

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY
DIVISION THREE

ESTATE OF JACQUELINE FOX,)	No. ED104580
)	
Plaintiff/Respondent,)	
)	Appeal from the Circuit Court of
vs.)	the City of St. Louis
)	
JOHNSON & JOHNSON, et al.,)	Honorable Rex M. Burlison
)	
Defendants/Appellants.)	Filed: October 17, 2017

Johnson & Johnson appeals the trial court's judgment after a jury verdict in favor of the estate of Jacqueline Fox in this product liability suit. Pursuant to Rule 52.05, Ms. Fox and 62 other non-residents joined an action by two Missouri plaintiffs claiming that J&J marketed and sold talcum powder knowing that the product increased consumers' risk of ovarian cancer. J&J moved to dismiss the claims of the non-residents for lack of personal jurisdiction. The trial court denied the motion, reasoning that each non-resident need not establish an individual basis for jurisdiction so long as a defendant has sufficient minimum contacts with the state.

REVERSED AND VACATED

DIVISION THREE HOLDS: The United States Supreme Court's recent decision in *Bristol-Myers Squibb Co. v. Superior Court of California*, 137 S.Ct. 1773 (2017), is controlling. Specific jurisdiction requires a connection between the forum state and the specific claims at issue. Absent such a connection, specific jurisdiction is lacking regardless of the defendant's unconnected activities in the state or the similarity of the resident plaintiffs' injuries.

Opinion by: Lisa Van Amburg, Judge

Angela T. Quigless, Presiding Judge, concur
and Kurt S. Odenwald, Judge, concurs in separate opinion.

Attorneys for Appellants: Thomas B. Weaver
Beth Bauer, Gerard Noce, Mark Heagarty and Jeffery McPherson – co-counsel

Attorneys for Respondent: William W. Blair
Stephanie Rados, Edward Robertson, Jr., Anthony Dewitt and Mary Winter – co-counsel

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