



GIBSON DUNN

**State Attorneys General (AG) Task Force and
Artificial Intelligence Update**

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NAAG Consumer Protection Fall Conference: State Attorneys General Consumer Protection Enforcement Priorities and Trends

Gibson Dunn has extensive experience advising multinational companies operating online services on a wide variety of regulatory and law enforcement investigation, enforcement, strategic counseling, litigation, and appellate matters relating to youth online safety, including on privacy and AI-related issues.

On October 21, 2025, the 2025 National Association of Attorneys General (NAAG) Consumer Protection Fall Conference brought together State Attorneys General (State AGs), their staff, and public and private sector stakeholders to discuss priorities and trends in consumer protection enforcement.

The conference highlighted State AGs' focus on consumer protection enforcement efforts, including through the establishment of dedicated resources within State AG offices to pursue consumer issues.

Consumer Protection As An Enforcement Priority

A bipartisan panel of state AGs, including New Hampshire Attorney General John Formella, Pennsylvania Attorney General Dave Sunday, and D.C. Attorney General Brian Schwalb, moderated by Todd Leatherman (NAAG, Director of Center for Consumer Protection), outlined

their approaches to consumer protection enforcement and their offices' top priorities. The panel highlighted opportunities for bipartisan work and cross-state collaboration in the consumer protection space, particularly on issues related to consumer fraud. D.C. AG Brian Schwalb said he viewed affordability as central to consumer protection: "People should get what they pay for, they shouldn't be scammed, and they shouldn't be taken advantage of." AG Schwalb contended that what he viewed as a tapering of federal enforcement by the Department of Justice (DOJ), Federal Trade Commission (FTC), and Consumer Financial Protection Bureau (CFPB) means that companies should expect increased state AG action as well as increased collaboration between state AGs. The panel of State AGs all noted their concerns about scams associated with emerging technologies, such as cryptocurrency and AI. New Hampshire AG Formella explained that his office is particularly focused on the use of technology in the collection and use of consumer data.

Price Transparency Enforcement

Later in the day, Jessica Whitney (Deputy Attorney General, Minnesota Attorney General's Office) moderated a conversation between Nick Akers (Senior Assistant Attorney General, Consumer Protection Section, Office of the California Attorney General), Beth Chun (Special Counsel, Kelly Drye), Doug Crapo (Deputy Attorney General, Consumer Protection Department, Utah Attorney General's Office), and Jason Pleggenkuhle (Manager of the Consumer Protection Division, Minnesota Attorney General's Office) which discussed state and federal enforcement actions targeting hidden fees and price transparency.

The panel covered enforcement priorities in Minnesota and California in particular as shaped by state legislation. Assistant AG Akers highlighted California's efforts to regulate price disclosures against online delivery platforms, and Jason Pleggenkuhle described two recent statutes passed by the Minnesota legislature targeting price transparency – the Minnesota Price Transparency "Junk Fees" Act and Ticket Sales Price Transparency (Taylor's Law).

Deputy Utah AG Doug Crapo detailed the rulemaking background of the FTC's Junk Fees Rule. The Junk Fees Rule requires the mandatory disclosure of the total price, including all mandatory fees, in the advertised price for two industries: live-event tickets and short-term lodging. Crapo noted that enforcement actions have been brought under this rule against ticket sale platforms in D.C. and Texas, and emphasized he expects price transparency to continue to grow as an enforcement area. Panelists also noted that states beyond California and Minnesota have recently passed laws regulating fee transparency, though those state laws vary in terms of the industries to which they apply and disclosure requirements. The panel agreed that in the absence of broader applicability of the FTC Junk Fees Rule, a patchwork of state regulation and enforcement is emerging in this area.

Looking Ahead

The conference emphasized that State AGs will continue to pursue consumer protection investigations and enforcement actions amid what several AGs argued they perceive as reduced federal action by DOJ, FTC, and CFPB. The sessions suggest that price transparency and the use of emerging technology, including AI-related scams and collection of consumer data, will remain enforcement priorities for state regulators. Multistate actions could also increase in frequency.

Businesses should expect that state regulators will continue to apply established consumer protection laws to address new and evolving challenges.

The following Gibson Dunn lawyers prepared this update: Natalie Hausknecht, Ashley Rogers, Gustav Eyler, James Zelenay, Rachel Baron, Zoey Clark, and Wynne Leahy.

Gibson Dunn's State AG Task Force assists clients in responding to subpoenas and civil investigative demands, interfacing with state or local grand juries, representing clients in civil and criminal proceedings, and taking cases to trial.

Gibson Dunn lawyers are closely monitoring developments and are available to discuss these issues as applied to your particular business. If you have questions, please contact the Gibson Dunn lawyer with whom you usually work, the authors, or any of the following members of Gibson Dunn's State Attorneys General (AG) Task Force, who are here to assist with any AG matters:

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