



## Ericson W. Enger

Associate

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Jackson, MS – 601.499.8082

Ericson Enger takes pride in helping his clients effectively navigate even the most complex matters. His practice focuses on the defense of claims related to general liability, premises liability, personal injury and product liability. Ericson has a wide-ranging background in a diverse array of litigation practice areas, including products liability, commercial litigation, professional liability, civil rights litigation and copyright law.

In his civil litigation practice, Ericson has successfully represented Fortune 100 companies in various federal jurisdictions across the United States, including multidistrict litigation. Given Ericson's experience in complex litigation, he takes pride in his meticulous attention to detail and believes that the ability to analyze every aspect of a case is one of the defining traits of a superior advocate.

Ericson led his previous firm's Anti-Fraud and Internal Audit Team, where he successfully represented Fortune 100 companies in various federal, state and multidistrict jurisdictions across the United States. During that time, with the use of cutting-edge software and tools, Ericson developed various novel litigation strategies that employed modern techniques to seek the global dismissal of dozens – and in some instances hundreds – of cases, as opposed to a one-off approach. As a result of his antifraud efforts, Ericson was able to secure more than a thousand federal case dismissals, which not only served as an effective hedge against future frivolous lawsuits but also ultimately saved his clients hundreds of millions in potential legal costs.

Prior to his work as an attorney, Ericson served as a law clerk for William L. Waller Jr., Chief Justice of the Mississippi Supreme Court, prior to his run for governor of Mississippi.

### Education

- Mississippi College School of Law (J.D., 2018)

### Services

- Commercial Litigation
- Toxic Tort
- Risk Analysis & Mitigation

- magna cum laude; Order of the Coif; Law Review Editor; Moot Court Board; Order of the Barristers; Phi Delta Phi; Charles Clark Inn of Court
- University of Mississippi (B.A. History and Political Science, 2015)
  - cum laude; Mississippi Eminent Scholar; Sigma Alpha Lambda; Phi Sigma Alpha; Phi Alpha Theta

## **Bar Admissions**

- Mississippi

## **Court Admissions**

- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern District of Mississippi
- U.S. District Court, Southern District of Mississippi

## **Professional Affiliations**

- Federal Bar Association
- Mississippi Bar Association
- Capital Area Bar Association
- Madison County Bar Association
- Charles Clark Inn of Court
- Professional Liability Defense Federation
- Anti-Fraud Alliance
- Jackson Young Lawyers Association
- Phoenix Club of Jackson

## **Awards & Honors**

Selected for inclusion in *The Best Lawyers in America® Ones to Watch™*, 2024-2026

# **Representative Matters**

Successfully prosecuted hundreds of individual toxic tort claims, all of which were based on alleged diagnoses rendered by two physicians who had no knowledge that the "diagnoses" would be used as the basis for hundreds of federal lawsuits. These findings led to the dismissal of more than 400 separate lawsuits, all of which were brought in the Southern District of Mississippi.

Successfully attained the dismissal of 28 separate federal toxic tort cases through the filing of a single Motion for Summary Judgment based on plaintiffs' previous filing of a workers' compensation claim, which violated an "Election of Remedies" provision

contained in the Medical Settlement Agreement.

## Client Wins

### **Enger & Mulvaney Win Summary Judgment for Client that Refused to Settle**

Ericson Enger (Associate-Jackson, MS), assisted by Kevin Mulvaney (Partner-Detroit, MI), secured summary judgment for a third-party sample vendor for warehouse stores in a liability action in the Circuit Court of Pulaski County, Arkansas. The plaintiff was injured after slipping on an unidentified substance in a warehouse store, and filed suit against the store and our client, alleging negligence against both. Pursuant to the terms of an executed services agreement, our client only had a duty to clean the area within 10 feet of the sample stands operated in the store by its employees. During discovery, the plaintiff reached a settlement with the store in return for a voluntary dismissal. Shortly thereafter, Ericson filed a motion for summary judgment wherein the team contended that, given the terms of the services agreement between our client and store, the plaintiff could not demonstrate that our client owed her an independent duty of care, nor could she establish the violation of such a duty. Ericson and Kevin supported their arguments with the testimony of a prior employee of our client who measured the distance between the plaintiff's fall and the sample stand he was operating. Ultimately, the court granted the motion for summary judgment, which resulted in substantial savings for the client, that, unlike the store, opted to defend the action as opposed to settling.

### **Young and Enger Bring Construction Defect Suit to Successful Early Close**

Rebecca Young (Partner-Birmingham, AL) and Ericson Enger (Associate-Jackson, MS) obtained dismissal in a multi-party construction defect case. They were able to convince the plaintiffs' counsel to voluntarily dismiss the claims against our construction company client by obtaining crucial witness statements directly refuting the property owners' allegations and demonstrated that the construction defect claims against the firm client would likely fail if pursued and could potentially weaken the plaintiffs' position against the other parties. By taking an aggressive and proactive approach, Rebecca and Ericson were able to get the case resolved at the very early stages to save the client and multiple carriers the extensive time and expense of going forward with complex construction defect discovery, which would have included dozens of depositions, expert discovery and volumes of document production.