

Troutman Pepper State Attorneys General Monitor – November 2020

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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.

ANALYSIS

STATE ATTORNEYS GENERAL AND THE UPCOMING BIDEN ADMINISTRATION

By William H. Hurd and [Christopher Carlson](#)

While much of the nation focused on the presidential contest between Donald Trump and Joe Biden, voters in 10 states also witnessed attorney general races. The Democrats saw all five of their incumbent candidates win re-election, while the Republicans did equally well by re-electing incumbents in three states and electing new attorneys general in Montana and Indiana, where the GOP incumbent was not seeking re-election. So, there was no change in the nationwide split. Republicans continue to hold the attorney general position in 26 states, while Democrats hold the post in 24 states plus the District of Columbia.

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RECENT AG SETTLEMENT: APPLE

STATE ATTORNEYS GENERAL AND CALIFORNIA DISTRICT ATTORNEYS REACH \$113 MILLION SETTLEMENT WITH APPLE OVER IPHONE "BATTERYGATE" CRISIS

By Miranda A. Dore

Thirty-three states, the District of Columbia, and the [district attorneys \(DAs\) for five California counties](#) announced a \$113 million [settlement](#) with Apple over allegations that the company slowed customers' old iPhones to preserve their batteries and to address unexpected shutdowns in some iPhones. The settlement ends the states'

investigation into alleged misrepresentations Apple made about software updates that throttled processing performance to manage insufficient battery power in first generation SE and generations 6 and 7 iPhones.

TOBACCO NEWS

CALIFORNIA ATTORNEY GENERAL CONTINUES FIGHT TO BAN FLAVORED TOBACCO PRODUCTS

By [Bryan M. Haynes](#), [Agustin E. Rodriguez](#), and [Nicholas A. Ramos](#)

As many in the tobacco industry know, there is a growing trend among state and local governments to prohibit or restrict the sale of flavored tobacco or nicotine products. Some governments are focusing on narrow subsets of flavored tobacco or nicotine products, like vapor products or electronic cigarettes, while others are intent on a broader prohibition or restriction that might include more traditional products like cigarettes, cigars, or smokeless tobacco. At the state level, attorneys general (AGs) have been at the forefront of the ensuing legal battles over this type of legislation.

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ATTORNEY GENERAL-ELECT PROFILE: TODD ROKITA, INDIANA

NEW AG ON THE BLOCK: INDIANA ATTORNEY GENERAL TODD ROKITA

By [Christopher Carlson](#) and [Bonnie Gill](#)

Todd Rokita will take office as Indiana's 45th attorney general in January 2021. A Republican, Rokita defeated Democrat and former Mayor of Evansville Jonathan Weinzapfel and will succeed Republican Curtis Hill.

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ATTORNEY GENERAL-ELECT PROFILE: AUSTIN KNUDSEN, MONTANA

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NEW AG ON THE BLOCK: MONTANA ATTORNEY GENERAL AUSTIN KNUDSEN

By [Christopher Carlson](#) and [Bonnie Gill](#)

Austin Knudsen will assume office as Montana's 25th attorney general in January 2021. Knudsen, a Republican,

defeated Democrat Ralph Graybill and will succeed Republican Tim Fox, who was term limited.

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