

State AGs and Consumer Protection: What We Learned From ... Nevada

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In a recent webinar hosted by Kelley Drye, Nevada Attorney General Aaron D. Ford and Chief Deputy of Consumer Protection Mark Krueger shared valuable insights into best practices for engaging with the office, Nevada's consumer protection laws, and key priorities of the office. Here's a recap of what we learned.

"It Is Not Who You Know, But Who Knows You" - Engagement with State AGs

AG Ford referenced the familiar saying, "It's not what you know, but who you know," and offered his own perspective: "It's not who you know, but who knows you." He explained that if he hears about a company engaging in questionable practices, he'll ask his Consumer Protection Bureau Chief to look into the matter without the benefit of having additional knowledge about the company. However, if he's familiar with the company and its practices are understood, he may view the issue as an isolated incident and will have the benefit of a direct contact to reach out to and get clarification.

AG Ford emphasized that having an established relationship with his office can significantly ease the path to resolving issues. He encouraged businesses to "get to know their regulators" and to have their representatives engage with the AG's office proactively—rather than waiting until a problem arises. Both AG Ford and Chief Deputy Mark Krueger shared examples of successful collaboration with stakeholders on legislation and consumer matters. But AG Ford noted that while he's open to engagement, he values the chain of command and prefers that concerns be addressed first through his trusted staff before being escalated to him directly.

The AG and Priorities

In Nevada, the attorney general is elected to a four-year term and may serve a maximum of two terms. Attorney General Ford is in his second term and is currently running for Governor. He noted that each attorney general brings their own set of priorities to the role. For him, the central focus is justice—an area that demands recognition of the imperfections within our systems. AG Ford outlined his five key priorities, known as the "Five C's": consumer protection, constitutional rights, criminal justice and reform, client services, and community engagement.

General Ford highlighted the work the office has done on addressing the **opioid** epidemic, expressing that by one tally, Nevada is the third most successful in the nation in terms of recoveries per capita in opioids matters. The discussion then turned to **social media**, where the office is focusing on the impact it is having on the mental health and well-being of youth in Nevada. Per General Ford, the office has sued six social media companies, alleging that they utilize algorithms

that are purposefully addictive in nature.

Residential rooftop solar is another topic that has been at the forefront in the office, driven by a surge in solar system installations in recent years and a corresponding rise in consumer complaints. In response, Nevada enacted landmark legislation in 2023, including incorporating solar sales into the Nevada Deceptive Trade Practices Act (“NDTPA”) which served to curb some of the consumer harms being seen by the office. However, as new issues emerged, additional legislation was passed in 2025, including a limit to the amount of funding a lender can provide before a system becomes operational. Chief Deputy Mark Krueger expressed confidence that these reforms would help curb the rest of the problems the office is seeing in the industry and could serve as model legislation for the rest of the states.

Price gouging has also been an area of focus for the office. Nevada has a specific price gouging law, passed in response to activities occurring during the pandemic. It activates when the governor declares a state of emergency and can apply statewide or to specific geographic areas. **Price fixing** was also discussed. General Ford described a recent bill outlawing price fixing on essential goods and services that passed both chambers of the Nevada legislature but was vetoed. Despite the veto, General Ford emphasized that his office retains the authority to pursue price fixing claims under existing antitrust laws.

The Consumer Protection Bureau and Nevada Law

AG Ford and Chief Deputy Krueger also discussed Nevada’s consumer protection authority and structure within the office. Although consumer protection is a core focus across the entire office, it also includes a statutorily created Consumer Protection Bureau. This bureau is responsible for handling a range of issues, including deceptive and unfair trade practices, antitrust, data security, and advocacy for residential ratepayers before the Public Utilities Commission, among others. When necessary, the office has the authority to pursue enforcement actions through administrative or district court proceedings. In addition to enforcement, the office places a strong emphasis on resolving consumer complaints. It appreciates both individual and corporate residents and strives to address issues informally whenever possible, which has proven effective for both consumers and businesses. The office also runs a consumer education program aimed at helping individuals avoid becoming victims in the first place.

The primary consumer protection statute in Nevada is the NDTPA, codified in NRS [Chapter 598](#). Notably, the AGO is not subject to a statute of limitations when bringing actions under this law. The AGO also frequently relies on the Nevada Unfair Trade Practices Act, found in NRS [Chapter 598A](#), which primarily addresses antitrust violations and carries a four-year statute of limitations. The office can also bring actions pursuant to its *parens patriae* authority.

The AGO has broad authority to conduct pre-suit investigations, including issuing document requests, taking depositions, and collecting written statements. These investigations may involve civil investigative demands, which are confidential—along with any responses—during the investigative phase. If a case proceeds to litigation, those materials may become public unless protected by statute or legal privilege. While there is no explicit statutory right to challenge or quash a CID, the AGO is often willing to work with recipients to address concerns. If necessary, the office can seek judicial enforcement of CIDs to compel compliance.

The AGO is not legally required to provide pre-suit notice before initiating legal action pursuant to NDTPA. It also has the authority to enter settlements that require court approval, and a violation of such settlements constitutes a violation of the statute itself. Under the NDTPA, civil penalties can

reach up to \$15,000 per violation. However, if the violation is directed toward older adults or minors, the penalty may increase to \$25,000 per violation. In addition to monetary penalties, the AGO may seek a range of remedies, including temporary restraining orders, preliminary or permanent injunctions, disgorgement, restitution, and damages. The NDTPA also includes a criminal component, with penalties ranging from misdemeanors to felonies based how much money is lost during a transaction.

The full webinar is available to watch [here](#). To catch up and read the coverage of all our previous state AG webinars, click [here](#).