

Troutman Pepper State Attorneys General Monitor – June 16, 2023

WRITTEN BY

Ronald Raether, Jr. | Stephen C. Piepgrass | Ashley L. Taylor, Jr. | David N. Anthony | Barry H. Boise | Avi Schick | Judith "Judy" Jagdmann | Trey Smith | Michael Yaghi | Clayton S. Friedman | Susan N. Nikdel | Natalia A. Jacobo | Chris Willis | John Sample | Whitney L. Shephard | Namrata Kang | Ketan D. Bhirud | Timothy J. "Tim" Bado | Sean P. Fahey | Christopher Carlson | Daniel Waltz

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

STATE AGS CHOOSE PRODUCTS LIABILITY CASE AS BATTLEGROUND FOR STATE SOVEREIGNTY

By [Troutman Pepper State Attorneys General Team](#), [Barry Boise](#), and [Sean Fahey](#) on June 15, 2023

A bipartisan coalition of 23 state attorney generals led by Virginia AG Jason Miyares recently went up in arms about a products liability ruling they believe will threaten state consumer protection laws. On May 30, the coalition filed an [amicus brief](#) in support of the plaintiffs' claims in *In Re: Fosamax (Alendronate Sodium) Products Liability Litigation*, a consolidated case where hundreds of plaintiffs claimed to suffer femur fractures as a result of taking Merck drug Fosamax.

[Read more](#)

TWENTY-EIGHT AGS CALL FOR STRICTER FCC SPAM CALL AND TEXT RULES

By [Troutman Pepper State Attorneys General Team](#) on June 15, 2023

On June 8, a bipartisan coalition of 28 attorneys general issued a [letter](#), supporting the Federal Communications Commission's (FCC) proposal to close a "loophole" that currently allows lead generators to collect and sell personal consumer information to third parties using a "single consumer consent," typically leading to multiple consumer solicitations (telemarketing calls and/or texts) beyond the scope of the original consent. At present, lead

generators commonly will offer quotes for goods or services stipulated on receiving consent to share the consumers' personal information with their "marketing partners" — aka third-party solicitors.

[Read more](#)

STATE ATTORNEYS GENERAL FLEXING MUSCLES, POSING GROWING RISK TO LEGAL DEPARTMENTS

By Judy Jagdmann and [Chris Carlson](#) on June 12, 2023

Judy Jagdmann and Chris Carlson, a partner and an associate in Troutman Pepper's Regulatory Investigations, Strategy + Enforcement Practice Group, were quoted in the June 8, 2023 *Corporate Counsel* article, "[State Attorneys General Flexing Muscles, Posing Growing Risk to Legal Departments.](#)"

[Read more](#)

FTC COMMENT REQUEST SIGNALS JOINT ENFORCEMENT WITH STATE AGS WILL CONTINUE INCREASING

By [David N. Anthony](#), [Stephen C. Piepgrass](#), [Ronald I. Raether, Jr.](#), [Ashley L. Taylor, Jr.](#), [Chris Willis](#), [Chris Carlson](#), and [Trey Smith](#) on June 9, 2023

On June 7, the Federal Trade Commission (FTC) [announced](#) a [request for information](#) (RFI) to gain additional insight into how it can optimize joint enforcement with state attorneys general (state AGs) to protect consumers from fraud. The announcement signals a growing trend of cooperation between the FTC and state AGs, which we have also seen between the Consumer Financial Protection Bureau (CFPB) and the state regulators.

[Read more](#)

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

RELATED INDUSTRIES + PRACTICES

- [Consumer Financial Services](#)
- [Enforcement Actions + Investigations](#)
- [Regulatory Investigations, Strategy + Enforcement](#)
- [State Attorneys General](#)