with the jury finding no liability.

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Michelle has a deep understanding of the issues facing manufacturers of juvenile and children's products, bolstered by comprehensive knowledge of applicable laws and regulations and the standards adopted by the American Society for Testing and Materials International (ASTM) and the American National Standards Institute (ANSI).

She consults with clients about FDA guidelines affecting consumer food and the Federal Trade Commission (FTC) regulations, and guidelines affecting product advertising and fair trade.

Michelle has done a significant amount of work helping clients with California Prop 65 compliance applicable to their products sold nationally and into California. She has drafted many vendor agreements and other supply chain agreements which encompass parties' indemnity obligations, product warranties and warnings.

She also has a significant grasp on various state and federal regulations affecting the sale of consumer products, particularly those involving Perfluoroalkyl and polyfluoroalkyl substances (PFAS), long chain Perfluoroalkyl carboxylates (LCPFACs), Alkylphenols (APs), Alkylphenol Ethoxylates (APES), brominated flame retardants (DecaBDE and others), and other chemicals regulated under the Toxic Substances Control Act (TSCA). She is also well-versed in the laws regulating toxins in packaging of consumer goods and food.

Adept at products liability law, Michelle defended an adhesive manufacturer in a multimillion dollar products liability property damage lawsuit, obtaining a summary dismissal of all claims against the manufacturer.

She prepared and led an oral argument at trial and on appeal on behalf of a defendant subcontractor in a commercial construction lawsuit. The trial court's dismissal of the case on summary judgment was affirmed on appeal after oral argument. See, *Gray Ins. Co. v. Old Tyme Builders, Inc.*, 878 So.2d 603 (La. App. 1st Cir. 4/2/2004).

Michelle was the primary attorney in state and federal courts defending general contractors and subcontractors, resulting in new case law interpreting Louisiana's New Home Warranty Act, the exclusive law governing claims between homeowners and home builders in Louisiana. For example, see, *Stokes v. Oster*, 807 So.2d 987 (La. App. 5th Cir. 1/15/2002); and *Liberty Mut. Fire Ins. Co. v. Ravannack*, 2004 WL 612962 (E.D. La 3/24/2004).

### RECOGNITIONS

Selected to the 2023, 2024 editions of *Best Lawyers in America*©

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# Michelle Corrigan Erikson

Recipient of the Missouri Lawyers Media 2023 Missouri Lawyers Awards for Verdicts and Settlement Winners, honoring those who achieved the best defense wins at trial in Missouri in 2023

## PROFESSIONAL & CIVIC ACTIVITIES

Served as a volunteer judge of the Collegiate Mock Trial Tournament at Washington University School of Law in St. Louis in 2014

Juvenile Products Manufacturers Association (JPMA)

ASTM International - Member of Committee on Consumer Products (F15) and Committee on Sports Equipment, Playing Surfaces, and Facilities (F08), including all juvenile products subcommittees

Defense Research Institute (DRI), including memberships in the Children's Products and Women in the Law subcommittees

The Missouri Bar

Bar Association of St. Louis, Missouri

Louisiana Bar Association

## NEWS

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List  
08.17.2023

Successful Defense of Client Earns Stinson Attorneys Top V&S Recognition by Missouri Lawyers Media  
01.10.2023

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List  
08.18.2022

Stinson's Products Liability Team Achieved Successful Verdict for Maker of Bullet-Resistant Vest  
04.26.2022

## SPEAKING ENGAGEMENTS

"Structuring Supply Chain Agreements: New Guidance on Prop 65 Compliance," Strafford Webinar, December 2018

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## Michelle Corrigan Erikson

"An Overview of California Prop 65 and its Recent Amendments," Synthetic Turf Council Meeting of New Members, Cleveland, Ohio, October 2018

"Emerging Legal Issues in the Synthetic Turf Industry: Impact Attenuation of Surfacing Materials," Synthetic Turf Council Board of Directors Meeting, Nashville, Tennessee, October 2017

"The Admissibility of Evidence of Subsequent Remedial Measures in Products Liability Litigation," Stericycle Advisory Board, Chicago, Illinois, July 2017

"Liability Implications in 3D Printing of Children's Products," Juvenile Products Manufacturers Association Annual Meeting, Anaheim, California, May 2017

"Investigation of Nursery Fires: Chemical Flame Retardants in Children's Products," Defense Research Institute, Fire Science and Litigation Conference, Scottsdale, Arizona, November 2016

"The Truth About False Advertising," Juvenile Products Manufacturers Association Webinar, May 2016

"Diacyl: Causation Issues in Chemical Exposure Cases," Harris Martin, Emerging Toxic Torts Conference, Long Beach, California, December 2015

"Admissibility of Post-Sale Product Changes," Defense Research Institute, Children's Products Panel Counsel Meeting, Las Vegas, Nevada, February 2015

### PUBLICATIONS

"[WARNING: California Prop 65 Amendments Take Effect on August 30, 2018](#)," June 19, 2018

"[Weathering the Freeze: The CPSC's Response to the White House's New Regulatory Restrictions](#)," February 8, 2017

"[Co-sleeping Safely: A Guide to Current and Proposed Regulations of Bedside Sleepers](#)," September 22, 2016

"[The First Baby Bed: A Guide to Current and Proposed Regulations of Bassinets](#)," September 16, 2016

"[The Modern Play Pen: A Guide to Current and Proposed Regulations of Play Yards](#)," September 7, 2016

"[Appellate Victory of Children's Products Manufacturer Shows the Importance of Understanding State Products Liability Laws](#)," July 19, 2016

"[Toxic Substances Control: Past, Present and Future](#)," June 28, 2016

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"Flame Retardants: A Guide to Current State Regulations," June 14, 2016

"New York, New York: The Status of Regulation of Children's Products in the Empire State," May 2016

"FDA Regulation of E-Cigarettes: The What, When, and Warnings," May 2016

"Vermont GMO Food Labeling — Is Your Label Ready?" May 2016

"The Continuing Saga Surrounding Magnet Sets: Proof of the CPSC's Determination to Eradicate Hazards to Children," April 2016

"Federal Judge Prohibits Novelty Toy Seller From Selling Products Containing Recalled Magnets," March 2016

"Children's Products: Safety Regulations Governing Rattles and Magnet Sets," March 2016

"2016 Emerging Issues in the Children's Products Industry," February 2016

"What is a Children's Product?" Stinson Alert, January 2016

"Children's Products: An Analysis of Small Parts Regulation and Choking Hazards," January 2016

"Children's Products and the Consumer Product Safety Improvement Act – A Synopsis of the Rules and Regulations Governing Toy Safety," September 2015

Juvenile Products Manufacturers Association/Defense Research Institute State Liaison Report – "Summary of Child Product Liability Laws for US and Canada," prepared Missouri law section in 2013-2015

Consumer Product Recalls on the Rise: Important Compliance Reminders for Consumer Products Manufacturers and Sellers

02.08.2023