

Laura L. Ferguson

Partner

Houston

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Laura counsels clients ranging from multinational banks to energy companies on a wide variety of employee benefits, executive compensation, and privacy and cybersecurity matters.

OVERVIEW

Laura advises public and private companies on all aspects of compliance with respect to retirement plans, welfare plans, equity plans, non-qualified deferred compensation plans, and executive compensation arrangements. She regularly advises clients on M&A transactions on employee benefits, executive compensation, and privacy and cybersecurity issues, including negotiating purchase agreements, navigating diligence issues (such as Code Sections 409A and 280G issues), drafting transition services agreements, and assisting with a variety of compensation agreements (e.g., transaction bonus, equity, employment, and retention agreements). Laura also assists clients with employee benefit plan controversy and correction issues, including voluntary corrections for retirement plans and non-qualified deferred compensation plans, defending audits by the IRS and DOL related to retirement or welfare plans, and ERISA litigation.

As an IAPP Certified Information Privacy Professional/United States (CIPP/US), Laura provides clients with guidance on privacy and cybersecurity-related issues under applicable federal and state laws, including developing and implementing comprehensive policies, incident response plans, and drafting and negotiating vendor contracts. She also assists clients with responding to data breaches by conducting the required legal and regulatory analysis, preparing required notifications to affected individuals and various governmental agencies, responding to follow-up inquiries from regulators, and coordinating responses to customers, law enforcement, regulators, and the public.

From a health care privacy perspective, Laura also counsels clients concerning the Health Insurance Portability and Accountability Act (HIPAA) by preparing policies and procedures, negotiating business associate agreements with vendors, providing on-site training to staff, and assisting with data breach responses required by the Breach Notification Rule. She also assists clients with responding to inquiries or investigations by the Office for Civil Rights related to potential violations of HIPAA.

REPRESENTATIVE MATTERS

- Represented CopperPoint Insurance Group in the completed \$900 million acquisition of the privately held parent company of workers' compensation and liability insurer Alaska National Insurance Company.
- Represented National Oilwell Varco, Inc. (NOV), in a \$500 million public offering of 3.60% senior notes due

2029, together with an amendment to NOV's credit agreement and a pending redemption of a portion of NOV's 2.60% senior notes due 2022.

- Represented an affiliate of Nautic Partners, LLC, in its acquisition of Spartech LLC, in partnership with Spartech management, from private equity owner Arsenal Capital Partners.
- Represented Serna Insurance Agency, Inc., in the company's acquisition by Arthur J. Gallagher & Co.
- Represented NJR Midstream, a business of New Jersey Resources, in the announced acquisition of Leaf River Energy Center, LLC, from Macquarie Infrastructure Partners.
- Represented NewBridge Resources, LLC, in the acquisition of Pacific Coast Energy Holdings LLC from Metalmark Breitburn Holdings LLC and Greenhill Capital Partners II, LP.
- Represented Silver Eagle Distributors, L.P., the nation's largest independent distributor of Anheuser-Busch beverages, in the sale of Silver Eagle's Greater Houston-area business to a subsidiary of Redwood Capital Investments, LLC.
- Represented American Electric Technologies, Inc., in a share exchange transaction and related reverse stock split with Stabilis Energy LLC and its subsidiaries.
- Represented an undisclosed buyer who purchased all of Harvest Oil & Gas' interests in the San Juan Basin in New Mexico and Colorado for \$42.8 million.
- Represented Nuevo Midstream Dos, LLC, in a definitive agreement with an affiliate of ArcLight Capital Partners to purchase Republic Midstream, LLC.
- Represented Agile Growth Equity, LLC, and its affiliates in the sale of Kobus Inc. and Kobus Services Limited.
- Represented Pelican Energy Partners in its acquisition of Stewart Tubular.

AWARDS

- *Best Lawyers in America*®: Employee Benefits (ERISA) Law (2025-2026)
- *Chambers USA*, Employee Benefits and Executive Compensation (2019-2025)
- Corporate Growth Houston, Midstream Transaction of the Year (2020)
- *Legal 500 USA*, Next Generation Lawyer for Cyber Law (including Data Privacy and Data Protection) (2019)

TOP AREAS OF FOCUS

- Employee Benefits + Executive Compensation
- Privacy + Cyber

ALL AREAS OF FOCUS

- Artificial Intelligence
- Corporate
- Employee Benefits + Executive Compensation
- Incidents + Investigations
- Privacy + Cyber
- Tax

EDUCATION AND CERTIFICATIONS

EDUCATION

- Boston University School of Law, J.D., 2009, *Review of Banking and Financial Law Journal*
- University of Alberta, Bachelor of Commerce, 2002

BAR ADMISSIONS

- Texas

COURT ADMISSIONS

- U.S. District Court, Southern District of Texas
- U.S. District Court, District of Colorado

SPEAKING ENGAGEMENTS

- Speaker, "Technology Vendor Management: Avoiding Pitfalls and Mitigating Risk," UT Law 38th Annual Technology Law Conference, May 9, 2025.
- Speaker, "Legal Issues Employers Face in 2024: What You Need to Know," Locke Lord, February 21, 2024.
- Speaker, "So Many States, So Many Privacy Laws, So Little Time: What to do for 2023?" 30th Annual SMU Corporate Counsel Symposium, October 28, 2022.
- Speaker, "Gearing up for Privacy & Cybersecurity in 2021 Webinar Series: Incident Preparedness & Response," Locke Lord, June 10, 2021.
- Speaker, "Gearing up for Privacy & Cybersecurity in 2021: Cyber Updates," Locke Lord, May 6, 2021.
- Speaker, "Regulatory Update: Recent Legislation and Your Retirement Plans," PKF Texas CPE Webinars, February 10, 2021.

PUBLICATIONS

- Co-author, "IRS Issues Proposed Regulations on the Expanded Definition of 'Covered Employee' Under Code Section 162(m)," *Troutman Pepper Locke*, January 29, 2025.
- Author, "Form 5330 E-Filing Requirement Headache," Locke Lord, May 10, 2024.
- Author, "Amendments to HIPAA Privacy Rule to Support Reproductive Health Care Privacy," Locke Lord QuickStudy, May 1, 2024.
- Author, "Texas Joins the State Privacy Law Landscape on July 1, 2024: The Texas Data Privacy and Security Act," Locke Lord, April 2024.
- Author, "HHS Strengthens Privacy Protections for Substance Use Disorder Treatments in Amendments to Part 2 Regulations," Locke Lord, April 2024.
- Author, "Two-Year Transition Relief Announced for Roth Catch-Up Contributions," Locke Lord, October 2023.
- Author, "SECURE 2.0: Two-Year Transition Relief Announced for Roth Catch-Up Contributions," Locke Lord, August 29, 2023.
- Author, "Get Ready to Attest: Three U.S. Departments Release 'Further Guidance' on Gag Clause Prohibitions," *The Journal of Federal Agency Action*, September-October 2023.
- Author, "Compliance Considerations for Potential Texas Privacy Law," *Law360*, June 7, 2023.
- Author, "Washington State My Health, My Data Act," Locke Lord QuickStudy, May 31, 2023.
- Author, "Texas Data Privacy and Security Act," Locke Lord QuickStudy, May 18, 2023, updated May 31, 2023.
- Author, "Get Ready to Attest: The Departments Release 'Further Guidance' on Gag Clause Prohibitions," Locke Lord QuickStudy, May 16, 2023.
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Author, "Short Extension of Clawback Policy Deadline Suggests Listed Companies Will Need to Adopt Policies by early August," Locke Lord, April 27, 2023.

- Author, "Updating Clawback Policies," Locke Lord, April 5, 2023.
- Author, "Consumer Financial Protection Bureau's Data Access Rulemaking Process: A Heads-Up to Covered Data Providers," *The Banking Law Journal*, April 2023.
- Author, "HHS Publishes Proposed Rule on Confidentiality of Substance Use Disorder Records," Locke Lord QuickStudy, January 12, 2023.
- Author, "CFPB's Data Access Rulemaking Process: A Heads-Up to Covered Data Providers," Locke Lord QuickStudy, December 27, 2022.
- Author, "Office of Civil Rights Guidance on Recognized Security Practices Under the 2021 HITECH Act Amendment," Locke Lord, December 2022.
- Author, "IRS Expands Determination Letter Program to Include Individually-Designed 403(b) Plans," Locke Lord, November 15, 2022.
- Author, "SEC Adopts Final Clawback Rules," Locke Lord, November 9, 2022.
- Author, "Compliance Considerations for Medical Travel Reimbursement," Locke Lord QuickStudy, August 1, 2022.
- Author, "Developments in Energy Pipeline Security: TSA Directives, and Recommendations for Owners and Operators," Locke Lord QuickStudy, October 5, 2021.
- Author, "US Dept. of Labor Announces Cybersecurity Guidance for Plan Sponsors, Plan Fiduciaries, Record-Keepers and Plan Participants," Locke Lord, August 26, 2021.
- Author, "Fraudulent Unemployment Claims? Steps to Take to Resolve," Locke Lord, May 2021.
- Author, "DOL, HHS, and Treasury Jointly Issue FAQs on the CAA's Mental Health and Substance Use Disorder Parity Provisions," Locke Lord, April 8, 2021.
- Author, "Group Health Plan's Anti-Assignment Provision Fails, Ninth Circuit Says," *LexisNexis Practical Guidance*, Winter 2021.
- Author, "New ERISA Case Results in Another Assignment for Today – Ensure your Group Health Plan's Claims Administrator is Raising Anti-Assignment during the Claims and Appeals Process!" Locke Lord, February 8, 2021.
- Author, "How to Prepare For and Respond to Cybersecurity Attacks," ABA's *Healthcare Cybersecurity*, February 3, 2021.
- Author, "New ERISA Case Results in an Assignment for Today – Check your Group Health Plan's Anti-Assignment Provision!" Locke Lord, February 1, 2021.
- Author, "Supreme Court Rules ERISA Does Not Preempt Arkansas' PBM Regulation," Locke Lord QuickStudy, January 7, 2021.
- Author, "Retirement Plan Sponsors Allowed to Post Plan Disclosures Online," Locke Lord, July 2020.
- Author, "New Cafeteria Plan and Flexible Spending Account Guidance Allows Employers to Accommodate Employees' Unanticipated Needs Due to COVID-19," Locke Lord QuickStudy, May 18, 2020.
- Author, "CARES Act Guide: Overview of IRS Guidance Regarding the Employee Retention Credit," Locke Lord QuickStudy, May 4, 2020.
- Author, "CARES Act Surprise: Substance Use Treatment Confidentiality Law Revised," Locke Lord QuickStudy, April 28, 2020.
- Author, "ISS and Glass Lewis Present Guidance for Corporate Governance During COVID-19," Locke Lord, April 15, 2020.
- Author, "Privacy and Cybersecurity Work from Home Considerations in the Context of Coronavirus," Locke Lord QuickStudy, March 31, 2020.
- Author, "CARES Act Guide: Overview of Key Employee Benefits Provisions," Locke Lord QuickStudy, March 28, 2020.

- Author, "CARES Act Guide: Overview of Executive Compensation Limits," Locke Lord QuickStudy, March 28, 2020.
- Author, "COVID-19 and Your Benefit Plans: What You Need to Know Now," Locke Lord, March 23, 2020.
- Author, "New York SHIELDS Private Information (Security Requirements effective March 21, 2020)," Locke Lord QuickStudy, March 13, 2020.
- Author, "Feeling Secure in Retirement: Changes Made by the Secure Act that may Affect Qualified Retirement Plans," Locke Lord, March 4, 2020.
- Author, "HIPAA Penalties Have Been Inflation-adjusted!" Locke Lord, January 21, 2020.