

State Attorneys General

With their ability to investigate and litigate in almost any industry, on almost any topic, State Attorneys General establish and enforce standards for business, consumer protection, and public health and safety. And they can create major opportunities—and problems—for you and your business.

About

With a team that blends former State AG staffers and legal personnel with lawyers who have represented clients in State AG issues for decades, Kelley Drye offers unique and wide-ranging State AG support for clients. We will:

- Build relationships with State AG offices using our reputation, credibility, and established contacts to advocate on your behalf.
- Advise on priorities and offer proactive, actionable guidance to keep you off State AGs' radar.
- Defend against State AG investigations.

Decades Working with, for, and Across the Table from State AG Offices

Pulling from our collective experiences of working with, for, and across the table of State AG matters, Kelley Drye brings valuable insight, credibility, and capacities. Members of our team served State AGs in both the front office and at the staff level across the country. Likewise, members of our team served as special counsel or special attorneys general for a dozen states and territories in record-breaking environmental and natural resource matters.

For decades, our attorneys have represented businesses, government entities, and public sector agencies in individual state and multi-state regulatory investigations and litigation matters involving consumer protection, privacy, data security, and environmental issues, among others.

A Record of Success on Consumer Protection Issues

From opioids and vaping to privacy and mobile billing, our attorneys understand what is happening behind the scenes when your company is in the crosshairs and on the front page.

Members of our team worked in State AG offices on the most significant consumer protection issues of the last several decades. With more than 40 years' collective consumer protection experience, we understand what drives State AGs to investigate, how multi-state investigations form and proceed, and what outcomes they may be seeking.

Because our team members have experience in so many varied consumer protection offices, their experience is wide-ranging. They've handled privacy and data security (with an emphasis on children's privacy), charities, pharmaceuticals, negative options, dark patterns, drip pricing, and price gouging. In their roles, our attorneys received tens of thousands of consumer complaints and helped coordinate and set policy priorities for their offices.

While at state AG offices, they:

- Served as a key negotiator and drafter of the \$26 billion opioid distributor settlement.
- Led the JUUL multi-state investigation while at the Texas AG office, which recently reached a \$439 million settlement with 34 states.
- Led the Google geolocation multi-state investigation before departing the Texas AG office, which reached a \$392 million settlement with 40 states.
- Led the 50-state multistate investigation and ultimate settlement with all major mobile carriers regarding premium SMS billing practices.

They also:

- Trained virtually every consumer protection attorney while at NAAG.
- Led the Class Action Fairness Act working group and coordinated AG objections to class action settlements.
- Oversaw the Texas Intake and Complaint unit and led a team reviewing businesses for potential investigation and responding to consumer inquiries.

Leveraging this extensive knowledge, we help companies when they are targets of investigations or seek State AG help in stopping improper actions by competitors. Recent consumer protection work for our clients includes:

- Representing a large retailer in an investigation related to point-of-sale pricing accuracy. Our team negotiated a settlement with the states on behalf of the client.
- Connecting a large nationwide pharmaceutical manufacturer to consumer protection staff in various states, providing them with a platform to tell their story and plead their case. Our team has also been handling investigations and inquiries from the states, including responding to a subpoena.
- Assisting a multinational mass media and entertainment conglomerate in its response to a third-party subpoena from a State AG office.
- Defending an investigation by State AGs office regarding pricing accuracy practices.
- Working with State AGs on consumer education efforts, on behalf of a global direct selling corporation.

Contacts

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