Ryan J. Strasser

Partner

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OVERVIEW

Ryan is a first-chair trial attorney and a litigation partner in the firm's Regulatory Investigations, Strategy + Enforcement (RISE) Practice Group. He focuses his practice primarily on litigation against state attorneys general (AGs) across the U.S. Ryan has served as lead counsel to companies confronting these challenging adversaries in an array of industries, including medical device manufacturing, consumer goods, orthodonture and dentistry, cloud computing, public records, privacy, and residential solar. He has appeared in various federal and state courts across the U.S., including the Virginia appellate courts and the Supreme Court of Virginia.

State AG litigation is unique in nature. Such matters require a targeted understanding and the employment of refined skills related to how different state AG offices operate, the public policy and political dynamics at play, and the differences in discovery tools that exist vis-à-vis commercial and class action litigation. Representing clients during state AG litigation also requires a deep appreciation for the massive exposure that clients face due to the threat of civil penalties, treble damages, fee-shifting, and debarment, in certain cases. Consequently, Ryan frequently advises C-suite executives and their general counsel when confronting state AG litigation and has served as counsel during all stages of such actions, from pre-litigation counseling through trial. Ryan also has prevailed as lead counsel in appellate litigation.

In terms of subject matter expertise, Ryan has broad experience defending state Unfair, Deceptive, or Abusive Practices (UDAP) claims and regularly publishes on these ever-expanding state statutes. Relatedly, Ryan has represented clients navigating investigations related to the federal False Claims Act (FCA) and analogous state FCA statutes nationwide. In this context, he has handled significant matters involving exposure for clients, upward of a billion dollars, against both the U.S. Department of Justice (DOJ) and the state AGs.

In addition, Ryan has litigated many matters involving trade secrets and false advertising, including under the federal Lanham Act. That experience equips him to advise clients on reaching confidentiality agreements with state AGs during litigation and investigations. These matters also frequently involve the filing of motions for temporary restraining order (TRO) and preliminary injunction in federal and state courts, experience that serves Ryan well when litigating against state AGs, who often file such motions contemporaneously when filing a complaint against a company.

Finally, Ryan has challenged numerous federal regulations and decisions in federal court under the Administrative Procedure Act (APA).

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As a thought leader, Ryan provides ongoing analysis and commentary on developments involving state AG litigation, state UDAP statutes, and the FCA, and he commonly contributes to the firm's regulatory blog, Regulatory Oversight.

REPRESENTATIVE MATTERS

State Attorneys General Litigation and Investigation

- Served as lead counsel of record in representation of a national tax preparation company facing UDAP claims in litigation filed by the D.C. Office of Attorney General.
- Served as counsel of record for a medical device manufacturer in litigation with the New Mexico Attorney General involving UDAP, a state FCA claim, and fraud claims.
- Served as lead litigation counsel for an orthodonture and dentistry company in litigation against a state AG involving UDAP claims.
- Served as defense counsel of record for a solar installation financing company in federal court litigation against the Tennessee Office of Attorney General and Kentucky Office of Attorney General involving a UDAP claim, a TILA and Reg Z claim, and other federal and state statutory claims.
- Represented a public records company in litigation against the Florida attorney general related to claims asserted under the Florida FCA.
- Represented a loan servicer in investigations and litigation with state AGs and other governmental bodies involving UDAP and other statutory claims.
- Served as counsel for a company involved in a state AG investigation related to possible violations of UDAP and the state FCAs related to lending practices.
- Represented a data and information services company in interactions with nearly a dozen state AGs and other state agencies and political subdivisions involving claims under various state FCAs.
- Represented a *Fortune* 500 pharmaceutical company in multistate investigation relating to state FCA violations, off-label marketing, and violations of state anti-kickback statutes concerning marketing practices for an antipsychotic drug.

Federal Agency Litigation and Investigations

- Served as counsel of record for defendant lending companies and individuals in $100 million litigation filed by the Federal Trade Commission (FTC) in Nevada federal court.
- Represented a trade association who sued the Center for Medicare & Medicaid Services (CMS) related to a proposed rule under the APA.
- Represented a canned food manufacturer who used the threat of APA litigation to procure a favorable settlement from the Food and Drug Administration (FDA).
- Represented a medical device manufacturer in a DOJ investigation regarding potential violation of the federal Anti-Kickback Statute (AKS) and the FCA, following the use of personal services agreements to pay staff in doctors' offices.
- Represented a *Fortune* 50 company facing federal investigation, state investigations, and civil litigation resulting from a data breach.

Virginia Appellate and Other Appellate Court Experience

- Counsel of record before Virginia Supreme Court in case involving client appealing adverse arbitration decision in real estate dispute exceeding $100 million in value.
- Representing a 501(c)(3) before the Virginia Court of Appeals regarding a novel question of Virginia law surrounding the enforceability of a choice-of-law provision in a breach of contract dispute.

- Served as lead counsel for our client who was engaged in Virginia state trial court and appellate court litigation against an out-of-state receiver seeking post-judgment discovery. This ruling established new Virginia law in two separate instances. First, the Virginia Court of Appeals issued a first-of-its-kind order granting an emergency stay, pending appeal, following the trial court's denial of the same requested relief and, in doing so, clarified the scope of the court's newly expanded jurisdiction. Second, the Virginia Court of Appeals granted our client a complete reversal of the final judgment issued by the Chief Judge of Fairfax County Circuit Court and, in turn, sustained our client's argument that out-of-state judgment creditors issuing subpoenas pursuant to the Uniform Interstate Depositions and Discovery Act (UIDDA) seeking post-judgment discovery must comply with Virginia's post-judgment discovery statutes in *Patel v. Rabinowitz ex rel. Lakhani Associates*, 75 Va. App. 663, 879 S.E.2d 60 (2022).
- Responded to a decision before the Supreme Court of Virginia on behalf of our client in a matter involving a dispute over the control and management of a real estate holding company and its subsidiaries.
- Filed an amicus brief before the Virginia Court of Appeals on behalf of our pro bono client regarding the Right to Retrieve Law under the Virginia and U.S. Constitutions.
- Successfully represented a client before the D.C. Court of Appeals in a custody matter of first impression, where the court affirmed the trial court judgment awarding our client sole physical custody of her two twin nieces, assuring the continuation of a secure and stable custody arrangement, and rendering favorable decision on the scope of the psychotherapist-patient privilege in the District of Columbia.
- Filed an amicus brief on behalf of our client before the U.S. Supreme Court.

Complex Commercial Litigation and Class Action Litigation

- Served as lead counsel for a residential solar installation company in a federal litigation in Virginia involving UDAP claims, false advertising claims under the Lanham Act, breach of contract, and misappropriation of trade secret claims. Obtained complete dismissal of case on a motion to dismiss.
- Served as lead counsel for a residential solar installation company in North Carolina Business Court involving UDAP claims, false advertising claims under the Lanham Act, breach of contract, and misappropriation of trade secrets.
- Served as lead litigation counsel for a building material manufacturer in a multimillion-dollar arbitration involving trade secret claims, intellectual property claims, and breach of contract.
- Served as counsel of record for a cloud software company engaged in consumer class action and multidistrict litigation arising out of a ransomware attack involving dozens of claims, including under many state UDAP statutes.
- Served as lead counsel for a half dozen companies engaged in Virginia state trial court and appellate court litigation against an out-of-state receiver seeking post-judgment discovery. Secured complete reversal of trial court ruling for clients on appeal, wholly disposing of the case.
- Served as lead defense counsel in a class action filed in Virginia federal court for a company engaged in technical consultation related to power generation, petrochemical, and water generation involving claims under the Fair Labor Standards Act (FLSA).
- Represented a *Fortune* 50 health insurer in a $1 billion+ class action and multidistrict litigation in California federal court arising out of alleged conspiracy to deflate health care reimbursement rates in violation of Employee Retirement Income Security Act (ERISA), RICO, federal antitrust laws, and state UDAP laws.
- Represented a bank involved in a $100 million+ class action litigation in California federal court related to refunds in auto lending space.
- Represented a *Fortune* 500 pharmaceutical client involved in multibillion-dollar whistleblower litigation in Texas federal court for client's alleged violations of the federal FCA, the federal AKS, and 28 state and local FCA statutes arising out of client's marketing practices for several prescription drugs.
- Represented a medical pricing index in a $60 million, bet-the-company false advertising and negligent misrepresentation case in New Jersey federal court.
- Represented a personal protective equipment manufacturer that was sued by a competitor in Florida federal

court on theories of false advertising related to marketing claims surrounding anti-microbial properties infused into medical garb.

AWARDS

- *Legal 500 United States*: Government: State Attorneys General (2024)
- High Honors, Capital Pro Bono Honor Roll, D.C. Access to Justice Commission and the D.C. Bar Pro Bono Center (2024)
- *HYPE Icons Young Professional*: Front Runner (2022)
- *Best Lawyers*: Commercial Litigation (2027), Ones to Watch: Commercial Litigation (2021-2025), Financial Services Regulation Law (2021-2025)

TOP AREAS OF FOCUS

- Business Litigation
- Marketing + Advertising
- Regulatory Investigations, Strategy + Enforcement
- White Collar Litigation + Investigations

ALL AREAS OF FOCUS

- Business Litigation
- Litigation + Trial
- Marketing + Advertising
- Regulatory Investigations, Strategy + Enforcement
- Residential Solar Leasing + Finance
- State Attorneys General
- White Collar Litigation + Investigations

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Editor/Columnist, *The Journal of Federal Agency Action*
- Board member, The Cyber Guild
- Board member, RVA Pieces Chess Club
- Fellows of the American Bar
- Mentor, past participant, Lead Virginia

PROFESSIONAL EXPERIENCE

- Intern, Criminal Appellate Division, Clark County District Attorney’s Office, 2011
- Staff attorney, Homeless Advocacy Project, 2010-2011
- Research assistant, Cornell Legal Information Institute, 2008

EDUCATION AND CERTIFICATIONS

EDUCATION

- Cornell Law School, J.D., 2010
- University of Pennsylvania, M.P.A., 2011
- Duke University, B.A., 2007

BAR ADMISSIONS

- Virginia
- District of Columbia

COURT ADMISSIONS

- Supreme Court of the United States
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- Supreme Court of Virginia

SPEAKING ENGAGEMENTS

- Moderator, "Litigating on Their Turf: Strategic Responses to State AG Enforcement," The Government Investigations & Civil Litigation Institute's Twelfth Annual Meeting, November 17, 2026.
- Moderator, "How Litigation with State Attorneys General Offices Differs from Traditional Litigation," The Government Investigations and Civil Litigation Institute's Ninth Annual Meeting, November 16, 2023.

PUBLICATIONS

- Co-author, "Justices' Separation-Of-Powers Revamp May Hit States Next," *Law360*, January 6, 2026.
- Co-author, "Analogies to Federal Law in the State Regulatory Context," *Law360*, August 19, 2025.
- Co-author, "The False Claims Act May Be the Next Weapon in the Trump Administration's War on DEI," *Troutman Pepper Locke*, March 3, 2025.
- Co-author, "Indiana Appellate Court Grapples With State AGs' Personal Jurisdiction Over Digital Platforms," *Westlaw Today*, October 25, 2024.
- Co-author, "States' Action Still Viable Despite Ban of FTC Noncompete Rule," *Bloomberg Law*, September 18, 2024.
- Co-author, "FTC Noncompete Rule Risks a Wave of State AG Actions," *Law360*, May 23, 2024.
- Author, "DOT Deputizes State AGs to Pursue Consumer Claims Against Airlines, Circumventing Long-Standing Preemption," *Regulatory Oversight Blog*, April 26, 2024.
- Co-author, "The Supreme Court Decides to Revisit Chevron: Here's What It Could Mean for Future Deference to U.S. Government Agency Interpretations," *The Journal of Federal Agency Action*, September 2023.
- Co-author, "Defense Benefits of Supreme Court's Ruling on False Claims Act Scienter," *Bloomberg Law*, August 2023.

- Co-author, “All Is Not Lost: The Hidden Defense Benefits of the Supreme Court’s Recent Unanimous Ruling on False Claims Act Scienter,” *Troutman Pepper*, July 5, 2023.
- Co-author, “State Attorney General Actions: How Outside Counsel for AGs Changes the Game,” *Westlaw Today*, June 30, 2023.
- Co-author, “False Promises: As States Tackle Residential Solar Complaints, How Companies Can Avoid Problems,” *Utility Dive*, June 22, 2023.
- Co-author, “Five Ways to Effectively Navigate Litigation With State Attorneys General,” *Westlaw Today*, April 12, 2023.
- Co-author, “State AGs May Put Investors on the Hook for Co. Bad Acts,” *Law360*, February 22, 2023.
- Co-author, “State Attorney General Actions: Strategies for Venue and Settlement Differ From Typical Litigation,” *Reuters*, February 16, 2023.
- Co-author, “How Approaches in State Attorney General Actions Differ From Typical Litigation,” *Reuters*, February 8, 2023.
- Co-author, “2022 Regulatory Privacy Year in Review,” *Troutman Pepper*, February 2, 2023.
- Co-author, “FTC Noncompete Ban Could Open State Litigation Floodgate,” *Law360*, January 30, 2023.
- Co-author, “Should Conscription of State Attorneys General Be a Recognized Fourth Form of Federal Agency Action? How Federal Agencies Are Using the States to Expand Their Regulatory Reach and Advance Their Missions,” *The Journal of Federal Agency Action*, November 18, 2022.
- Co-author, “Developing a Strategy for Settling Multistate AG Investigations,” *Reuters*, November 10, 2022.
- Co-author, “Developing a Strategy for Settling Multistate AG Investigations,” *Westlaw Today*, November 10, 2022.
- Co-author, “Regulatory Investigation Red Flags That Signal Significant Risk for Companies,” *Reuters*, August 19, 2022.
- Co-author, “Preparing Companies for a New Day in Multistate AG Investigations,” *Reuters*, June 13, 2022.
- Co-author, “How the U.S. Senate’s Proposed Amendments to the Federal False Claims Act Could Influence State False Claims Acts Nationally,” *Troutman Pepper State Attorneys General Monitor*, December 2021.
- Co-author, “DC Taxpayers Face More Scrutiny Under New False Claims Act,” *Law360*, February 18, 2021.
- Co-author, “Amending DC’s False Claims Act: Expansion of the DC AG’s Power Through Removal of the Tax Bar,” *Troutman Pepper State Attorneys General Monitor*, February 2021.
- Co-author, “The Coming Tsunami: Anticipated Regulatory and Enforcement Trends in the Wake of COVID-19 and the Unique Role of State Attorneys General,” *Business Law Today*, June 10, 2020.
- Co-author, “2019 Consumer Financial Services Year in Review & a Look Ahead,” *Troutman Sanders*, February 24, 2020.
- Co-author, “2018 Consumer Financial Services Year in Review & a Look Ahead,” *Troutman Sanders*, January 28, 2019.
- Co-author, “Expanding Authority: How the Virginia Attorney General Has Used the Virginia Consumer Protection Act to Augment Its Reach,” *VBA Journal*, Fall 2018.
- Co-author, “Nearly $160,000 Judgment Assessed Against Violator of Virginia Consumer Protection Act,” Troutman Sanders Consumer Financial Services Law Monitor Blog, February 7, 2018.
- Co-author, “Eleventh Circuit Imposes Joint and Several Liability on Payment Processor for Fraud by Client,” Troutman Sanders Consumer Financial Services Law Monitor Blog, December 15, 2017.
- Author, “Punitive Damages Caps: A Proposed Middle Ground After *Exxon*,” Note, *Cornell Journal of Law & Public Policy,* 2010.

MEDIA COMMENTARY

- Mentioned, “Law360’s Legal Lions of the Week,” *Law360*, May 17, 2024.