

State Attorneys General

While consumer-facing companies have long found themselves under the scrutiny of state attorneys general and other state regulators, state AGs are increasingly targeting companies with practices that were previously viewed as non-controversial. When contending with both bread-and-butter inquiries and highly politicized complaints and investigations, clients rely on Jenner & Block's support to navigate state attorneys general and other state and local regulators while keeping their reputations intact.

We understand that a favorable result means much more than winning or saving money. When we deal with state governments with whom our clients will have ongoing regulatory relationships, we know that every interaction is an opportunity to advance the company's brand and positions. Our dealings today can have ramifications years down the line, and we understand that today's solutions need to fit into the client's long-term interests.

Navigating Investigations and Settlements

We are known for our experience in complex investigations, whether in response to a government inquiry or as a proactive strategy to address a problem before it becomes unmanageable. Our reputation for rigorous fact-finding gives us credibility with regulators, and often gives clients a path forward without the need for litigation. We have handled a wide array of matters including those regarding ESG, technology, privacy, consumer protection, public health, post-Dobbs issues, antitrust, content moderation, and other topics.

A Path for Emerging and Transforming Industries

As newly empowered state and local agencies intensify their focus on high-profile industries, clients value our ability to explain new technologies, complicated products, and sophisticated business models to regulators. Our solutions help companies in the technology, health care, financial services, and other industries manage through the challenge at hand and shape how enforcement and legislative bodies approach their business. With our help, businesses can both thrive under existing laws and, when necessary, work to change regulatory frameworks.

Managing Multistate and Multilevel Investigations

Jenner has unparalleled experience navigating nationwide multistate AG investigations. We are at our best when clients face enforcement actions across levels of government and multiple states—from Congress to state attorneys general, and state legislatures to city councils. We have strong relationships at the chief deputy and AG-level across the country. Our prior leadership experience

within the AG community itself and at the Department of Justice, our bipartisan credibility across the AG community, and our deep bench of lawyers with expertise ranging from Congressional hearings to the US. Supreme Court give us the standing to resolve complex problems involving numerous parties and competing agendas.

Minimizing Reputational Risks and Advancing Brands

A favorable result means much more than winning or saving money. When we deal with agencies with whom our clients will have ongoing regulatory relationships, we know that every interaction is an opportunity to advance the company's brand. Our dealings today can have ramifications years down the line, and we understand that today's solutions need to fit into the client's long-term interests.

Experience

Technology & AI

- Represented a major technology company in understanding and impacting the policy, legislative, and regulatory landscape for AI in state legislatures, Congress, and regulatory bodies across the globe, helping provide consistency and clarity across emerging regulatory frameworks.
- Led the outside strategy for a major technology company facing multiple state-based and Congressional threats to a core component of their business, sitting on the company's outside counsel global strategy team and handling policy, legislative, and attorney general work in coordination with strategies in other regions.
- Represented a social media company that received formal and informal inquiries from multiple states, crafting an engagement strategy that was successfully utilized consistently across offices with divergent interests and agendas.

Health Care

- Represented a food producer in a state AG investigation regarding disclosures and use of FDA-approved ingredients.
- Represented a large health care company facing inquiries from state attorneys general on both sides of the political spectrum—as well as governors, members of Congress, and the press—as the company sought to bring a politically charged FDA-approved medication to market. Successfully navigated the legal and political landmines, obtaining final FDA approval and offering the prescription in states where it was legal while staving off AG litigation.

Multistate Investigations & Settlements

- Represented a major philanthropic organization facing state AG investigations, DOJ criminal investigations, congressional inquiries, administrative investigations, and private civil litigation related to the funding of progressive social causes. Successfully navigated interrelated complexities to close out matters while mitigating future legal risks.
- Represented a health care company in a settlement resolving claims of 50 states and thousands of local jurisdictions regarding opioid-related issues.

ESG

- Persuaded a state AG to close an investigation of a technology company regarding alleged misrepresentations regarding terms of service.
- Represented multiple companies in investigations by numerous state AGs regarding ESG-related practices.
- Represented a financial services company in a multistate Attorney General inquiry regarding ESG practices, engaging directly with the AGs and achieving a resolution without litigation.
- Appointed as an independent monitor in settlements with state attorneys general and financial regulators for companies including Citigroup Inc., Credit Suisse AG, and Deutsche Bank, spanning financial services to for-profit education.

Consumer Protection & Regulated Industries

- Managed relationships with state officials in complex data breaches with affected individuals in all 50 states, advising clients on all aspects of breach response and mitigation procedures.
- Advised clients on risks and dealings with state attorneys general and city attorneys alleging unfair, deceptive, or abusive practices in industries ranging from financial services and FinTech to communications, hospitality, and car rentals.

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Related Capabilities

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