
State Attorneys General

Investigations, litigation and enforcement actions launched by state attorneys general are becoming increasingly commonplace, and present unique challenges that require a specific skillset to address and resolve.

Companies engaged with state attorneys general (AGs) face formidable challenges and a range of reputational, practical and legal considerations. State AG offices have broad portfolios with which to examine and challenge an organization's conduct, leaving companies to navigate complicated legal, public relations and crisis management hurdles. WilmerHale's State Attorneys General Practice Group, which draws on the firm's strength across the varied areas of state AG enforcement authority coupled with deep-seated crisis management experience, have made WilmerHale a leading firm in the space.

The group of lawyers—co-led by former Colorado State Attorney General, Senator and Interior Secretary Ken Salazar and former Deputy Attorney General Jamie Gorelick—consists of many who have served at the most senior levels of government and who bring deep policy and industry experience to matters. Our team possesses a critical understanding of the wide-ranging challenges prompted by AG investigations and enforcement actions, and has the talent and foresight to resolve them, or, if necessary, try the cases in court. In the face of investigations by AGs in states including New York, California, Massachusetts, Ohio, Illinois and Washington, as well as in multistate actions, we work closely with our clients to address allegations of misconduct and liability, and to preserve their public image. When litigation is required and the stakes are high, we offer sophisticated representation in defending clients across industries.

Capabilities

Our lawyers, including the former Chief of Staff to the New York Attorney General Brian Mahanna, are well-known and respected among the AG ranks. We have a keen understanding of the different considerations and implications of each jurisdiction because we have handled matters on behalf of clients in 47 states, the District of Columbia and the US Virgin Islands. We also have significant experience effectively coordinating and representing companies in multistate AG investigations, including investigations of alleged unfair and deceptive acts, practices and parallel proceedings.

Advocating on behalf of our clients, we offer a clear perspective on how government agencies—including the AG's office—approach issues within their purview. We have significant experience representing corporate counsel in government investigations, as well as corporations and their executives in criminal and civil investigations conducted by state AGs.

Our lawyers include leaders in antitrust, False Claims Act actions, consumer protection investigations, information securities matters and beyond, as well as practitioners who are well-versed in a range of industries, from pharmaceutical and dietary supplements to communications, financial services, energy and the environment. The critical strategies we implement help clients avoid litigation or, if litigation is imminent, succeed in preserving their business objectives and reputation.

Key Contacts



Jamie Gorelick

PARTNER

JAMIE.GORELICK@WILMERHALE.COM

WASHINGTON DC

+ 1 202 663 6500



Ken Salazar

PARTNER

DENVER | + 1 720 274 3131

WASHINGTON DC | + 1 202 663 6010

Experience

- WilmerHale is regularly involved in high-profile investigations launched by state attorneys general across the country. The firm has extensive experience with investigations for clients ranging from technology and media companies to consumer product manufacturers and major life sciences and financial services corporations. Below are examples of our extensive experience handling litigation and investigations with state AGs.
 - Representing T-Mobile before state AGs addressing antitrust concerns and related consumer issues regarding the company’s proposed merger with Sprint.
 - Representing a technology company in parallel investigations by over a dozen state AGs, the FTC, the US Congress and numerous international regulators regarding data privacy and consumer protection issues.
 - Representing Comcast at trial in litigation brought by the Washington Attorney General alleging violations of the state’s Consumer Protection Act. Successfully prevailed on summary judgment on one of the state’s claims and prevailed on a “half-time” motion to substantially curtail the scope of the remaining claims.
 - Representing a high-tech company in a successful federal court challenge to a state AG investigation.
 - Represented a social networking company in connection with a data breach inquiry from the Florida Attorney General.
 - Successfully represented the Berkshire Museum in multiple appellate proceedings and a wide-ranging investigation by the Massachusetts Attorney General in relation to the Museum’s art collection, including two paintings by Norman Rockwell.
 - Represented Oracle in multiple lawsuits brought by the Oregon Attorney General, stemming from the company’s work on Oregon’s healthcare exchange created under the Affordable Care Act.
 - Represented a large media company in connection with the New York Attorney General’s investigation regarding #MeToo-related allegations.
 - Represented Chase in connection with the California Attorney General’s investigation into the bank’s debt collection practices.
 - Represented a global financial institution in connection with multi-state attorneys general and federal resolution of mortgage related claims arising from the financial crisis.