

Articles + Publications | December 13, 2023

# Troutman Pepper State Attorneys General Monitor — December 13, 2023

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State attorneys general increasingly impact businesses in all industries. Our nationally recognized state AG team has been trusted by clients for [20 years](#) to navigate their most complicated state AG investigations and enforcement actions.

*State Attorneys General Monitor* analyzes regulatory actions by state AGs and other state administrative agencies throughout the nation. Contributors to this newsletter and related [blog](#) include attorneys experienced in regulatory enforcement, litigation, and compliance.

Contact our State AG Team at [StateAG@troutman.com](mailto:StateAG@troutman.com).

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## State AG Updates

### FEDERAL COURT REMANDS PFAS LAWSUIT BY MICHIGAN AG AGAINST THE GERALD R. FORD INTERNATIONAL AIRPORT AUTHORITY

By [Troutman Pepper State Attorneys General Team](#) on December 11, 2023

A federal judge has denied the [Gerald R. Ford International Airport Authority](#)'s attempt to move an environmental lawsuit to federal court to be filed by Michigan Attorney General (AG) Dana Nessel, alleging that per- and polyfluoroalkyl substance (PFAS) releases by the airport authority contaminated the regional drinking water supply.

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### RHODE ISLAND AG SEEKS TO AMEND COMPLAINT FILED AGAINST SOLAR COMPANY IN DECEPTIVE TRADE PRACTICE ACT CASE

By [Troutman Pepper State Attorneys General Team](#) on December 7, 2023

Rhode Island Attorney General (AG) Peter F. Neronha and his office filed a motion on November 30, to amend and supplement their complaint against Smart Green Solar, LLC (Smart Green) and its CEO, Jasjit Gotra, for allegedly violating the Rhode Island Deceptive Trade Practice Act. The proposed amended complaint builds on the allegations the office made in June, identifies additional alleged illegal conduct, and adds two more company

executives, Christopher Schiavone and George Nixon, as individually named defendants.

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## STATE AGS WRITE AMICUS BRIEF ARGUING NASDAQ DIVERSITY RULE IS UNCONSTITUTIONAL

By [Troutman Pepper State Attorneys General Team](#) on December 6, 2023

Republican attorneys general (AGs) from 19 states, led by Utah AG Sean D. Reyes, filed an amicus brief urging the Fifth Circuit to rehear a case after a panel of judges declined to entertain a lawsuit challenging diversity rules.<sup>[1]</sup> The lawsuit was filed by two conservative groups, the Alliance for Fair Board Recruitment and National Center for Public Policy Research, in their attempt to overturn a Nasdaq rule that requires companies to disclose board diversity data. The AGs argue that the rule, which was approved by the Securities Exchange Commission (SEC), violates the Constitution's equal protection clause and could undermine state law and policy on corporate board composition and racial and gender preferences.

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Stephanie Kozol, Senior Government Relations Manager – State Attorneys General, also contributed to this newsletter.

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