



State Attorneys General

Companies engaged with state attorneys general (AGs) face formidable challenges. State AG offices can draw on broad powers to examine and challenge an organization's conduct, leaving companies to navigate complex legal, public relations and crisis management hurdles. Our State AG Group draws on experience at the highest levels of state AG offices, strength across areas of state AG enforcement authority, and deep crisis management experience, which gives us the foresight to advise on state AG priorities and procedures, resolve complicated investigations and litigation, and argue and win in court.

PRACTICE AT A GLANCE

- Chaired by the former Republican Chief Deputy to the Wisconsin AG Paul Connell and the former Democratic First Assistant Attorney General of North Carolina Swain Wood, our group includes attorneys who have served at the most senior levels of state government and bring deep policy and industry experience to matters.
- Clients benefit from our nuanced perspective on how AGs and other state agencies approach issues. That inter-agency perspective is crucial—state AGs often investigate alongside state and federal regulators, including the Securities and Exchange Commission, the Federal Trade Commission, the Federal Communications Commission, the Consumer Financial Protection Bureau, and the Department of Justice (DOJ). Our broad government experience means we are well equipped to work with any agency involved.
- For clients facing an AG investigation—whether by individual states, including the increasingly active AGs of New York, California, Texas, Massachusetts and Washington, or by a combination of AGs—our team understands the challenges that can result and the best path to resolution. When litigation is required and the stakes are high, we offer deep trial experience litigating against—and beating—state AGs.
- We also keenly understand the considerations and implications of each jurisdiction; our teams have handled matters in 50 states, Washington DC, Puerto Rico and the US Virgin Islands. We have significant experience effectively coordinating and representing companies in multistate AG investigations, as well as parallel proceedings.

400+

Matters handled by WilmerHale lawyers involving state attorneys general



Ranked in *Chambers USA* and *Legal 500*

EXPERIENCE

- Representing **Norfolk Southern** following the February 2023 freight train derailment in East Palestine, Ohio. We advised the company on its approach to this crisis, addressing multiple legal, regulatory and other challenges, including investigations by state AGs, the DOJ, the National Transportation Safety Board (NTSB) and the Environmental Protection Agency (EPA).
- Serving as lead counsel for a **global technology company** on several multistate AG investigations, including a multistate AG investigation being led by the California AG related to a high-profile privacy incident.
- Served as lead counsel in responding to an investigation by all 50 state AGs, as well as Guam and DC, relating to the effects of a company's technology on young people's mental health and the alleged use of the company's platforms by children under the age of 13. We are also defending related litigation brought by the Massachusetts AG.
- Representing **Intuit** in multi-*fora* consumer protection investigations and litigation sparked by critical national media coverage. The New York State Department of Financial Services closed its inquiry, and the company reached a settlement with all 50 state AGs, in a multistate investigation led by the New York AG.
- Represented **Walmart** with respect to investigative demands and lawsuits involving the opioid crisis, resulting in a favorable settlement with all 50 states and every US territory—co-led by the New York and California AGs—and thousands of subdivisions nationwide.
- Serving as counsel for a **multinational industrial conglomerate** in relation to an issue involving state AGs and specifically as settlement counsel for the company with respect to alleged water contamination involving per- and polyfluoroalkyl substances (PFAS) (“forever chemicals”).
- Representing **an investment adviser** in investigations by the New York AG and a separate investigation by a multistate group of 41 state regulators—led by the New Jersey and Connecticut AGs—regarding large 2021 capital gains distributed to taxable shareholders in the investment adviser's target retirement funds.
- Won a resounding victory for **T-Mobile** and **Deutsche Telekom** in a landmark antitrust trial in which AGs from 13 states and the District of Columbia sought to enjoin the merger of T-Mobile and Sprint.
- Representing **one of the country's largest health insurers** in a data breach investigation led by a coalition of AGs and impacting over 100 million patient accounts.

STATE AG AREAS OF FOCUS

- Consumer financial protection
- Antitrust and competition
- Potential False Claims Act violations
- Cybersecurity, privacy, data breaches
- Civil rights
- Environmental practices
- Tech, pharmaceutical and retail industries

“The State AG practice at WilmerHale is very professional and well connected in this space. Their responsiveness is second to none and their ability to grasp the nuanced nature of our industry is very impressive.”

— *Chambers USA*

For more information, please contact:

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