

Troutman Pepper State Attorneys General Monitor — July 25, 2024

WRITTEN BY

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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.

State AG Updates

2024 MID-YEAR REVIEW: STATE AGS SHAPING REGULATORY LANDSCAPES

By [Troutman Pepper State Attorneys General Team](#), [David Dove](#), [Timothy McHugh](#), and [Bonnie Gill](#)

In 2024, the landscape of state AGs is poised for significant change, with numerous elections and regulatory actions reshaping priorities and enforcement strategies. This dynamic environment reflects the critical role AGs play in addressing key issues across various sectors, from environmental regulations and consumer protection to health care and privacy. As state AGs continue to influence policy and legal frameworks, their actions will have far-reaching implications for businesses and consumers alike. Troutman Pepper's State AG team is pleased to provide you with this mid-year review summarizing the activities in this regulatory space over the past six months.

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30 STATES URGE NINTH CIRCUIT TO REINSTATE DATA PRIVACY LAWSUIT

By [Troutman Pepper State Attorneys General Team](#), [Mackenzie W.J. Jessup](#), and [Joshua Davey](#)

In an unusual move, AGs from 30 states and the District of Columbia filed a bipartisan amicus brief in the Ninth Circuit supporting efforts to revive a proposed class action against payment processor Shopify. The amici back plaintiff-appellant Brandon Briskin in his effort to convince the Ninth Circuit to overturn en banc a three-judge panel decision affirming the dismissal of his data privacy suit for lack of personal jurisdiction.

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FEDERAL COURT RULES MONTANA AG PREEMPTED FROM DE-LISTING CIGARETTE MANUFACTURER

By [Agustin Rodriguez](#), [Bryan Haynes](#), and [Zie Alere](#)

In late June, the U.S. District Court for the District of Montana held that federal law preempts the Montana AG from removing the cigarette brands of Grand River Enterprises Six Nations, Ltd. (Grand River) from the state tobacco directory based on Grand River's alleged violations of the Federal Food, Drug, and Cosmetics Act (FDCA). The FDCA preempts state law actions based solely on FDCA violations if the U.S. Food and Drug Administration (FDA) has not already found that such violations exist, the court explained.

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AG Of the Week

ASHLEY MOODY, FLORIDA

On January 8, 2019, Ashley Moody became Florida's 38th AG. Since taking office, Moody has been appointed to the executive committee of the National Association of Attorneys General and to the board of directors for the Rule of Law Defense Fund. Moody is the chair of Florida's Statewide Council on Human Trafficking and was recently appointed by the governor as chair of Florida's Statewide Task Force on Opioid Abuse.

Moody began her legal career with the law firm Holland & Knight, where she practiced commercial litigation. She subsequently joined the U.S. Attorney's Office prosecuting drug, firearm, and fraud offenses. In 2006, at the age of 31, Moody became the youngest judge in Florida when she was elected circuit court judge of the Thirteenth Judicial Circuit in Hillsborough County.

A fifth-generation Floridian, born and raised in Plant City, FL, she attended the University of Florida where she earned her bachelor's and master's degrees in accounting and law. She later attended Stetson University College of Law, earning a master of law degree in international law.

Moody and her husband, Justin, a federal law enforcement agent, have two sons, Brandon and Connor.

Florida AG in the News

- Last week, the Atlantic Coast Conference (ACC) [agreed](#) to release previously undisclosed media rights contracts to Moody as part of the ongoing legal battle between the ACC and Florida State University.
- On July 3, Moody [shared resources](#) for service members, veterans, and their families, as part of National Military Consumer Protection Month.
- On June 24, Moody [warned elderly residents](#) about a new scam involving scammers claiming to be their grandchildren to steal money.

Upcoming AG Events

- July: AGA/NAAG | International Delegation | France
- August: DAGA | Democratic National Convention | Chicago, IL
- August: RAGA | Victory Fund Golf Retreat | Pebble Beach, CA

For more on upcoming AG Events, [click here](#).

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