

Troutman Pepper State Attorneys General Monitor — October 11, 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.

Troutman Pepper Spotlight

ENHANCING COMPLIANCE: THE POWER OF INDEPENDENT MONITORSHIPS IN CONSUMER PROTECTION

By [Ashley L. Taylor, Jr.](#)

In this episode of *Regulatory Oversight*, Ashley Taylor is joined by Vincent DiCianni, founder of Affiliated Monitors, and Kevin Lownds, deputy chief of the Medicaid Fraud Division at the Massachusetts Attorney General's office, to discuss the value and application of independent monitorships by federal and state agencies, especially in consumer protection and health care fraud cases.

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State AG Updates

VIRGINIA TAKES ACTION AGAINST RETAILER SELLING THC PRODUCTS

By [Jean Smith-Gonnell](#), [Chuck Slempe](#), and [Nick Ramos](#)

On September 14, Virginia's Attorney General (AG) Jason Miyares issued a letter to the registered agent of the Good Vibes Shop, a Radford, VA store, for selling tetrahydrocannabinol (THC) products without proper labeling and packaging. The AG's letter alleges that the store's THC products lacked child-resistant packaging and appropriate labeling, including ingredient lists, THC content, and age restrictions, in violation of the [Virginia](#)

[Consumer Protection Act](#) (VCPA). As we have recently [discussed](#), the AG's letter is part of a broader effort among states to protect consumers amid the evolving federal and state cannabis regulatory landscape.

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THE RISE OF STATE ATTORNEY GENERAL PRIVACY ENFORCEMENT

By [Gene Fishel](#) and Whitney Shephard

This article was originally published on October 2, 2024 in [Westlaw Today](#). It is republished here with permission.

Gene Fishel and Whitney Shephard of Troutman Pepper highlight states with established privacy enforcement units, discuss the corresponding privacy acts in those states, and give recommendations for companies to mitigate risk and navigate a rapidly developing patchwork of regulatory standards.

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KENTUCKY AG CLARIFIES LEGAL STATUS OF GRAY MACHINES AND RISK-FREE-PLAY DEVICES – IMPLICATIONS FOR THE INDUSTRY

By [Troutman Pepper State Attorneys General Team](#)

Gambling machines in Kentucky have recently come under increased scrutiny following the enactment of [House Bill 594](#), which amended the definition of “gambling device” under Kentucky law, effective June of last year. The law significantly impacts the legality of certain gaming devices, requiring industry participants to adjust their product offerings within the state.

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STATES JOIN COLORADO IN DEFENSE OF INTEREST RATE OPT-OUT LAW

By [Troutman Pepper State Attorneys General Team](#) and Nick Gouverneur

On September 20, 13 states and Washington, D.C. joined Colorado in its appeal asking the Tenth Circuit to uphold a state law imposing more restrictive interest rate caps on loans from out-of-state banks to residents, arguing that U.S. District Judge Daniel D. Domenico's injunction “disrupts [] careful Congressional balancing and will allow online lenders to flout usury laws.”

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AG Of the Week

KATHY JENNINGS, DELAWARE

Kathy Jennings was sworn in on January 1, 2019, and serves as Delaware's 46th AG. She won re-election in the 2022 election.

Born and raised in Wilmington, Jennings graduated from Mount Pleasant High School, the University of Delaware, and Villanova University Law School, before joining the Delaware Department of Justice.

After years of service as a prosecutor, Jennings was named Delaware state prosecutor and later served as chief deputy AG for the Delaware Department of Justice under AG Charles Oberly. While serving as chief deputy, Jennings worked to create the Consumer Fraud Division.

Following her tenure as chief deputy, Jennings and Oberly entered private practice together, representing individuals and companies in criminal, regulatory, and civil matters.

Jennings returned to the Delaware Department of Justice in 2011. In January 2017, she was appointed chief administrative officer of New Castle County by County Executive Matthew Meyer. During that time, Jennings concurrently served as the county's public safety director, overseeing the New Castle County Police Department, paramedics, and 911 communications.

Jennings has two adult children: a daughter who lives in Wilmington and a son who lives in Baltimore.

Delaware AG in the News:

- On August 19, Jennings [announced](#) that the Medicaid Fraud Control Unit arrested a woman for allegedly stealing the identity of a registered nurse.
- On July 18, Jennings [filed](#) a complaint against an investment advisory firm alleging it charged unreasonable fees.

Upcoming AG Events

- October: AGA | Working Group Meetings – Cannabis, Cybersecurity, Gaming, Human Trafficking, Mental Health, and Organized Retail Crime | Deadwood, SD
- November: DAGA | Philadelphia Policy Conference | Philadelphia, PA
- December: AGA | International Delegation | Mayakoba, Mexico

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

Our Cannabis Practice provides advice on issues related to applicable federal and state law. Marijuana remains an illegal controlled substance under federal law.

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