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# Price Gouging Weekly Round Up

**December 7, 2020**

## Price gouging enforcement and litigation is front and center for company counsel and business managers nationwide. Our weekly round up highlights some of the most relevant news and information for our clients and friends.

### Lawsuit Seeks Documents Showing Price VA Paid for PPE

On November 26, 2020, a FOIA complaint was brought against the U.S. Department of Veterans Affairs seeking to discover documents showing the price the VA paid for PPE in the spring. According to the complaint, the VA has ignored requests regarding the prices it paid for PPE in Massachusetts, Texas, Georgia, Iowa, Illinois, and Maine. The complaint states that “[t]he question of what conduct might constitute price gouging is determined, at least in part, by market prices for PPE at the time sales were made to various clients.” The complaint further states that the price the VA paid for PEE is in the public interest "to ensure that the conduct by the current targets of the USAO's investigation is fairly and justly evaluated in the light of the actual market prices for PPE at the times at which PPE was sold to VA Medical Centers and others."

### Idaho Attorney General Announces Price Gouging Settlement with Gas Stations

On November 30, 2020, Idaho Attorney General Lawrence Wasden announced that his office has entered into settlements with Idaho gas retailers accused of price gouging fuel. The settlement provides a total of $1.5 million in credits to be returned to consumers in 2021. Two retailers will each provide $600,000 in credits, while a third will provide $300,000. “I am pleased that we were able to address my office’s concerns and reach agreement on this matter, and in doing so, provide Idaho consumers with meaningful redress,” Wasden said. “The parties spent significant time analyzing, reviewing and negotiating. I want to commend the retailers for their willingness to be part of this solution.”

## Santa Clara County Considering Cap on Third-Party Food Delivery Fees

The Silicon Valley Chamber Coalition is seeking to place a temporary 15% limit on the fees that food delivery companies can charge restaurants. According to restaurant owners, fees can run from 30-50% of the cost of the orders. Santa Clara County Supervisor Joe Simitian, whose office is working on a proposal to impose such a limit, stated that “[a]t a time when local businesses are struggling to stay alive, and when restaurant workers are at risk of losing their livelihood, we just need to make sure that everyone is treated fairly." Other counties and cities in California and elsewhere have passed similar restrictions, including San Meteo County in November. The Santa Clara County Board of Supervisors is expected to consider the proposal at its meeting on December 8, 2020.

## Florida Attorney General Recovers More than $2 Million for Consumers

On December 2, 2020, Florida Attorney General Ashley Moody announced that her office has recovered more than $2 million for consumers related to COVID-19 cancellations, purchases, and scams. According to Attorney General Moody, “[t]he Attorney General’s Price Gouging Hotline remains active and the office’s Consumer Protection Division is still assisting consumers and reviewing complaints related to price increases on commodities essential to slowing the spread of COVID-19 and other concerns related to the pandemic’s impact on consumer transactions.” To date, Attorney General Moody’s office has made more than 10,000 referrals and contacts to merchants about price gouging allegations, refunds, and scams. The office has also issued 107 subpoenas to investigate allegations of price gouging. For more information on Florida’s price gouging law, read our blog post.

**Related Professionals**

- **Christopher E. Ondeck**
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- **John R. Ingrassia**
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- **Kelly Landers Hawthorne**
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