

[Products Liability Law Daily Wrap Up, SETTLEMENT AGREEMENTS—HOUSEHOLD PRODUCTS—IKEA offers \\$50M to settle claims that MALM dressers caused death of three toddlers, \(Jan. 4, 2017\)](#)

Products Liability Law Daily Wrap Up

[Click to open document in a browser](#)

By Pamela C. Maloney, J.D.

Following a two-day mediation before retired Federal Magistrate Judge Diane Welsh of JAMS, a nationally recognized mediator for complex civil cases, IKEA agreed to pay \$50 million to settle wrongful death claims brought by the families of three toddlers who were died after IKEA furniture toppled over on them. The settlement amount will be divided evenly among the three families, according to [Feldman Shepherd](#), the firm representing the plaintiffs. The settlement awaits approval by the court.

The families of the three toddlers filed lawsuits in a Pennsylvania state court against IKEA, the manufacturer of the MALM dressers, alleging that the unsafe design of these dressers presented an unreasonable tip-over hazard. The lawsuits also alleged that IKEA failed to provide adequate warnings or instructions with regard to the tip-over hazard. The lawsuits further contended that IKEA had consistently refused to meet voluntary national safety standards for stability of chests and dressers, which other American furniture companies had embraced. For more details, see the [complaint](#) filed in *Collas v. Ikea U.S. East, LLC*.

According to Feldman Shepherd, the evidence developed in the cases showed that IKEA was aware of other deaths and injuries arising from furniture tip-overs that failed to meet minimum safety standards, but had refused to re-design its furniture products to be more stable and tip-resistant. It was not until after the death of the third toddler, whose family was included in the settlement, that IKEA finally agreed to stop the sale of its defective furniture and recall the MALM and other models of chests and dressers which failed to meet minimum standards for safety and stability. The recall (*CPSC Recall Notice*, No. 16-204), affecting 29 million furniture units, was issued on June 28, 2016, and was revised on November 4, 2016 following the death of a fourth child.

As part of the settlement IKEA also has agreed to do the following:

- Donate \$50,000 to Children's Hospital of Philadelphia in memory of Curren Collas, \$50,000 to a children's hospital in Washington State in memory of Camden Ellis, and \$50,000 to a children's hospital in Minnesota in memory of Ted McGee.
- Donate \$100,000 to Shane's Foundation NFP, an organization devoted to children's safety with a focus on furniture tip-over prevention and education.
- Sell chests and dressers in the United States that meet or exceed the performance requirements of ASTM F2057-14, the national voluntary safety standard for clothing storage units.
- Increase funding for its "Secure It" program to raise awareness of the risk of tip-overs, to include national television advertisements, internet and digital communications

Attorneys: Alan M. Feldman (Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig LLP).

Companies: IKEA U.S. East, LLD; IKEA North American Services, LLC; IKEA of Sweden AB

SettlementAgreements: SettlementAgreementsNews DesignManufacturingNews DamagesNews HouseholdProductsNews