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

- Advised Risk Administration Services, a South Dakota-based risk management advisor and workers' compensation insurance writer, on the employee benefits, executive compensation, and privacy aspects of the sale of its service and operating companies to Maine Employers' Mutual Insurance Company.

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- Represented Tailwater Capital LLC, an energy and infrastructure private equity firm, on employee benefits and data privacy considerations, in its acquisition of a majority interest in Central Midstream Partners, LLC.
- Advised AmTrust Financial Services, Inc., a multinational insurance holding company, as a plan sponsor on ERISA and employee benefits aspects of a Rule 144A catastrophe bond transaction, which provided Technology Insurance Company, Inc, an AmTrust subsidiary, with $150 million in reinsurance protection for losses from named storm events occurring in the Northeast for three years.
- Represented Agile Growth Equity, LLC, and its affiliates on employee benefits, executive compensation, and privacy-related issues in the sale of Kobus Inc. and Kobus Services Limited, the global leader in gas and water pipe pulling technology, to Dresser Utility Solutions, a portfolio company of First Reserve and the leading provider of global infrastructure technology to water and gas utility and industrial customers.
- Advised Mutual Capital Group, Inc., parent company of Mutual Capital Holdings, Inc., on employee benefits and executive compensation matters in connection with its acquisition of ICC Holdings, Inc., the parent company of Illinois Casualty Company.
- Represented Innovative Driven, a data management, eDiscovery, cybersecurity, and recruiting services company for law firms, corporations, and government agencies, on data privacy, information governance, and cybersecurity compliance issues in relation to its acquisition of DLS Discovery LLC, a Delaware-based litigation support provider.
- Advised an investor group comprised of leading energy service executives on employee benefits and management compensation issues in a majority investment and growth equity commitment in Nighthawk Completion Services, a leading provider of proprietary chemicals and fluid systems for oil and gas well completions and production clean-outs.
- Represented Imperative Chemical Partners, Inc., a Midland, TX-based solutions provider for upstream and midstream oil, gas, and water customers, on data privacy and information security matters in its acquisition of Performance Chemical Company, a specialty chemicals solutions provider supporting the oil and gas industry.
- Advised Summit Midstream Corporation, a value-driven corporation focused on developing, owning, and operating midstream energy infrastructure assets, on employee benefits, executive compensation, and data privacy components in its definitive agreement to acquire Tall Oak Midstream III, in a cash-and-stock transaction valued at approximately $425 million with $25 million contingent consideration.
- Represented ARB Midstream, a privately held energy company that provides crude oil and gas liquids midstream and marketing/logistics solutions in North America, in connection with employee benefits and executive compensation aspects of its a merger to create a premier growth-oriented Denver-Julesburg midstream company.

AWARDS

- *Best Lawyers in America*®: Employee Benefits (ERISA) Law (2025-2027), Tax Law (2027)
- *Chambers USA*: Employee Benefits and Executive Compensation, Texas: Houston & Surrounds (2019-2026)
- *Thomson Reuters* Stand-out Lawyer (2026) – independently rated lawyers
- 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
- Executive + Equity-Based Compensation
- Health + Welfare Plans
- Privacy + Cyber
- Tax-Qualified Retirement Plans

ALL AREAS OF FOCUS

- Artificial Intelligence
- Corporate
- Employee Benefits + Executive Compensation
- Executive + Equity-Based Compensation
- Health + Welfare Plans
- Incidents + Investigations
- Litigation + Trial
- Privacy + Cyber
- Tax
- Tax-Qualified Retirement Plans

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

CERTIFICATIONS AND MEMBERSHIPS

- IAPP Certified Information Privacy Professional/United States (CIPP/US)

BAR ADMISSIONS

- Texas

COURT ADMISSIONS

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

SPEAKING ENGAGEMENTS

- Speaker, "PBM Reform and Pharmacy Transparency: What Plan Sponsors Need to Know," 37th Annual Benefits Compliance Conference, October 29, 2026.
- Speaker, "U.S. Privacy and Cybersecurity Regulatory Updates and Trends," UTLaw 39th Annual Technology Law Institute, May 21, 2026.
- 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, “OCR Announces Notable HIPAA Enforcement Actions Against Self-Funded Group Health Plans Following Ransomware Breaches,” *Troutman Pepper Locke*, August 4, 2026.
- Co-author, “Are Your ‘Voluntary Benefits’ Really Exempt From ERISA? It’s Worth Checking,” *Troutman Pepper Locke*, April 22, 2026.
- Co-author, “House Passes HR 7148, Advancing New PBM Transparency and Compensation Rules,” *Troutman Pepper Locke*, January 28, 2026.
- Podcast, “Top Five Health and Welfare Updates,” *Employee Benefits and Executive Compensation* podcast miniseries, October 13, 2025.
- Co-author, “State Law Mandating Reporting From ERISA Group Health Plans Found Not Preempted by ERISA ,” *Troutman Pepper Locke*, September 30, 2025.
- 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.
- 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.
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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.