

PHILIP A. ERICKSON



Partner

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Philip A. Erickson is a partner in the firm's East Lansing office who focuses his litigation practice in the areas of employment, education, municipal and environmental liability. Mr. Erickson has extensive experience representing private and public sector clients in complex and often high exposure litigation involving multiple parties and multi-million dollar claims.

Representative Client Work

School and Municipal Law

- Regularly represents Michigan municipalities and school districts in litigation of all types both through insurance carriers and by direct representation, including environmental litigation and employment litigation referenced below
- Past Chair of the Public Education Committee of the State and Local Government Law Section of the American Bar Association
- Current Board Member for Public Corporation Law Section, State Bar of Michigan
- Appointed as Special Assistant Attorney General in connection with the successful representation of all school districts in Michigan in separate suits against perpetrators of price fixing conspiracies affecting sale price of school buses and school milk
- Participated as class counsel in successful statewide class action brought on behalf of all Michigan school districts to recover cost of abating asbestos containing building materials
- Represented Michigan Public School Districts in special education matters

Areas of Practice

- Civil Rights
- Commercial Litigation
- Direct Representation of Municipalities
- Education Law
- Environmental Law
- Foodservice & Hospitality Industry Group
- Labor & Employment Law
- Litigation
- Municipal Law

Education

- Wayne State University Law School, cum laude, J.D., 1984
- Michigan State University - James Madison College, The Honors College, B.A., 1981

Bar & Court Admissions

- Michigan, 1984

- Represented Michigan Public School Districts in disputes with investment brokerages regarding improper investments
- Represented municipal client in connection with suits alleging violation of antitrust law and of First Amendment by refusal to extend water and sewer services to commercial properties in adjacent municipality
- Represents municipal clients on significant land use matters
- Represents municipal clients before the Michigan Tax Tribunal
- Advised municipal clients regarding special assessments
- Advised Michigan municipalities regarding development and infrastructure issues
- City Attorney for the City of Eaton Rapids, Michigan
- Village Attorney for the Village of Clinton, Michigan

Employment Law

- Regularly represents public and private sector clients in labor and employment litigation of all types, including race discrimination, sex discrimination and sexual harassment, disability discrimination, reverse discrimination, Whistleblower Protection Act, and wrongful discharge claims and claims for violations of the FLSA and the FMLA
- Represented public school districts in proceedings before the State Tenure Commission
- Regularly represents public and private sector clients in administrative proceedings before the Department of Consumer and Industry Services

Environmental/Toxic Tort Law

- Served as in-house environmental counsel for a major chemical manufacturing corporation for three years
- Represents public and private sector clients before the Michigan Department of Environmental Quality and the Environmental Protection Agency in permitting and violations matters
- Represents public and private sector clients in environmental and toxic tort litigation of all types
- Successfully represented large mining company in Northern Michigan in suit by the Environmental Defense Fund alleging violation of MEPA by inadequate wetland mitigation plan
- Successfully represented corporate client specializing in cathodic protection of underground storage tanks in class action filed by customers after MDEQ retroactively withdrew approval in Michigan for cathodic upgrade technology
- Successfully represented public sector client and individual administrator in civil and criminal matters arising out of alleged violations of laws and regulations relating to handling of asbestos containing building materials
- Successfully represented insurance carrier in large declaratory judgment actions in federal court involving asserted coverage for large scale environmental cleanups, including a case asserting coverage for cleanup of 23 manufactured gas plant sites
- Successfully represented large chemical manufacturing corporation in Superfund administrative matters and litigation

- Successfully represented public sector client in litigation involving allegation that students were improperly exposed to e-coli on elementary school playground
- Successfully represented building inspector in case alleging personal injuries caused by contamination of residence by toxic black mold
- Successfully represented contractor in suit alleging personal injury and cognitive disorders due to exposure to toxic pipe sealant during HVAC work
- Successfully represented public sector client in a series of administrative matters and lawsuits in which employee asserted he had developed multiple chemical hypersensitivity due to alleged exposures to toxic copier fumes
- Currently represents two municipal clients in connection with requested closure of municipal landfills
- Successfully represented contractor in connection with suit alleging wrongful death due to exposure to carbon monoxide allegedly from furnace in residence
- Represented a Michigan city in litigation brought by an environmental group after the City petitioned the MDEQ to move its WWTP outfall from a lake to a river, which flows into the lake

Litigation Background

- Represented a variety of schools and municipalities in municipal, employment and environmental litigation (see above)
- Represented public and private sector clients in a wide variety of professional liability and general liability matters
- Currently representing engineering firm in connection with suit alleging negligence and professional malpractice in connection with compaction of soils prior to construction of large commercial development
- Represented appraisers in suits alleging professional malpractice in connection with appraisal performed in connection with sales of residential real estate

Professional Affiliations

- Ingham County Bar Association
- State Bar of Michigan (Public Corporation Law Section, Board Member; Environmental Law Section)
- American Bar Association (State and Local Government Law Section; Public Education Committee, Former Chair; Labor and Employment Law Section)
- Michigan Association of Municipal Attorneys
- Michigan Council of School Attorneys

Publications

- Denial of Church's Rezoning Request for Apartment Building Does Not Violate Federal Law
- Defendant Wins \$1.6 Million in Attorney Fees After Plaintiff Found to Have Concealed Evidence

- City Violates Federal Law in Denying Church's Rezoning Request
- Proper Application of Zoning Laws Results in Dismissal of \$800 Million Claim

Speaking Engagements

- Navigating the ADA, FMLA & Work Comp Maze