

Kristin McGaver Sikora

Senior Counsel

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Kristin McGaver Sikora is an experienced adviser and litigator. While Kristin has a broad range of experience across many industries, her practice primarily focuses on advising and representing manufacturers, importers, distributors, and retailers of consumer and industrial products in all areas of their business. Kristin is the Vice Chair of the Consumer Products area of focus in Foley's Manufacturing Sector.

Consumer Product Safety, Compliance, and Regulation

Kristin counsels companies of all sizes and at all stages of the product life cycle. Kristin works with clients to design and implement forward-looking compliance programs to enhance consumer safety, customer loyalty, and goodwill in the marketplace. Kristin's proactive approach prepares clients to calmly and efficiently manage consumer product safety issues when they occur. Kristin counsels clients on applicable regulations, product testing, certification (including coordinating with third-party testing laboratories), good manufacturing practices, building and maintaining robust product safety and regulatory compliance programs, supply chain protocols, and reporting requirements. Kristin also helps clients to develop compliant marketing plans and labeling strategies, including with respect to advertising claims and materials, labels on products and packaging, instruction manuals, and warnings. Kristin has extensive experience in matters involving the Consumer Product Safety Commission (CPSC), Health Canada, and state attorneys general offices. In this capacity, Kristin represents companies in negotiating and executing product recalls, remediation planning, responding to consumer protection claims, regulatory investigations, and negotiating civil penalty agreements. Kristin also regularly assesses regulatory compliance for due diligence and deal purposes.

Consumer Product Litigation

Kristin has experience defending companies in a range of complex litigation matters, including litigation that accompanies a product recall like product liability and class action matters. Kristin represents clients in contract disputes, distribution and franchise matters, intellectual property disputes, and antitrust litigation in federal and state court and in arbitration. Kristin also has experience conducting internal investigations and

representing clients in connection with government/regulatory investigations and enforcement actions.

Prior to joining Foley, Kristin was a law clerk for the Honorable Harry D. Leinenweber, U.S. District Court for the Northern District of Illinois.

Community Involvement

- Active sponsor and Committee member of the International Consumer Product Health and Safety Organization (ICPHSO)
- Donated hundreds of hours of pro bono representation to indigent community members in litigation.

Presentations and Publications

- Co-author, "Is Your Product Really 'Non-Toxic' or 'Biodegradable'? The FTC Weighs In," *Manufacturing Industry Advisor* (May 23, 2023)
- Co-author, "CPSC Finally Provides Regulatory Certainty on Clothing Storage Units," *Manufacturing Industry Advisor* (April 20, 2023)
- Co-author, "CPSC Provides More Guidance to Online Sellers & Retailers," *Manufacturing Industry Advisor* (March 21, 2023)
- Co-author, "Does Your Product Use HFCs? Are You Ready for a Phase-Out?," *Manufacturing Industry Advisor* (February 6, 2023)
- Co-author, "What Is Going On With Gas Stoves?," *Manufacturing Industry Advisor* (January 27, 2023)
- Co-author, "CPSC Focuses on Child Safety in the Home," *Manufacturing Industry Advisor* (January 20, 2023)
- Co-author, "The CPSC Promises Higher Civil Penalties and More Aggressive Enforcement," *Manufacturing Industry Advisor* (September 1, 2022)
- Co-author, "CPSC Presses Onward with Equity Action Plan," *Consumer Class Defense Counsel* (July 22, 2022)
- Co-author, "Top Legal Issues Facing the Manufacturing Sector in 2022," *Manufacturing Industry Advisor* (July 6, 2022)
- Co-author, "Recent Activity on Infant and Child Safety," *Manufacturing Industry Advisor* (October 7, 2021)
- Co-author, "CPSC's New Standard on the Flammability of Upholstered Furniture Now Effective," *Manufacturing Industry Advisor* (July 6, 2021)
- Co-author, "CPSC Takes First Step to Expand Enforcement," *Consumer Class Defense Counsel* (April 21, 2021)
- Co-author, "The CPSC Digs In on Artificial Intelligence," *Consumer Class Defense Counsel* (March 31, 2021)
- Co-author, "Consumer Product Companies Beware! CPSC Expected to Ramp up Enforcement of Product Safety Regulations," *Consumer Class Defense Counsel* (February 24, 2021)
- Author, "Say Goodbye to Net Neutrality: Why FCC Protection of the Open Internet Is Over," *LawSci Forum* (May 3, 2017)

- Author, "Getting Back to Basics: Recognizing and Understanding the Swing Voter on the Supreme Court of the United States," 101 MINN. L. REV. 1247 (February 2017)

Sectors

- Consumer Products
- Equipment & Industrial Product Manufacturing
- Manufacturing
- Supply Chain

Practice Areas

- Commercial Litigation
- False Claims Act
- Litigation

Education

- University of Minnesota Law School (J.D., magna cum laude, 2017)
 - Order of the Coif
 - Research & Managing Editor, *Minnesota Law Review*
- University of Wisconsin-Madison (B.A., with distinction, 2013)

Admissions

- Wisconsin
- Illinois
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin
- U.S. District Court for the Northern District of Illinois