



Maine Attorney General's Office: Consumer Protection, Citizen Initiatives, and Private Equity in the Consumer Economy

June 10, 2026

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Agenda

- Consumer Protection in Maine: Lightning Round
- Citizen Initiatives
- Private Equity in the Consumer Economy

Consumer Protection in Maine: Lightning Round

Consumer Protection Lightning Round: Background & Policy

- How is the AG selected in your state?
- How is consumer protection organized in your office?
- How are consumer protection priorities set in your office?
- Do you participate in multistate consumer investigations?
- Do you receive consumer complaints?
- Do you perform any complaint resolution role?

Consumer Protection Lightning Round: State-Specific UDAP Law

- What is your primary consumer protection statute?
- Are you able to conduct pre-suit investigations by statute?
- Can you request documents? Take statements? Send interrogatories?
- Are CIDs confidential? Are answers confidential?
- Does your law allow a party to object or set aside? If so, in what timeframe?
- How can you enforce compliance?
- Do you have a statute of limitations? If so, what is it?
- Do you have to provide pre-suit notice? If so, what timeframe?

Consumer Protection Lightning Round: Remedies & Other Laws

- What types of settlements can you enter into?
- What is your civil penalty authority?
- Can you obtain restitution? Disgorgement?
- Are there times you don't get injunctive relief? Penalties/payment?
- Do you include sunsets in your settlements?
- How are IR terms enforced? What if they are in an AVC?
- Do you have specific laws and remedies for price gouging? Auto-renewals?
- Do you have a privacy law?
- Any new noteworthy CP laws recently introduced/passed?

Citizen Initiatives: Direct Initiation of Legislation

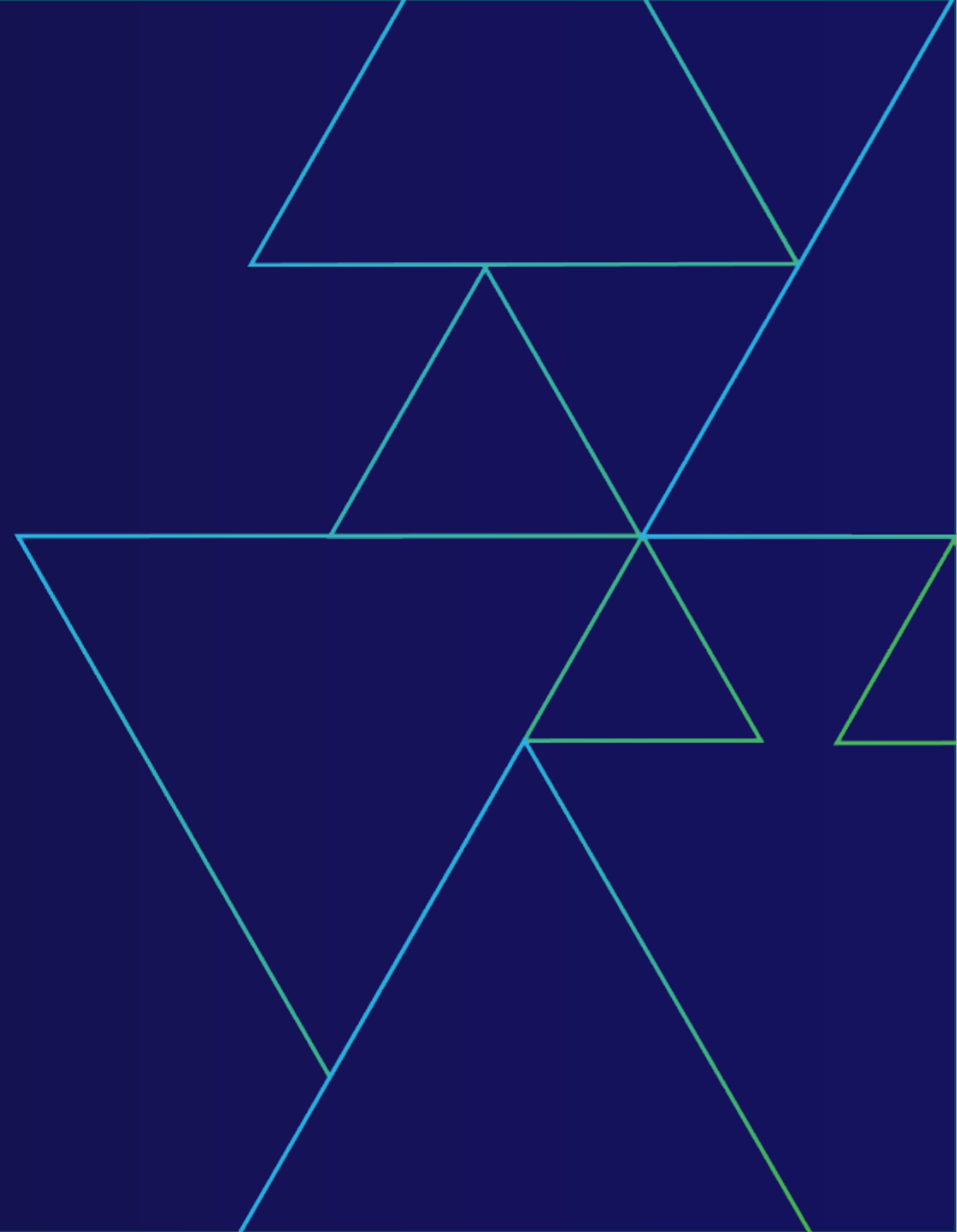
Citizen Initiative Process

- Constitutional Process for Citizen-Directed Legislation
 - (Me. Const. art. IV, pt.3, §18)
- Used for a Broad Range of Issues
- From Filing of Intent to Appearing on a Ballot
- Implementation of Successful Ballot Questions
 - Legislative “Fixes”
 - Litigation

Citizen Initiatives: Specific Examples

- Automotive Right to Repair
- Confronting Extension of Electric Transmission Corridor
- Other Examples

Private Equity in the Consumer Economy



Private Equity and Consumer Protection

- Private Equity Activity in the Consumer Protection Space
- Tension Between the Objectives of Private Equity and Consumer Protections
- Federal and State Review of Transactions Involving Private Equity

Maine Regulation of Certain Private Equity Activity

Two Examples of Maine Response to Private Equity Activity:

- **Health Care Transactions** (PL ch. 690)
 - Established review process where private equity acquires controlling interest in, or operational control over, a health care entity
- **Mobile Home Parks** (PL ch. 688)
 - Established certain protections for residents of manufactured housing communities

Thank you



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