

Troutman Pepper State Attorneys General Monitor – January 2021

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Troutman Pepper's State Attorneys General team combines legal acumen and government experience to develop comprehensive, thoughtful strategies for clients. Our lawyers handle individual and multistate AG investigations, proactive counseling and litigation, and manage ancillary regulatory issues. Our successful approach has been recognized by *Chambers USA*, which ranked our practice as a leader in the industry.

AG Actions Year In Review

2020 STATE ATTORNEY GENERAL ACTIONS OFFER GUIDEPOSTS FOR COMPANIES IN THE COMING YEAR

By [Ashley L. Taylor, Jr.](#), [Christopher Carlson](#), and [Miranda A. Dore](#)

In 2020, state attorneys general spearheaded regulatory actions that addressed some of the most pressing consumer concerns, reaching resolutions on data breaches, for-profit and automobile financing, opioids, medical devices, Big Tech, and more. As the country recovers from the COVID-19 pandemic and adjusts to the incoming Biden administration, state attorneys general have already committed to dedicating even more resources to protecting consumers through individual and multistate investigations in 2021. This article looks back at 2020 state attorneys general enforcement actions and suggests tangible steps that companies can take now to prepare for the expected regulatory enforcement wave.

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Federal Trade Commission

29 STATES FILE AMICUS BRIEF SUPPORTING FTC'S AUTHORITY TO OBTAIN MONETARY RELIEF IN THE SUPREME COURT

By [Barbara T. Sicalides](#) and [Dennie B. Zastrow](#)

On December 7, 2020, Illinois led 29 states and the District of Columbia (States) in filing an amicus brief in *AMG Capital Management, LLC, et al. v. Federal Trade Commission*, No. 19-508 to support the Federal Trade Commission (FTC) and urge the Supreme Court to affirm the Ninth Circuit's decision, which held that the FTC has

the authority to seek restitution under Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b) (FTC Act).

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Data Security

ONLINE RETAILER SETTLES WITH STATE ATTORNEYS GENERAL OVER SECURITY INCIDENT

By [Christopher Carlson](#) and [Edgar Vargas](#)

Seven state attorneys general, led by New York Attorney General Letisha James, reached a settlement with Residual Pumpkin Entity LLC (formerly known as CafePress LLC) (CafePress), related to a 2019 data security incident, exposing 22 million customer accounts and as many as 186,000 social security and tax identification numbers.

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Tobacco News

WASHINGTON STATE ATTORNEY GENERAL'S OFFICE ANNOUNCES \$65,000 SETTLEMENT WITH ONLINE RETAILER FOR ILLEGAL ONLINE TOBACCO SALES

By [Agustin Rodriguez](#)

On Wednesday, December 23, 2020, the Washington State Attorney General's office issued a [press release](#) that Smoker's Outlet Online, a Pennsylvania online tobacco retailer, would be forced to pay \$65,885 for allegedly distributing tobacco products into Washington state. The payment by Smoker's Outlet Online was a settlement to avoid a lawsuit from the Attorney General's Office.

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