

# State Attorneys General Practice

The role of state attorneys general as an investigative and enforcement powerhouse for consumer protection and antitrust matters presents challenges and opportunities for entities of all sizes and in all sectors.



The Dentons State Attorneys General Practice is a full-service, nationwide practice to advise and assist clients when dealing with state attorneys general and their staff. The practice features bipartisan leadership from four former state attorneys general along with former deputy attorneys general, assistant attorneys general and chiefs of staff from some of the most active offices in the nation and top notch litigators experienced in defending lawsuits brought by state attorneys general.

### Role of State AGs

The role of state attorneys general is unique among elected officials in the US—serving as their state’s chief legal officer, investigative powerhouse, consumer protection arbiter and enforcer, prosecutor, multi-jurisdictional litigator and policy advocate. Companies doing business in the US need to navigate not only federal laws and regulations, but also state and local laws and regulations. Each state has its own consumer protection, antitrust and false claims act laws that present challenges for entities of all sizes and in all sectors. Each state has its own attorney general, usually elected independently of the governor, who

enforces these laws and often many others including laws in areas such as financial services, the environment and health care. Sometimes state attorneys general act in concert or join with federal agencies for multi-state investigations and litigation. Whether the attorneys general act independently or work with their state or federal counterparts, it is critical for corporate entities to be well represented and advised appropriately when interacting with attorneys general or their staff.

Dentons State Attorneys General Practice team helps clients develop and implement strategies to avoid becoming subjects of state attorneys general investigations—and when

clients are subjects of investigations, the team works to achieve resolution or settlement short of litigation, as well as defending litigation.

### What we do

We assist clients throughout the country in integrating state attorneys general strategies and responses into the client’s governmental affairs and legal operations. When appropriate, we educate attorneys general on national and state policy issues of importance to our clients. We help clients develop short and long-term strategies to avoid becoming subjects of state attorney general investigations. Should a company come under investigation, we work to



achieve resolution short of litigation. We have deep subject matter knowledge in areas of law frequently the subject of attorney general inquiry such as financial services, energy, consumer protection, false claims, healthcare, antitrust and data privacy and data breaches. Our representative experience includes:

- Consumer protection investigations and litigation
- Antitrust investigations and litigation
- Data privacy and data breach investigations
- Amicus briefs
- State False Claims Act and Medicaid fraud litigation
- Comprehensive strategic advice

## Comprehensive national approach

Our State Attorneys General Practice has full service, in-house capability for representing clients through our offices and networks spanning the country. In recognition of the increasingly prominent role state attorneys general offices play in affecting federal and state policy and regulatory affairs, we dedicate top level firm resources to this standalone practice, providing clients with a comprehensive suite of legal and public policy services characterized by our depth and breadth of experience.

## Litigation

While the State Attorneys General Practice is proactive and attempts to resolve investigations before they result in litigation, lawyers on our practice team have extensive experience litigating the types of matters that often result in attorney general-initiated

lawsuits. Our team includes former US Attorneys and Assistant US Attorneys and those who have defended pharmaceutical companies, financial institutions, telecommunications companies, insurance companies, hospitals and health care organizations, auto companies and others in large, complex cases involving federal and state agencies.

## FTC, DOJ, CFPB and Attorneys General joint enforcement

The Federal Trade Commission, Department of Justice, Consumer Financial Protection Bureau and state attorneys general will frequently work cooperatively on major investigations in the areas of consumer protection and competition law. Our team has significant experience handling matters before the FTC, DOJ and the CFPB and is well suited to advise companies facing these types of joint enforcement actions.

## Key contacts

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CSBrand-354-State-AG-Brochure\_v9 — 16/06/2017