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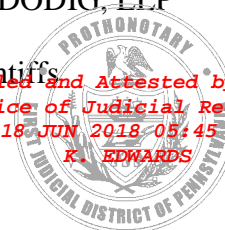
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JOLEEN DUDEK and CRAIG DUDEK,
Individually and as Co-Administrators of the
Estate of JOZEF WALLACE DUDEK,
deceased

7523 El Cerro Drive

Buena Park, CA 90620

Plaintiffs

v.

IKEA U.S. RETAIL, LLC

420 Alan Wood Road

Conshohocken, PA 19428

and

IKEA OF SWEDEN AB

343 34 Älmholt, Sweden

Defendants

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

DECEMBER TERM, 2017

No. 4131

Jury Trial Demanded

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR EL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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Case ID: 171204131

CIVIL ACTION COMPLAINT

Plaintiffs Joleen Dudek and Craig Dudek, Individually and as Co-Administrators of the Estate of Jozef Wallace Dudek, deceased, by and through their undersigned counsel, Feldman Shepherd Wohlgelernter Tanner Weinstock & Dodig, LLP, file this Complaint and aver as follows:

I. PARTIES

1. Plaintiffs Joleen Dudek and Craig Dudek are the Co-Administrators of the Estate of their son, Jozef Wallace Dudek, deceased, having been so appointed by the Orange County Superior Court for the State of California.

2. Plaintiffs Joleen Dudek and Craig Dudek reside at 7523 El Cerro Drive, Buena Park, CA 90620.

3. Defendant IKEA U.S. Retail, LLC is a Virginia Limited Liability Company with a principal place of business located at 420 Alan Wood Road, Conshohocken, PA 19428.

4. Defendant IKEA of Sweden AB is a company with an address for service of process at 343 34 Älmholt, Sweden.

5. Defendants IKEA U.S. Retail, LLC and IKEA of Sweden AB shall hereinafter be referred to as “IKEA” or the “IKEA defendants”.

6. At all times relevant hereto, all defendants regularly and continuously conducted business in the Commonwealth of Pennsylvania and in the City and County of Philadelphia.

II. FACTS

7. At all times relevant hereto, the IKEA defendants designed, manufactured, tested, distributed and sold furniture throughout the United States, including at IKEA retail stores in Pennsylvania and California.

8. Among the items of furniture available for purchase at IKEA retail stores was the MALM three-drawer chest or dresser (the “MALM dresser”), manufactured of particle board and weighing approximately 70 pounds.

9. The MALM dresser was part of a line of similar dressers (collectively the “MALM line”) sold by the IKEA defendants, which included the three-drawer (“MALM 3”), four-drawer (“MALM 4”), five-drawer (“MALM 5”), six-drawer (“MALM 6”) and six-drawer long (“MALM 6 Long”) chests and dressers.

10. In addition to the MALM line, the IKEA defendants sold numerous lines of substantially similar furniture sharing design characteristics and instructions with the MALM line, including but not limited to the ALESUND, ALVESTA, ANEBODA, ANGUS, ÅNES, ARUP, ASKEDAL, ASKVOLL, ASPELUND, BALSTAR, BANKERYD, BERGSMO, BIALITT, BIRKELAND, BJÖRKVALLA, BJÖRN, BLIMP, BOJ, BOKSTA, BRETT, BRIMNES, BRUSALI, BUSUNGE, DIKTAD, EDLAND, ELIS, ENGAN, ESKIL, FJELL, FJORD, FLATEN, FRIDOLIN, GUTE, GRANAS, HADDAL, HAJDEBY, HEMNES, HENSVIK, HERRESTAD, HOPEN, HOSTELAND, HOLLEBY, HOVDA, HURDAL, KABIN, KIRKENES, KNOT, KOPPANG, KUSK, KULLEN, KURS, KVIBY, LEKSVIK, LO, LOMEN, MAC, MAST, MAMMUT, MANDAL, MERÅKER, MIDSUND, NATURA, NARVIK, NORDLI, NORDNES, NORNÄS, NYVOLL, OTTENBY, RANVIK, RAKKE, RAMBERG, RODD, ROBIN, RUSTIK, SALA, SANDEFJORD, STOCKHOLM, STRANDA, STUVA,

SUNDBVIK, SVEIO, STAVANGER, SYDVAST, TARVA, TASSA, TRANDUM, TORE, TOVIK, TRANDUM, TROGEN, TROFAST, TRONDHEIM, TRYSSIL, TYSSDAL, UNDREDAL, VARDE, VALLVIK, VAJER, VESTBY, VINSTRA, VISDALEN and VOLLEN lines. (See Exhibit “A”, List of IKEA Chests/Dressers).

11. At all times relevant hereto, the IKEA defendants knew that MALM dressers would be used in homes, apartments and other residential environments, including in children’s rooms and rooms where children would be sleeping and playing.

12. At all times relevant hereto, the IKEA defendants knew that MALM dressers would be used in environments in which the dresser was used by and/or accessible to small children.

13. In fact, the IKEA defendants specifically recognized that the drawers of the MALM line were easy for children to climb on.

14. According to Lars Petersson, the President of IKEA USA who was authorized to speak for the IKEA defendants, at all times relevant hereto, IKEA was aware that “[c]hests and drawers are a very tempting playground for children [because] they are using the drawers as a ladder. If children are doing that, the risk of tip-over is very high.”

15. At all times relevant hereto, the IKEA defendants knew that MALM dressers would be used on a variety of surfaces and in rooms with various configurations.

16. At all times relevant hereto, the IKEA defendants knew that MALM dressers lacked counterbalancing weight on the back and bottom of the dresser, causing the dresser to be top-heavy and front-heavy, so as to render it unstable even when used in an intended and/or foreseeable manner.

17. At all times relevant hereto, the IKEA defendants knew that MALM dressers, when used as free-standing units, presented an unreasonable tip-over hazard and were dangerously unsafe for their intended and/or foreseeable use, particularly in environments in which the dresser was used by and/or accessible to small children.

18. At all times relevant hereto, the IKEA defendants had actual knowledge that IKEA furniture and the MALM line in particular was regularly used in consumer's homes where children were present without being secured to a wall.

19. At all times relevant hereto, the IKEA defendants knew that MALM dressers failed to meet minimum stability requirements for tip-over prevention contained in industry standards, including ASTM F2057.

20. Because the IKEA defendants knew that the MALM line would not meet minimum stability requirements for tip-over prevention contained in industry standards, they intentionally, willfully, wantonly and recklessly decided to exclude the MALM line from testing for compliance with those standards as well as for compliance with the IKEA defendants' own internal tip-over requirements.

21. Defendant IKEA U.S. Retail, LLC is headquartered in Pennsylvania at IKEA's North American headquarters located in Conshohocken, Pennsylvania.

22. All of IKEA's North American corporate offices are located at the Conshohocken, Pennsylvania location.

23. Although the sale of the specific MALM dresser which tipped over and killed Jozef Wallace Dudek (the "subject dresser" or the "subject MALM dresser") occurred in California, the California store is owned, controlled and managed by defendant IKEA U.S. Retail, LLC, which is located in Pennsylvania.

24. Thus, the entity that was responsible for the sale of the subject dresser, a “seller” under 402A of the Restatement (Second) of Torts, is a corporate entity located and headquartered in Pennsylvania.

25. All of the critical decisions with respect to the manner of operation of the California IKEA store where the subject dresser was purchased were made in Pennsylvania.

26. All of the critical decisions with respect to how IKEA conducts business in the United States were made at IKEA’s Pennsylvania offices.

27. There are no other IKEA corporate offices located in the United States other than IKEA’s offices located in Pennsylvania.

28. IKEA’s offices in Pennsylvania control its entire North American operations, including controlling the approximately 51 IKEA stores in North America.

29. IKEA U.S. Retail, LLC and its predecessor entities are intimately involved with compliance issues relating to the North American market.

30. All compliance decisions made by IKEA U.S. Retail, LLC and its predecessor entities were made in Pennsylvania.

31. Representatives of the IKEA defendants regularly attend ASTM meetings, including ASTM 15.42 furniture safety meetings.

32. These meetings which the IKEA defendants attend are held at ASTM’s headquarters in Conshohocken, located in Pennsylvania.

33. The IKEA defendants regularly communicate with the United States Consumer Product Safety Commission (“CPSC”).

34. All communications to the CPSC from any IKEA entity originate from the Pennsylvania offices of IKEA.

35. In addition to being the United States headquarters of the IKEA defendants, the Pennsylvania offices also include the headquarters of numerous other IKEA entities which operate in North America.

36. IKEA's Pennsylvania offices serve as a clearinghouse for all claims, complaints and communications with IKEA consumers in North America, including the United States.

37. Any and all communications with consumers in the United States originate from or are approved by IKEA's Pennsylvania headquarters.

38. IKEA intentionally located its United States corporate offices in Pennsylvania.

39. To the extent that any design, testing and decision making with respect to the subject product took place in the United States, all such decisions would have taken place at IKEA's Pennsylvania headquarters.

40. IKEA located its corporate offices in Pennsylvania with the recognition that it was subjecting itself to Pennsylvania law.

41. IKEA executives located in Pennsylvania made all decisions with respect to whether IKEA furniture sold in the United States, including the MALM dresser line, would meet ASTM standards for safety and stability.

42. Any decisions with respect to warnings and instructions specific to the United States market would have been made at IKEA's Pennsylvania headquarters.

43. Any decisions with respect to the "repair program" instituted by IKEA for the MALM dresser line, and the recall of the entire MALM line and other IKEA furniture models, would have been made at IKEA's Pennsylvania headquarters.

44. Any decisions related to advertising in the North American market would have been made at IKEA's Pennsylvania headquarters.

45. According to IKEA USA President Lars Petersson, the MALM line was never designed to be free-standing and could not be used safely unless the dresser was secured to a wall.

46. Despite the above, the IKEA defendants intentionally marketed and sold the MALM line of dressers as free-standing furniture units despite actual knowledge that the dressers presented a risk of serious injury or death when used in this manner.

47. Prior to the sale of the MALM dresser line in the United States, the IKEA defendants' own internal testing, as well as the testing of outside laboratories, confirmed that MALM dressers posed an unreasonable tip-over hazard.

48. At all times relevant hereto, the IKEA defendants had identified a risk of serious injury to children from tip-overs arising from the inherently unstable design of the MALM dresser line, and considered modifying the design. However, the design of the MALM line was never modified to address the known tip-over hazard and injury risk.

49. At all times relevant hereto, the IKEA defendants recognized that the ASTM F2057 standard was the leading industry standard for the furniture industry in the United States, and further recognized that the MALM line did not comply with the standard.

50. Because the IKEA defendants became concerned that the ASTM F2057 standard might become mandatory and as a result IKEA would no longer be able to sell its non-compliant furniture including the MALM line in the United States, the IKEA defendants began to explore design changes to make the furniture compliant with the standard.

51. The IKEA defendants considered design changes to make the MALM line compliant with the ASTM F2057 standard not out of concern for child safety, but because of the

potential loss in profits associated with an interruption in sales of the MALM line and other non-compliant furniture.

52. In exploring design changes to make the MALM line compliant with the ASTM F2057 standard, the IKEA defendants expressly stated what IKEA had long recognized; that the MALM line and other non-compliant dressers presented a safety hazard to children and others because of the inherently unstable design of the dressers and because IKEA's customers were not attaching the dressers to the wall.

53. Despite identifying specific design changes that would make the MALM line compliant with the ASTM F2057 standard, the IKEA defendants ultimately made no design changes and continued to market and sell the existing inherently unstable design for many years, despite actual knowledge that it was unsafe for its intended and/or foreseeable use.

54. At all times relevant hereto, the IKEA defendants were aware of an alternative, safer design of the MALM dresser that was technologically and economically feasible and which would have prevented the tip-over that crushed Jozef Wallace Dudek to death, but the IKEA defendants elected not to adopt this safer design before the sale of the subject MALM dresser.

55. Despite actual knowledge of the risk of serious injury or death associated with IKEA furniture, including the MALM line, that failed to meet minimum stability requirements for tip-over prevention, and actual knowledge that most consumers do not secure chests and dressers to a wall, the IKEA defendants chose to market and sell the MALM line in reckless and wanton disregard of the safety of consumers and their children.

56. At all times relevant hereto, the IKEA defendants did not include adequate hardware to securely anchor the MALM dresser to many or most wall surfaces.

57. At all times relevant hereto, the IKEA defendants failed to warn consumers of the danger of serious injury or death which the IKEA defendants knew could arise from use of the MALM dresser in an intended and/or foreseeable manner, particularly in environments in which the dresser was used by and/or accessible to small children.

58. At all times relevant hereto, the IKEA defendants failed to warn consumers that MALM dressers should not be used in environments where the dresser could not be securely anchored to a wall surface.

59. At all times relevant hereto, the IKEA defendants did not include adequate instructions with respect to securely anchoring the MALM dresser to a wall surface.

60. At all times relevant hereto, the MALM dressers manufactured and sold by the IKEA defendants did not contain any warnings, or contained inadequate warnings, on the product itself or in the assembly instructions with respect to the risk of serious injury or death arising from the tip-over hazard created by the design of the dresser.

61. At all times relevant hereto, the IKEA defendants knew based on their experience with other IKEA furniture and the MALM line specifically that MALM dressers presented an unreasonable tip-over hazard arising from their defective and dangerous design and the IKEA defendant's failure to provide adequate warnings, instructions or wall attachment hardware.

62. At all times relevant hereto, and for many years before the subject MALM dresser was sold to plaintiffs, the IKEA defendants knew that the MALM line, other IKEA furniture lines and furniture products made by other manufacturers, had caused multiple injuries and deaths as a result of tip-over incidents, especially when such furniture was accessible to small children.

63. At the time it was designed and sold, the IKEA defendants knew that the MALM line presented an unreasonable tip-over hazard because of its defective and dangerous design.

64. At all times relevant hereto, the IKEA defendants knew that dressers and other furniture which is properly designed, manufactured and tested can meet industry standards for safety and stability without being anchored to a wall.

65. Plaintiffs Joleen Dudek and Craig Dudek purchased the subject MALM dresser in approximately 2008 from an IKEA retail store located in Costa Mesa, California for use in their home.

66. On the afternoon of May 24, 2017, when plaintiff Craig Dudek entered the bedroom where his son Jozef had been sleeping, he found Jozef pinned between the drawers of the subject MALM dresser, which had fallen on top of him.

67. After lifting the chest of drawers off Jozef, Craig Dudek began to administer CPR. He attempted to reach his wife Joleen Dudek and then ran outside with his son in his arms and shouted for help. Craig Dudek then returned inside and continued CPR in a frantic effort to save his son's life.

68. Shortly thereafter, emergency personnel arrived, took over performing CPR, and began life saving measures in an attempt to revive Jozef.

69. Jozef was then transported to West Anaheim Medical Center. However, life saving measures were unsuccessful and Jozef was pronounced later that same day. The cause of Jozef's death was identified as asphyxia caused by mechanical compression of the neck.

70. At all times relevant hereto, and for many years before the subject MALM dresser was sold to plaintiffs, the IKEA defendants were aware of a tip-over hazard associated with

vertical dressers and other furniture manufactured and sold by the IKEA defendants and other furniture manufacturers, including the MALM line of dressers.

71. According to estimates from the CPSC, more than 43,000 consumers are injured each year in tip-over incidents, with more than 25,000 of those injuries to children under the age of 18.

72. Furniture tip-overs have been recognized to be particularly hazardous for small children, who are at risk of being crushed to death by falling furniture or being trapped under their weight, causing death by asphyxia.

73. The IKEA defendants in particular had specific knowledge of injuries and deaths associated with tip-overs of their furniture for many years prior to the death of Jozef Wallace Dudek, including but not limited to the following:

- In July 1989, a 20-month-old girl from Mt. Vernon, Virginia died after an unanchored GUTE 4-drawer chest tipped over and pinned her against the footboard of a youth bed.
- In March 2002, a 2½-year-old boy from Cranford, New Jersey died after an unanchored RAKKE 5-drawer chest tipped over and fatally pinned him to the floor.
- In January 2005, 3-year-old Katie Lambert from Jenkintown, Pennsylvania died when an unsecured KEN wardrobe located in the room she was playing in tipped over and caused fatal injuries.
- In October 2007, a 3-year-old girl from Chula Vista, California died after a KURS 3-drawer chest tipped over and fatally pinned her to the floor.

74. At all times relevant hereto, the IKEA defendants were specifically aware of numerous other tip-over incidents and injuries associated with the MALM line of dressers prior to the death of Jozef Wallace Dudek, including but not limited to 186 tip-over incidents involving MALM chests and dressers, resulting in injuries to 91 children. In addition, the IKEA

defendants had also received 113 reports of tip-overs of its other chests and dressers resulting in injuries to 53 children.

75. Despite this knowledge, the IKEA defendants intentionally, willfully, wantonly and recklessly failed to adequately redesign the MALM dresser line to address the known risk of injury and death, failed to cease sale of the MALM line, failed to warn the public of the known risk of injury and death and failed to institute a voluntary recall of the MALM line until after a number of children lost their lives.

76. In September of 2011, a 2 year old boy from Woodbridge, Virginia suffered fatal injuries when an unsecured MALM 3 dresser tipped over onto him and trapped him between the dresser drawers.

77. In February of 2014, 2 year old Curren Collas of West Chester, Pennsylvania suffered fatal injuries when an unsecured MALM 6 dresser in his bedroom tipped over, pinning him between the fallen dresser and his bed.

78. In June of 2014, 23 month old Camden James Ellis of Sonhomish, Washington suffered fatal injuries when an unsecured MALM 3 dresser in his bedroom tipped over, crushing him to death.

79. Following the deaths of Curren Collas and Camden James Ellis, and as a result of pressure from the CPSC, the IKEA defendants instituted a type of recall known as a “Repair Program” for the MALM line. (See Exhibit “B”, Repair Program Notice).

80. Through the “Repair Program” the IKEA defendants offered free wall anchoring kits to consumers, expressly acknowledging that the design of the MALM line as sold was dangerous and defective, and that the existing hardware and warnings were insufficient to address the known risks of injury and death associated with the MALM line.

81. However, the IKEA defendants' "Repair Program" was wholly insufficient to prevent further injuries and deaths from tip-overs involving the MALM line.

82. Prior to and during the process that lead to the institution of the "Repair Program", the IKEA defendants intentionally and deliberately failed to provide the CPSC with all reports of tip-over incidents and complaints as required by law.

83. Prior to and during the process that lead to the institution of the "Repair Program", the IKEA defendants deliberately refused to include adequate warnings and instructions with and on the MALM dressers.

84. Following notice of injuries and deaths associated with the MALM line, and during the process that lead to the institution of the "Repair Program", the IKEA defendants intentionally and deliberately refused the CPSC's multiple requests to recall and stop sale of the MALM line.

85. The IKEA defendants' decision to delay institution of a full recall of the MALM line or to otherwise warn the public of the known risks of injury and death associated with the defective and dangerous design of the MALM line, as well as failure to inform the public of the injuries and deaths associated with the MALM line and other IKEA furniture, was motivated by the IKEA defendants' intentional, willful, wanton and reckless desire to place profits over public safety.

86. Accordingly, despite years of actual knowledge of dozens of injuries and deaths associated with unstable, unsafe, defective and dangerous IKEA furniture, including the MALM line, the IKEA defendants failed to take adequate action to prevent additional injuries and deaths.

87. In February of 2016, 22 month old Theodore McGee of Apple Valley, Minnesota suffered fatal injuries when an unsecured MALM 6 dresser tipped over and crushed him to death.

88. It was not until June 28, 2016, after the third death in a two-year period associated with a tip-over of a dresser in the MALM line, that the IKEA defendants finally bowed to pressure from the CPSC, consumer safety organizations, legislators and concerned parents, and agreed to issue a full recall of the MALM line and other unstable, unsafe, defective and dangerous IKEA furniture. (See Exhibit “C”, Recall Notice).

89. In the Recall Notice, IKEA admitted that the 29 million IKEA dressers and chests recalled in the United States, including the MALM line and the furniture lines identified in Exhibit “A,” are “unstable” if not anchored to the wall and pose “a serious tip-over and entrapment hazard that can result in death or serious injuries to children.” (Id.).

90. In connection with the Recall, then CPSC Chairman Elliot Kaye issued a press release warning the public of the extreme hazards associated with the MALM line that the IKEA defendants had been aware of for many years prior to Camden James Ellis’ death. Chairman Kaye said in part: “If you have or think you have one of these products, act immediately. It is simply too dangerous to have the recalled furniture in your home unanchored, especially if you have young children.”

91. On behalf of the IKEA defendants, IKEA USA President Lars Petersson warned consumers to “take [MALM dressers] out of a room that children can access because it could be a danger.”

92. However, the IKEA defendants’ recall efforts were both far too late and wholly insufficient to prevent further tragedy, including the death of Jozef Wallace Dudek.

93. Despite being “IKEA Family” members, plaintiffs never received notice of the Recall. Likewise, IKEA’s insufficient efforts to publicize the Recall and to spread word of the hazards associated with its defective and dangerous furniture did not reach most consumers,

including plaintiffs, and resulted in the subject MALM dresser remaining in use in their home at the time of Jozef's death.

94. The wholly insufficient nature of the Recall and IKEA's tepid efforts to raise public awareness of the defective and dangerous IKEA furniture was expressly recognized by IKEA when, in conjunction with the CPSC, it re-announced a recall on November 21, 2017, following Jozef's death. (See Exhibit "D", Notice of Renounced Recall).

95. In order to prevent or minimize injuries caused by furniture tip-overs, manufacturers, including the IKEA defendants, are obligated to design furniture which is safe and stable for use by children, and to clearly explain to consumers how and why tip-overs occur, what kinds of furniture are most likely to be involved in such accidents, what age children are most at risk for injury from a furniture tip-over and how such incidents can be prevented.

96. The death of Jozef Wallace Dudek was a direct and proximate result of the negligence, carelessness, recklessness and intentional misconduct of the IKEA defendants and their sale of a defective product which was not safe for its intended and foreseeable use, for all of the reasons more specifically averred herein.

III. CAUSES OF ACTION

COUNT I – STRICT PRODUCTS LIABILITY

97. Plaintiffs incorporate by reference all paragraphs of this Complaint as if more fully set forth at length.

98. The fatal injuries sustained by plaintiffs' decedent Jozef Wallace Dudek and the injuries sustained by plaintiffs were caused by the IKEA defendants' sale of a defective product which was unreasonably dangerous for its intended and foreseeable use, and which was unreasonably dangerous to the ultimate users and consumers of the product, for which

defendants are strictly liable pursuant to the provisions of §402A of the Restatement (Second) of Torts.

99. The defective and dangerous condition of the MALM dresser was unknowable and unacceptable to the average or ordinary consumer, and was a condition upon normal use that was dangerous beyond the contemplation of a reasonable consumer.

100. The risk of the defective and dangerous design of the MALM dresser outweighed the utility of the design, such that a reasonable person would conclude that the probability and seriousness of harm arising from the product's design outweighed the burden or cost of taking precautions.

101. The defective and dangerous design and manufacture of the MALM dresser resulted in a product that was unsafe for its intended and foreseeable use, including the intended and foreseeable use of the product by plaintiffs and plaintiffs' decedent.

102. The MALM dresser was also dangerous and defective by virtue of the failure of the IKEA defendants to furnish the product with adequate warnings and instructions.

103. Before the MALM dresser was sold to plaintiffs, the IKEA defendants had actual knowledge that the dresser was unstable when used in an intended and/or foreseeable manner, that the dresser presented a tip-over hazard when used in environments in which the dresser was used by and/or accessible to small children, that a tip-over of a MALM dresser could cause injury or death to small children, and that the instructions, warnings and hardware provided with the dresser were grossly inadequate to address the tip-over hazard created by the design of the dresser.

104. Notwithstanding the IKEA defendants' actual knowledge of the dangers and hazards of the MALM dresser as described herein, the IKEA defendants intentionally,

deliberately and recklessly continued to sell the dresser at IKEA retail stores throughout the United States.

105. As a direct and proximate result of the defective and dangerous design and/or manufacture of the MALM dresser, the failure to provide the product with adequate warnings and instructions, and the wanton, deliberate, reckless and intentional misconduct of the IKEA defendants, plaintiffs and plaintiffs' decedent Jozef Wallace Dudek were caused to suffer the injuries and losses described herein for which they seek compensatory and punitive damages.

COUNT II – NEGLIGENCE AND RECKLESSNESS

106. Plaintiffs incorporate by reference all paragraphs of this Complaint as if more fully set forth at length.

107. The fatal injuries sustained by plaintiffs' decedent Jozef Wallace Dudek and the injuries sustained by plaintiffs were caused by the negligence, carelessness and recklessness of the IKEA defendants, by and through their authorized agents, servants and/or employees, in the following particular respects:

- (a) failing to properly design the MALM dresser in order to prevent or minimize the occurrence of tip-over accidents;
- (b) failing to properly test the MALM dresser in order to prevent or minimize the occurrence of tip-over accidents;
- (c) failing to properly manufacture the MALM dresser so as to prevent or minimize the occurrence of tip-over accidents;
- (d) intentionally marketing and selling the MALM dresser as a free-standing furniture unit despite actual knowledge of its unstable and unsafe design, which presented a significant risk of injury or death, particularly when used by and/or accessible to small children;
- (e) deliberately ignoring numerous and repeated reports from consumers and other data confirming that MALM dressers were routinely used as free-standing furniture, which IKEA

knew presented a significant risk of injury or death, particularly when used by and/or accessible to small children;

- (f) failing to provide adequate warnings with respect to the frequency and occurrence of tip-overs of IKEA furniture, including the MALM dresser;
- (g) failing to provide adequate warnings with respect to the significant risk of serious injury or death to small children from IKEA furniture tip-overs, including tip-overs of the MALM dresser;
- (h) failing to warn consumers that IKEA furniture, including the MALM dresser, should never be used in an environment accessible to small children unless the dresser is securely anchored to the wall;
- (i) failing to warn consumers that the MALM dresser was unsafe for use as a free-standing piece of furniture;
- (j) failing to clearly and adequately advise consumers that the MALM dresser was unstable and unsafe for its intended and/or foreseeable use;
- (k) failing to provide necessary and essential hardware, tools, equipment and instructions to facilitate securing a MALM dresser to the wall;
- (l) failing to provide adequate anti-tip brackets with the MALM dresser;
- (m) failing to design, test and manufacture the MALM dresser to meet or exceed applicable safety standards and codes in the United States and the rest of the world;
- (n) deliberately and recklessly failing and refusing to test the MALM dresser to ASTM safety standard F2057 and other applicable standards that had been accepted by other sellers of furniture in the United States;
- (o) deliberately and recklessly selling the MALM dresser to consumers notwithstanding actual knowledge that the dresser was unstable and prone to tip-over during its intended and/or foreseeable use;
- (p) deliberately and recklessly designing the MALM dresser to be top-heavy and front-heavy so as to be more likely to tip-over;

- (q) deliberately and recklessly selling the MALM dresser to consumers without adequate warnings, instructions or hardware;
- (r) deliberately and recklessly selling the MALM dresser to consumers despite actual knowledge that the dresser failed to meet ASTM safety standard F2057 and other applicable standards;
- (s) deliberately and recklessly concealing from consumers, consumer advocates and regulatory agencies including the CPSC the fact that the MALM dresser could not meet ASTM safety standard F2057 and other applicable standards;
- (t) deliberately and recklessly failing and refusing to include adequate warnings and instructions on the product to warn consumers of the dangerous associated with its unstable and unsafe design;
- (u) deliberately and recklessly failing and refusing to include adequate and appropriate wall attachment screws and other hardware for securing the MALM dresser to the wall;
- (v) deliberately and recklessly failing and refusing to redesign the MALM dresser after receiving notice of injuries and deaths to other children caused by the unstable and unsafe design of the dresser;
- (w) deliberately and recklessly failing to provide the CPSC with all reports of tip-over complaints and incidents received from consumers as required by law;
- (x) deliberately and recklessly failing and refusing to stop selling and recall the MALM dresser after multiple requests from the CPSC and after receiving notice of injuries and deaths to other children caused by the unstable and unsafe design of the dresser;
- (y) deliberately and recklessly failing to conduct an adequate recall; and
- (z) deliberately and recklessly failing to adequately publicize the recall in order to inform the public of the dangers associated with continued use of the MALM dresser.

108. As a direct and proximate result of the negligence, carelessness and wanton, deliberate and reckless conduct of the IKEA defendants, plaintiffs and plaintiffs' decedent Jozef

Wallace Dudek were caused to suffer the injuries and losses described herein for which they seek compensatory and punitive damages.

IV. DAMAGES

A. Wrongful Death Action

109. Plaintiffs incorporate by reference all paragraphs of this Complaint as if more fully set forth at length.

110. This action is brought on behalf of all persons entitled to recover damages for the death of Jozef Wallace Dudek, deceased, pursuant to the Pennsylvania Wrongful Death Act, 42 Pa. C.S.A. §8301.

111. The wrongful death beneficiaries are as follows:

Name	Relationship	Address
Joleen Dudek	Mother	7523 El Cerro Drive Buena Park, CA 90620
Craig Dudek	Father	7523 El Cerro Drive Buena Park, CA 90620

112. Jozef Wallace Dudek did not bring any claim for the matters set forth in this Complaint during his lifetime.

113. Plaintiffs Joleen Dudek and Craig Dudek, Co-Administrators of the Estate of their son, Jozef Wallace Dudek, deceased, claim all lawful damages for all persons entitled by law to recover such damages, including but not limited to medical expenses, funeral expenses, expenses of administration, loss of expected pecuniary contributions and loss of the decedent's companionship, guidance and tutelage.

WHEREFORE, plaintiffs Joleen Dudek and Craig Dudek, Individually and as Co-Administrators of the Estate of Jozef Wallace Dudek, deceased, demand judgment in favor of

plaintiffs and against all defendants for compensatory and punitive damages in excess of the jurisdictional limit for arbitration, together with interest and costs.

B. Survival Action

114. Plaintiffs incorporate by reference all paragraphs of this Complaint as if more fully set forth at length.

115. Plaintiffs bring this action on behalf of the Estate of Jozef Wallace Dudek, deceased, pursuant to the Pennsylvania Survival Act, 42 Pa.C.S.A. §8302, and claim on behalf of the Estate all damages recoverable by law, including but not limited to the decedent's pain and suffering, loss of earnings and earning capacity and the total limitation and deprivation of the decedent's normal activities, pursuits and pleasures.

WHEREFORE, plaintiffs Joleen Dudek and Craig Dudek, Individually and as Co-Administrators of the Estate of Jozef Wallace Dudek, deceased, demand judgment in favor of plaintiffs and against all defendants for compensatory and punitive damages in excess of the jurisdictional limit for arbitration, together with interest and costs.

C. Negligent Infliction of Emotional Distress

116. Plaintiffs incorporate by reference all paragraphs of this Complaint as if more fully set forth at length.

117. As a direct and proximate result of the IKEA defendants' conduct, plaintiffs' decedent Jozef Wallace Dudek suffered fatal injuries in the presence of his father, plaintiff Craig Dudek.

118. As a direct and proximate result of the IKEA defendants' conduct, plaintiff Craig Dudek suffered and continues to suffer from severe emotional distress, harm to his psychological well-being and physical harm.

WHEREFORE, plaintiffs Joleen Dudek and Craig Dudek, Individually and as Co-Administrators of the Estate of Jozef Wallace Dudek, deceased, demand judgment in favor of plaintiff Craig Dudek and against all defendants for compensatory and punitive damages in excess of the jurisdictional limit for arbitration, together with interest and costs.

D. Punitive Damages

119. Plaintiffs incorporate by reference all paragraphs of this Complaint as if more fully set forth at length.

120. The actions of the IKEA defendants as set forth above constitute willful and wanton misconduct in reckless disregard of the rights and safety of plaintiffs and plaintiffs' decedent, and warrant the imposition of punitive damages against the IKEA defendants.

WHEREFORE, plaintiffs Joleen Dudek and Craig Dudek, Individually and as Co-Administrators of the Estate of Jozef Wallace Dudek, deceased, demand judgment in favor of plaintiffs and against all defendants for compensatory and punitive damages in excess of the jurisdictional limit for arbitration, together with interest and costs.

FELDMAN SHEPHERD WOHLGELERNTER
TANNER WEINSTOCK & DODIG, LLP



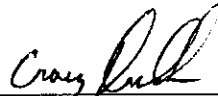
ALAN M. FELDMAN
DANIEL J. MANN
EDWARD S. GOLDIS
Attorneys for Plaintiffs

VERIFICATION

We, Joleen Dudek and Craig Dudek, Individually and as Co-Administrators of the Estate of Jozef Wallace Dudek, deceased, plaintiffs in the foregoing pleading, state that the facts set forth are true and correct to the best of our knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa.C.S. §4904, which relates to unsworn falsification to authorities.



JOLEEN DUDEK, Individually and as
Co-Administrator of the Estate of
Jozef Wallace Dudek, deceased



CRAIG DUDEK, Individually and as
Co-Administrator of the Estate of
Jozef Wallace Dudek, deceased

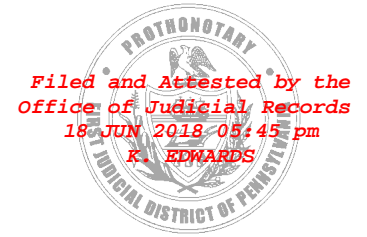


EXHIBIT “A”

IKEA Chests/Dressers

Note: the following list below is in addition to the MALM 3, 4, 5 and 6 drawer chest of drawers and dressers.

FAMILY NAME	MODEL
ALESUND	4-drawers
ALVESTA	5-drawers
ANEBODA	3-drawers, 5-drawers
ANGUS	chest of drawers
ÄNES	4-drawers
ARUP	4-drawers, 6-drawers
ASKEDAL	4-drawers, 6-drawers
ASKVOLL	5-drawers
ASPELUND	2-drawers, 3-drawers, 4-drawers
BALSTAR	6-drawers, 10-drawers
BANKERYD	3-drawers, 5-drawers
BERGSMO	8-drawers
BIALITT	3-drawers, 6-drawers
BIRKELAND	3-drawers, 6-drawers
BJÖRKVALLA	5-drawers, 6-drawers
BJÖRN	4-drawers, 6-drawers, 8-drawers
BLIMP	chest of drawers
BOJ	chest of drawers
BOKSTA	6-drawers
BRETT	3-drawers
BRIMNES	2-drawers, 3-drawers, 4-drawers
BRUSALI	3-drawers, 4-drawers
BUSUNGE	2-drawers
DIKTAD	changing table/chest of drawers
EDLAND	2-drawers, 3-drawers, 5-drawers, 6-drawers
ELIS	chest of drawers
ENGAN	2-drawers/2-door, 4-drawers
ESKIL	5-drawers
FJELL	4-drawers
FJORD	3-drawers, 5-drawers, 6-drawers, 7-drawers, 8-drawers
FLATEN	3-drawers, 5-drawers, 6-drawers, 7-drawers
FRIDOLIN	7-drawers, 11-drawers
GUTE	4-drawers, 6-drawers, 8-drawers, 10-drawers
GRANAS	4-drawers, 6-drawers
HADDAL	3-drawers, 4 drawers
HAJDEBY	chest of drawers
HEMNES	2-drawers/1 shelf, 3-drawers, 5-drawers, 6-drawers stained

FAMILY NAME	MODEL
	pine, mirror chest
HENSVIK	3-drawers
HERRESTAD	4 drawers
HOPEN	4-drawers, 6-drawers, 8-drawers
HOSTELAND	4-drawers, 6-drawers
HOLLEBY	chest of drawers
HOVDA	double chest
HURDAL	3-drawers, 5-drawers (22 inches wide)
KABIN	4 drawers, 6 drawers, 8 drawers
KIRKENES	5 drawers
KNOT	3-drawers
KOPPANG	3-drawers
KUSK	3-drawers
KULLEN	5-drawers
KURS	3-drawers, 4-drawers, 6 drawers
KVIBY	4-drawers
LEKSVIK	2-drawers, 4-drawers, 5-drawers, 6-drawers, 7-drawers
LO	3-drawers
LOMEN	3-drawers, 2 drawers/2 door chest
MAC	5-drawers 6-drawers 8-drawers
MAST	6-drawers
MAMMUT	3-drawers, 4-drawers, chest of drawers
MANDAL	3-drawers, 4-drawers, 6-drawers
MERÅKER	4-drawers, 7-drawers
MIDSUND	5-drawers
NATURA	4-drawers, 5-drawers
NARVIK	3-drawers chest, changing table/chest of drawers, 5 drawers, 6-drawers
NORDLI	3-drawers, 4-drawers (15,7 inches wide)
NORDNES	10-drawers
NORNÄS	4-drawers/2-compartments
NYVOLL	3-drawers, 6-drawers
OTTENBY	5-drawers
RANVIK	5-drawers
RAKKE	5-drawers
RAMBERG	3-drawers
RODD	3-drawers, 5-drawers
ROBIN	3-drawers, 8-drawers
RUSTIK	chest of drawers
SALA	3-drawers
SANDEFJORD	5-drawers
STOCKHOLM	4-drawers
STRANDA	4-drawers

FAMILY NAME	MODEL
STUVA	chest of drawers
SUNDBIK	changing table/chest of drawers
SVEIO	5-drawers
STAVANGER	5-drawers
SYDVAST	3-drawers, 6-drawers, 7-drawers
TARVA	3-drawers, 5-drawers, 6-drawers
TASSA	3-drawers
TRANDUM	3-drawers
TORE	chest of drawers
TOVIK	3-drawers
TRANDUM	6-drawers
TROGEN	3-drawers, chest of drawers
TROFAST	chest of drawers
TRONDHEIM	3-drawers, 4-drawers, 6-drawers
TRYSIL	3-drawers
TYSSDAL	4-drawers, 6-drawers
UNDREDAL	4-drawers
VARDE	6-drawers
VALLVIK	3-drawers, 6-drawers
VAJER	4-drawers, 6-drawers
VESTBY	chest of drawers
VINSTRÅ	3-drawers, 6-drawers
VISDALEN	7-drawers, 6-drawers
VOLLEN	3-drawers

EXHIBIT “B”

UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION

728

Print

IKEA Offers Free Wall Anchoring Repair Kit for Chests and Dressers Due to Tip-over Hazard After Two Children Died

MALM and other IKEA chests and dressers can tip-over if not anchored to the wall.

July 22, 2015 Summary

Release Number: 15-190

Name of Product: Children's and adult chests and dressers

Hazard: Chests and dressers can tip over if not attached to the wall, posing an entrapment hazard.

Remedy: Repair

Consumer Contact: IKEA toll-free at (888) 966-4532 anytime or online at www.IKEA-USA.com/saferhomestogether for more information on how to receive a free wall anchoring kit.

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission (CPSC), in cooperation with IKEA North America, of Conshohocken, Pa, is announcing a repair program that includes a free wall anchoring kit, for their MALM 3- and 4-drawer chests and two styles of MALM 6- drawer chests, and other chests and dressers. The chests and dressers can pose a tip-over hazard if not securely anchored to the wall.

IKEA received reports of two children who died after MALM chests tipped over and fell on them. Consumers should immediately stop using all IKEA children's chests and dressers taller than 23 ½ inches and adult chests and dressers taller than 29 ½ inches, unless they are securely anchored to the wall. The free wall anchoring kit should be used to secure MALM and other IKEA chests and dressers to the wall.

About 7 million MALM chests and 20 million other IKEA chests and dressers are part of the nationwide repair program.

CPSC and IKEA received a report that in February 2014, a 2-year-old boy from West Chester, Pa. died after a MALM 6-drawer chest (48 3/8 inches high) tipped over and fatally pinned him against his bed. CPSC and IKEA also received a report that in June 2014, a 23-month old child from Snohomish, Wash. died after he became trapped beneath a 3-drawer (30 ¾ inches high) MALM chest that tipped over. Neither chest had been secured to the wall. IKEA and CPSC have also received 14 reports of tip-over incidents involving MALM chests, resulting in four injuries. Since 1989, IKEA is aware of three additional reports of deaths from tip-overs involving other models of IKEA chests and dressers.

IKEA is offering U.S. consumers a wall anchoring repair kit free of charge for use with the MALM chests, IKEA children's chests and dressers taller than 23 ½ inches, and IKEA adult chests and dressers taller than 29 ½ inches. The kit contains replacement tip-over restraints for use by any consumer who has not secured their IKEA chest or dresser to the wall. The kit also includes complete wall anchoring hardware, instructions and warning labels to be affixed to the furniture.

CPSC and IKEA are urging consumers to inspect their IKEA chests and dressers to ensure that they are securely anchored to the wall. Consumers should move unanchored chests and dressers into storage or other areas where they cannot be accessed by children until the chests and dressers are properly anchored to the wall.

The MALM chests that are part of the repair program were sold starting in 2002. The price of the chests range from about \$80 to \$200.

To receive a free wall anchoring kit, visit an IKEA retail store, go to www.IKEA-USA.com/saferhomestogether, or call (888) 966-4532.

A child dies every two weeks and a child is injured every 24 minutes in the U.S. from furniture or TVs tipping over, according to CPSC data. To help prevent injuries and deaths, CPSC and IKEA urge consumers to securely anchor furniture and TVs to prevent these tragedies and make their home a safer place. For more information, visit www.AnchorIt.gov and www.IKEA-USA.com/saferhomestogether.

The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of injury or death associated with the use of thousands of types of consumer products under the agency's jurisdiction. Deaths, injuries, and property damage from consumer product incidents cost the nation more than \$1 trillion annually. CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical or mechanical hazard. CPSC's work to help ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters and household chemicals — contributed to a decline in the rate of deaths and injuries associated with consumer products over the past 40 years.

Federal law bars any person from selling products subject to a publicly-announced voluntary recall by a manufacturer or a mandatory recall ordered by the Commission.

To report a dangerous product or a product-related injury go online to www.SaferProducts.gov or call CPSC's Hotline at 800-638-2772 or teletypewriter at 301-595-7054 for the hearing impaired. Consumers can obtain news release and recall information at www.cpsc.gov, on Twitter @USCPSC or by subscribing to CPSC's [free e-mail newsletters](#).

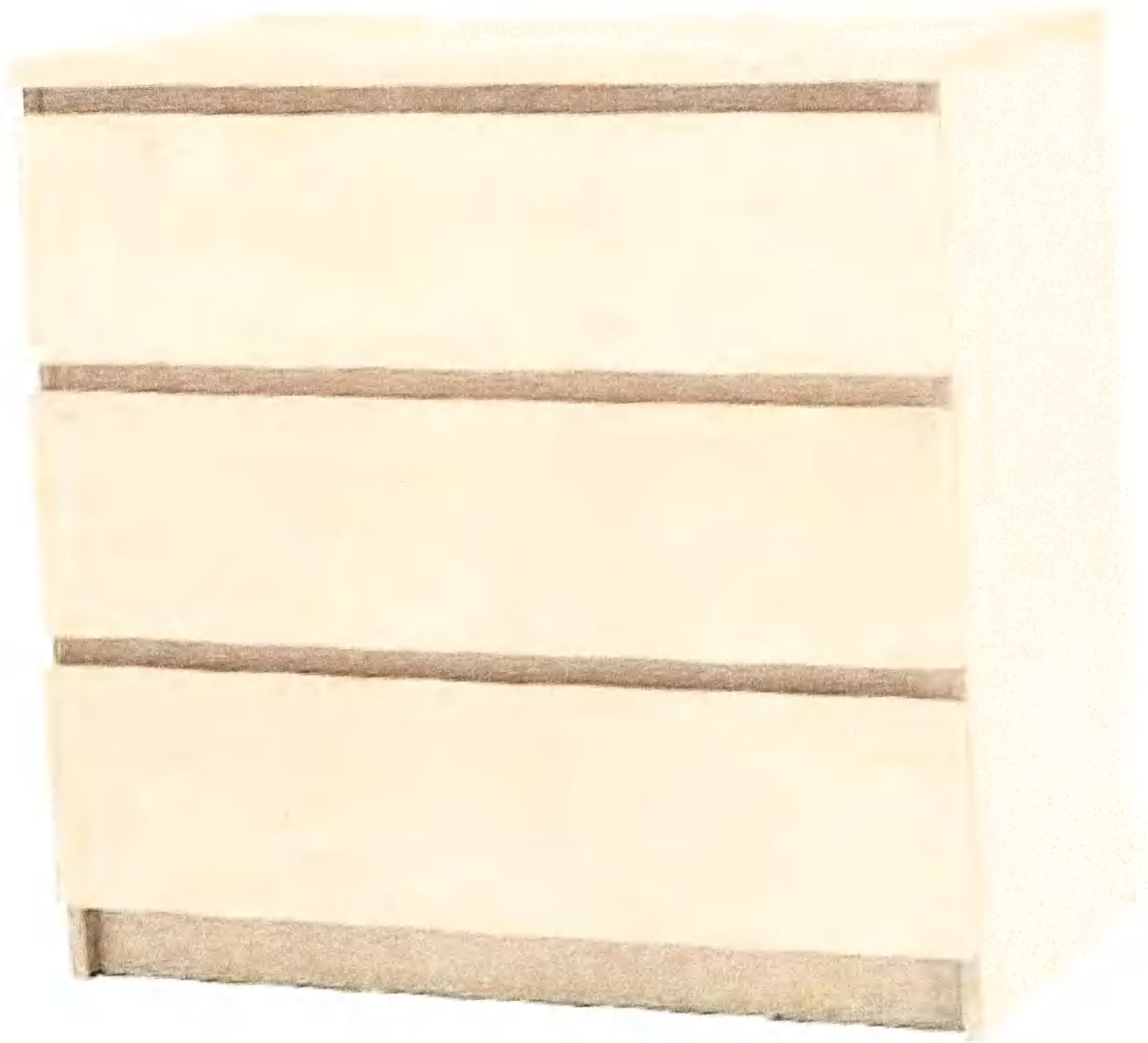








EXHIBIT “C”



[En](#)
[Español](#)

Following an Additional Child Fatality, IKEA Recalls 29 Million MALM and Other Models of Chests and Dressers Due to Serious Tip-Over Hazard; Consumers Urged to Anchor Chests and Dressers or Return for Refund

The recalled chests and dressers are unstable if they are not properly anchored to the wall, posing a serious tip-over and entrapment hazard that can result in death or injuries to children.

796

Recall date: June 28, 2016

Recall number: 16-204

Name of product:

Children's and adult chests and dressers

Hazard:

The recalled chests and dressers are unstable if they are not properly anchored to the wall, posing a serious tip-over and entrapment hazard that can result in death or injuries to children.

Remedy:

[Repair](#) [Refund](#)

Consumer Contact:

IKEA toll-free at 866-856-4532 anytime or online at www.IKEA-USA.com/recallchestsanddressers or www.IKEA-USA.com and click on Product Recall for more information on how to receive a refund or free wall-anchoring repair kit.

[Report an Incident Involving this Product](#)

In conjunction with



Units

About 8 million MALM chests and dressers and 21 million additional children's and adult chests and dressers in the U.S. (In addition, 6.6 million were sold in Canada)

Description

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission (CPSC), in cooperation with IKEA North America, of Conshohocken, Pa., is announcing the recall of all chests and dressers that do not comply with the performance requirements of the U.S. voluntary industry standard (ASTM F2057-14). The recalled children's

chests and dressers are taller than 23.5 inches and adult chests and dressers are taller than 29.5 inches. The 29 million units of recalled chests and dressers include: MALM 3-drawer, 4-drawer, 5-drawer and three 6-drawer models and other children's and adult chests and dressers. The recalled chests and dressers are unstable if they are not properly anchored to the wall, posing a serious tip-over and entrapment hazard that can result in death or serious injuries to children.

On July 22, 2015, CPSC and IKEA announced a [repair program](#) for the chests and dressers that included a free wall-anchoring repair kit for the MALM chests and dressers and other IKEA chests and dressers. Two tragic fatalities involving MALM chests and dressers occurred prior to the announcement of the repair program:

- In February 2014, a 2-year-old boy from West Chester, Pa. died after a 6-drawer MALM chest tipped over and fatally pinned him against his bed.
- In June 2014, a 23-month-old boy from Snohomish, Wash. died after he became trapped beneath a 3-drawer MALM chest that tipped over.

Subsequent to the July 2015 announcement, CPSC and IKEA learned of additional tip-over incidents, including a February 2016 incident in which a 22-month-old boy from Apple Valley, Minn. died when a MALM 6-drawer chest fell on top of him.

None of the chests or dressers in the above-listed incidents had been anchored to the wall. In addition to the three deaths, IKEA received reports of 41 tip-over incidents involving the MALM chests and dressers, resulting in 17 injuries to children between the ages of 19 months and 10 years old.

The MALM chests and dressers are constructed of particleboard or fiberboard and are white, birch (veneer), medium brown, black-brown, white stained oak (veneer), oak (veneer), pink, turquoise, grey, grey-turquoise, lilac, green, brown stained ash (veneer), and black. A 5-digit supplier number, 4-digit date stamp, IKEA logo, country of origin and "MALM" are printed on the underside of the top panel or inside the side panel.

Since 1996, IKEA chests and dressers have been labeled to identify IKEA, the model name and the manufacturing date.

The recalled MALM chests were sold from 2002 through June 2016 for between \$70 and \$200.

RECALLED MALM CHESTS AND DRESSERS

Names	Sold Dates	Measurements
MALM 3	10/2002 to 6/2016	31½" x 18⅞" x 30¾"-
MALM 4	6/2002 to 6/2016	31½" x 18⅞" x 39½"-
MALM 5	10/2002 to 4/2006	15 ⁷ / ₈ " x 19" x 48 ¹ / ₄ "-
MALM 6	6/2002 to 6/2016	31½" x 18⅞" x 48¾"-
MALM 6 LONG	11/2002 to 6/2016	63" x 18⅞" x 30¾"-
MALM 6	4/2006 to 6/2016	15 ³ / ₄ " x 19 ¹ / ₈ " x 48 ³ / ₈ "-

IKEA also received 41 reports of tip-overs involving chests and dressers other than MALMs, resulting in the deaths of three children and 19 injuries to children:

- In July 1989, a 20-month-old girl from Mt. Vernon, Va. died after an unanchored GUTE 4-drawer chest tipped over and pinned her against the footboard of a youth bed.
- In March 2002, a 2½-year-old boy from Cranford, N.J. died after an unanchored RAKKE 5-drawer chest tipped over and fatally pinned him to the floor.
- In October 2007, a 3-year-old girl from Chula Vista, Calif. died after a KURS 3-drawer chest tipped over and fatally pinned her to the floor. It is unknown as to whether the dresser was anchored or not.

OTHER RECALLED CHESTS AND DRESSERS

Most of the non-MALM chests and dressers included in this recall are listed on the IKEA website at www.IKEA-USA.com/recallchestsanddressers.

Since 1996, IKEA chests and dressers have been labeled to identify IKEA, the model name and the manufacturing date.

CPSC and IKEA are urging consumers to inspect their recalled IKEA chests and dressers to ensure that they are properly anchored to the wall. Chests and dressers should be properly anchored to the wall whether or not they meet the ASTM standard. Consumers should move any unanchored chests and dressers into storage or other areas where they cannot be accessed by children until the chests and dressers are properly anchored to the wall or removed from the home.

To receive a refund or free wall-anchoring kit for IKEA chests and dressers listed above, visit an IKEA retail store, go to www.IKEA-USA.com/recallchestsanddressers, or call 866-856-4532 anytime.

A child dies every two weeks and a child is injured every 24 minutes in the U.S. from furniture or TVs tipping over,

according to CPSC data.

Remedy

Consumers should immediately stop using any recalled chest and dresser that is not properly anchored to the wall and place it into an area that children cannot access. Contact IKEA for a choice between two options: refund or a free wall-anchoring repair kit.

Consumers are entitled to a full refund for chests and dressers manufactured between January 2002 and June 2016. Consumers with chests and dressers manufactured prior to January 2002 will be eligible for a partial store credit.

Consumers can order a free wall-anchoring repair kit. Consumers can install the kit themselves or IKEA will provide a one-time, free in-home installation service, upon request. Consumers can reorder the kits throughout the life of their chest and dresser.

Related Resources

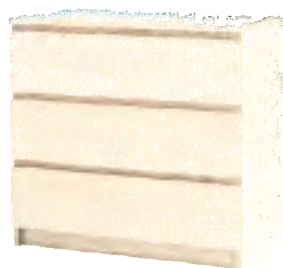
[Frequently Asked Questions](#)

[Chairman Kaye's Statement](#)

The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of injury or death associated with the use of thousands of types of consumer products under the agency's jurisdiction. Deaths, injuries, and property damage from consumer product incidents cost the nation more than \$1 trillion annually. CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical or mechanical hazard. CPSC's work to help ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters and household chemicals -- contributed to a decline in the rate of deaths and injuries associated with consumer products over the past 40 years.

Federal law bars any person from selling products subject to a publicly-announced voluntary recall by a manufacturer or a mandatory recall ordered by the Commission.

To report a dangerous product or a product-related injury go online to www.SaferProducts.gov or call CPSC's Hotline at 800-638-2772 or teletypewriter at 301-595-7054 for the hearing impaired. Consumers can obtain news release and recall information at www.cpsc.gov, on Twitter [@USCPSC](https://twitter.com/USCPSC) or by subscribing to CPSC's [free e-mail newsletters](#).



Recalled IKEA MALM 3-drawer dresser



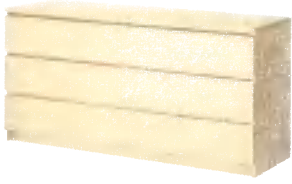
Recalled IKEA MALM 4-drawer dresser



Recalled IKEA MALM 5-drawer dresser



Recalled IKEA MALM 6-drawer dresser



Recalled IKEA MALM 6-
drawer dresser



Recalled IKEA MALM 6-
drawer dresser

EXHIBIT “D”

IKEA Reannounces Recall of MALM and Other Models of Chests and Dressers Due to Serious Tip-over Hazard; 8th Child Fatality Reported; Consumers Urged to Choose Between Refund or Repair

 En Español



678



Name of product:
Children's and adult chests and dressers

Hazard:
The recalled chests and dressers are unstable if they are not properly anchored to the wall, posing serious tip-over and entrapment hazards that can result in injuries or death to children.

Remedy:
Refund
Repair

Recall date:
November 21, 2017

Units:
About 17.3 million (Based on updated information from IKEA, the number of U.S. units has been revised downward from June 2016.)



Consumer Contact:

IKEA toll-free at 866-856-4532 anytime, or online at www.IKEA-USA.com or http://www.ikea.com/ms/en_US/ikea-chest-and-dresser-recall/index.html for more information and to participate in the recall.

Recall Details

Description:
This recall reannouncement involves MALM and other IKEA chests and dressers that do not comply with the requirements of the U.S. voluntary industry standard (ASTM F2057-14). The recalled children's and adult chests and dressers include the MALM 3-drawer, 4-drawer, 5-drawer and three 6-drawer models and other non-MALM models. The recalled children's chests and dressers are taller than 23.5 inches; recalled adult chests and dressers are taller than 29.5 inches.

The MALM chests and dressers are constructed of particleboard or fiberboard and are white, birch (veneer), medium brown, black-brown, white stained oak (veneer), oak (veneer), pink, turquoise, grey, grey-turquoise, lilac, green, brown stained ash (veneer), and black. A 5-digit supplier number, 4-digit date stamp, IKEA logo, country of origin and "MALM" are printed on the underside of the top panel or inside the side panel.

RECALLED MALM CHESTS AND DRESSERS

Names	Sold Dates	Measurements
MALM 3	10/2002 to 6/2016	31½" x 18⅞" x 30¾"
MALM 4	6/2002 to 6/2016	31½" x 18⅞" x 39½"
MALM 5	10/2002 to 4/2006	15 ⁷ / ₈ " x 19" x 48 ¹ / ₄ "
MALM 6	6/2002 to 6/2016	31½" x 18⅞" x 48⅞"
MALM 6 LONG	11/2002 to 6/2016	63" x 18⅞" x 30¾"
MALM 6	4/2006 to 6/2016	15 ³ / ₄ " x 19 ¹ / ₈ " x 48 ³ / ₈ "

OTHER CHESTS AND DRESSERS INCLUDED IN THIS RECALL

To see a complete list of other non-MALM chests and dressers included in this recall, click on this link www.IKEA-USA.com or http://www.ikea.com/ms/en_US/ikea-chest-and-dresser-recall/index.html on IKEA's website.

Since 1996, IKEA chests and dressers have been labeled to identify IKEA, the model name and the manufacturing date.

Remedy:

Consumers should immediately stop using any recalled chest or dresser that is not properly anchored to the wall and place it in an area that children cannot access. Contact IKEA for a choice between two options: refund or a free wall-anchoring kit. IKEA will pick up the recalled dressers free of charge or provide a one-time, free in-home wall-anchoring service for consumers upon request. Consumers can obtain assistance from IKEA through its website at www.IKEA-USA.com or http://www.ikea.com/ms/en_US/ikea-chest-and-dresser-recall/index.html. Consumers with chests and dressers manufactured prior to January 2002 are eligible for a partial store credit.

Incidents/Injuries:

IKEA has received 186 reports of tip-over incidents involving the MALM chests and dressers, including 91 reports of injuries to children. In addition, IKEA has received 113 reports of tip-overs with other recalled IKEA chests and dressers, including 53 reports of injuries to children:

There have been eight reports of child tip-over related deaths with the recalled chests and dressers.

- The most recent reported death in May 2017 involved a 2-year-old boy in Buena Park, Calif. after he became trapped beneath an unanchored MALM 3-drawer chest that tipped over.

Previously reported deaths with MALM dressers or chests include:

- February 2016: A 22-month-old boy from Apple Valley, Minn. died after an unanchored MALM 6-drawer chest fell on top of him.
- June 2014: A 23-month-old boy from Snohomish, Wash. died after he became trapped beneath an unanchored MALM 3-drawer chest that tipped over.
- February 2014: A 2-year-old boy from West Chester, Pa. died after an unanchored MALM 6-drawer chest tipped over fatally pinning him against his bed.
- September 2011: A 2-year-old boy from Woodbridge, Va. died after an unanchored MALM 3-drawer chest tipped over and trapped him between the dresser drawers.

Previously reported deaths with other model IKEA chests and dressers include:

- July 1989: A 20-month-old girl from Mt. Vernon, Va. died after an unanchored GUTE 4-drawer chest tipped over and pinned her against the footboard of a youth bed.
- March 2002: A 2½-year-old boy from Cranford, N.J. died after an unanchored RAKKE 5-drawer chest tipped over and fatally pinned him to the floor.

October 2007, a 3-year-old girl from Chula Vista, Calif. died after a KURS 3-drawer chest tipped over and fatally pinned her to the floor. It is unknown whether the dresser was anchored or not.

Sold At:

IKEA stores nationwide and online at www.IKEA.com from January 2002 through June 2016 for between \$70 and \$200. Other chests and dressers subject to this recall were sold between approximately 1985 and June 2016.

Importer(s):

IKEA Supply AG, of Switzerland (May 2009 – present) and predecessors to IKEA Supply AG (1985 – May 2009)

Manufactured In:

Varios paises

Note:

Dangerous tip-over incidents often occur when curious kids climb on furniture in an attempt to access TVs, toys, remotes or other desired items. While the threat is serious, the solution is simple. Anchor TVs, furniture and appliances in the home. And when product recalls are announced, act on them immediately. Visit AnchorIt.gov to see how TV and furniture tip-over incidents occur and the simple steps to prevent them.

Recall number:

18-040

Report an Incident Involving this Product

The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of injury or death associated with the use of thousands of types of consumer products under the agency's jurisdiction. Deaths, injuries, and property damage from consumer product incidents cost the nation more than \$1 trillion annually. CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical or mechanical hazard. CPSC's work to help ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters and household chemicals — contributed to a decline in the rate of deaths and injuries associated with consumer products over the past 40 years.

Federal law bars any person from selling products subject to a publicly-announced voluntary recall by a manufacturer or a mandatory recall ordered by the Commission.

To report a dangerous product or a product-related injury go online to www.SaferProducts.gov or call CPSC's Hotline at 800-638-2772 or teletypewriter at 301-595-7054 for the hearing impaired. Consumers can obtain news release and recall information at www.cpsc.gov, on Twitter [@USCPSC](https://twitter.com/USCPSC) or by subscribing to CPSC's [free e-mail newsletters](#).