

BUCKLEY

State Attorneys General Practice

State attorneys general are taking an increasingly active role in pursuing investigations, enforcement matters, and litigation, often coordinating their actions and pooling resources to exert nationwide pressure on companies. They are also working in conjunction with federal enforcement agencies including the Department of Justice, Federal Communications Commission, Federal Trade Commission, and Consumer Financial Protection Bureau. Whether undertaken independently, in conjunction with other attorneys general or federal agencies, or in response to media reports, actions by state attorneys general can have long-lasting reputational and financial implications for companies and individuals.

Buckley attorneys understand that these matters can escalate quickly, and provide clients with comprehensive guidance in response to a state inquiry or enforcement action. We have represented businesses and individuals before all 51 state attorneys general in a range of industries, including financial services, hospitality, digital commerce, payments and data, cybersecurity, energy, healthcare, pharmaceuticals, telecommunications, insurance, and other consumer-centric businesses. Buckley attorneys also represent companies before state agencies, particularly banking commissioners.

Our knowledge of the law is informed by an understanding of the political and policy considerations that often influence attorney general decisions. We stay abreast of emerging issues in the state attorney general community and closely monitor trends and developments that may affect our clients. We anticipate challenges and design innovative strategies before difficulties can arise, and are efficient and creative problem-solvers when they do. We offer solutions that help our clients avoid costly investigations and litigation, as well as unwanted scrutiny. Where litigation is inevitable, our lawyers aggressively defend against claims, including multistate and federal enforcement investigations related to consumer protection, data privacy, advertising, consumer finance, and environmental and energy concerns, as well as state qui tam actions.

We have worked with financial institutions of all types, including banks, marketplace lenders, auto finance companies, student loan servicers, and mortgage companies, to respond to inquiries from state attorneys general, involving various aspects of their business practices including sales, advertising, servicing, collection, and licensing matters.

Select representations in this area include:

- Multiple international hotel companies in a confidential multistate attorneys general investigation

- A leading homebuilder, mortgage originator, and mortgage servicer in parallel investigations of various subsidiaries by a large multistate attorney general group, the CFPB, the DOJ, and the Department of Housing and Urban Development, among others

- Numerous financial institutions in investigations, examinations, and licensing matters before the New York Department of Financial Services

- Banks and nonbanks in civil litigation or enforcement proceedings brought by state agencies such as the California Department of Business Oversight arising from alleged violation of licensing laws

- One of the nation's largest mortgage loan servicers and its affiliates before more than 30 state regulatory agencies and the CFPB in lawsuits and administrative actions alleging improper servicing practices

- Multiple indirect auto finance companies in DOJ and state AG investigations into subprime auto loan origination and securitization practices

- Top national tax-preparation companies in investigations and enforcement actions by state attorneys general and state taxation agencies regarding consumer advertising, tax preparation services, and tax refunds

- Innovative global automotive company to resolve a potential multimillion-dollar licensing issue with a state attorney general, resulting in no fine and no press release

- Verizon Wireless in a settlement with the CFPB, FCC, and 51 attorneys general alleging that it permitted third parties to place unauthorized charges on consumers' wireless phone bills