



Data Privacy and Cybersecurity

In the world where hacking, data breach, ransomware, and social engineering are daily news headlines, the ability of an organization to identify, assess, mitigate, and respond to its cybersecurity and data risks is critical to success. Through coordination of attorneys across industry areas, we provide our clients the foundation on which to build an effective privacy and cybersecurity risk management program.

Privacy and cyber risk has become a significant business risk that business leaders must manage. Using our experience with HIPAA, HITECH, Gramm-Leach Bliley, FFIEC, PCI-DSS, EU GDPR, and state data protection laws, we are able to identify the legal and regulatory requirements applicable to an organization's collection, use, disclosure, and safeguarding of information. With those requirements in mind, we develop a risk management program that includes risk assessments, policies and procedures, training programs, contractual terms, incident response plans, and security strategies to manage data consistent with the organization's risk structure. To further manage this risk, we help organizations assess and procure cyber insurance.

Privacy and cybersecurity incidents and data breaches have become a matter of when, not if, and our attorneys provide the necessary support to survive the incident when it does occur. Our attorneys have substantial experience guiding organizations through the incident response process including crisis management, analysis of when an incident is a reportable breach, management of notification obligations, and resolution of resulting regulatory investigations or litigation.

Data Privacy and Cybersecurity Practice Leaders:



Stacy Harper
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Shawn Tuma
Partner | Dallas, TX
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Our attorneys provide a full range of data privacy and cybersecurity services, including the following areas:

Cyber Risk Management

Proactively helping companies assess and understand their overall cyber risk and then developing, implementing, and maturing a strategic cyber risk management program that prioritizes their efforts to help minimize their cyber risk and meet regulatory compliance requirements.

Cyber Incident Response

Leading companies through the cyber incident response and data breach response process (e.g., as a "breach guide" or "breach quarterback"), crisis management, and regulatory compliance investigations and enforcement actions (e.g., by regulators such as various states' Attorneys General, Department of Health and Human Services / Office of Civil Rights (HHS / OCR), Federal Trade Commission (FTC), and Securities and Exchange Commission (SEC)).

Cyber Security, Hacking, and Data Breach Litigation

Representing clients in litigation involving cyber-related claims like computer and data misuse, computer hacking, data loss, data theft, and business to business disputes concerning responsibility for cyber incidents.

Incident Response Core Team



Shawn Tuma

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Shawn Tuma helps businesses protect their information and protect themselves from their information. He represents a wide range of clients, from small to midsize companies to Fortune 100 companies, across the United States and globally in dealing with cybersecurity, data privacy, data breach and incident response, regulatory compliance, computer fraud related legal issues, and cyber-related litigation.

Having practiced in this area of law since 1999, Shawn is widely recognized in cybersecurity and data privacy law. He is frequently sought out and hired by other lawyers and law firms to advise them when these issues arise in cases for their own clients.

While this area of the law has evolved greatly in the nearly 20 years while Shawn has been practicing, he continues to evolve with it as a practitioner representing his clients, academically as an author and instructor, and as an analyst for the national media.



Stacy Harper

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Stacy Harper counsels healthcare organizations on regulatory compliance reimbursement and data security issues. Using her prior experience as a health care compliance officer, she develops strategies for clients to mitigate risk and improve compliance.

Stacy assesses risks and develops plans for healthcare providers, health plans, employer sponsors of self-insured health plans, and other businesses to coordinate data privacy, data security, and data breach response in accordance with HIPAA, HITECH, and state data laws. Through evaluation of structure, industry, policies, contracts, processes and education, Stacy provides resources necessary for her clients to understand and manage data risks in the current cyber threat environment. When a security incident does occur, she frequently coordinates the team to provide an effective response to mitigate harm to the organization and its clients.



Jeremy Rucker

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Jeremy Rucker focuses his practice on privacy and data protection and corporate transactions. He regularly counsels companies on navigating the regulatory and compliance issues before and after a data breach. He has represented companies of all sizes covering several industries including healthcare, banking and finance, and manufacturing.

Additionally, Jeremy represents companies and high net-worth individuals with complex corporate transactions, focusing on public and private mergers and acquisitions.



Incident Response Core Team



Jon Farnsworth

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Jon Farnsworth assists clients with all aspects of business law, from transactions to litigation, mergers and acquisitions, brand and intellectual property rights protection and real estate. He provides a comprehensive approach to matters that includes not just guidance, but practical ideas that align with a client's business goals. Jon is fond of saying that "an attorney should foster business, not inhibit it". He brings a common sense, practical and strategic approach to navigating the legal complexities of business.

Experienced in working with entrepreneurs, particularly in the technology industry, Jon counsels businesses at startup in the initial strategy and financing stages. He has also worked with numerous clients in the sale of businesses ranging from transitioning ownership, multimillion-dollar transactions and private equity.



Thomas Hayde

Partner | St. Louis, MO
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As a privacy professional, Tom Hayde aids clients in developing comprehensive strategies to address information practices and data breach risks, avoid potential claims and liabilities, and ensure compliance with all relevant legal requirements. Tom also helps clients develop and implement protocols surrounding how to respond when a data breach occurs and defends clients against potential claims and lawsuits regarding data breaches. He has experience defending against and resolving civil claims and enforcement actions under specific information privacy laws, such as FCRA, GLBA, HIPAA and RFP.

In addition to his privacy and data security practice, as a litigator Tom has successfully represented Fortune 50 and Fortune 250 companies in a wide range of other complex civil litigation matters in state and federal trial and appellate courts.



Jessica Gale

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In her commercial litigation practice, Jessica works with business owners and in-house counsel to find cost-effective strategies to further their business goals. She adeptly handles an array of legal issues for her clients, including contract breaches, partnership disputes, business torts and fiduciary duty allegations.

Collaboration has always been a priority for Jessica. While studying for her law degree at the University of Arizona, she volunteered as a law clerk for Southern Arizona Legal Aid. She also mentored first-year law students as an Ares Fellow.

Jessica continues to make time for community service. She is a member of the Fresh Start Women's Foundation Auxiliary Board, a nonprofit organization that provides a range of personal and career development services for women.

Incident Response Core Team



Shelby Menard

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Shelby Menard is a member of the firm's Litigation and Dispute Resolution group in the Plano office. She assists her clients through the litigation process in a variety of cases, including general business disputes, financial services litigation, fraud claims, and business torts.

Shelby earned her J.D. from Baylor University School of Law in 2017. While completing her law degree, she was elected to the Order of the Barristers and was an active member in the Baylor Public Interest Society. Shelby gained invaluable litigation experience at several prominent firms in Dallas, Texas and by completing an internship with the U.S. Attorney's Office for the Southern District of Texas during law school. Shelby earned her Bachelor of Arts in Political Science from Texas Tech University, where she graduated *cum laude*.



Natalie Washington

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Natalie S. Washington is a trial lawyer who works tirelessly for her clients so they can get back to business. She is known for her relentless pursuit of success which she achieves through creative thinking at the inception of a case and tailored strategy. Natalie is as enthusiastic about courtroom resolution as she is about achieving favorable results one-on-one with the opposition.

Natalie handles a wide variety of cases, including breach of contract, fraud, breach of fiduciary duty, probate matters, oil and gas mineral and trespass disputes, healthcare, and trade secrets.

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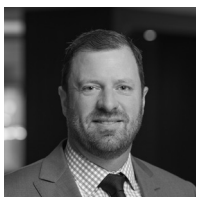
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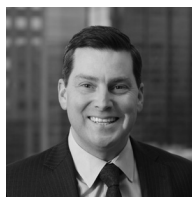
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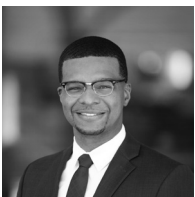
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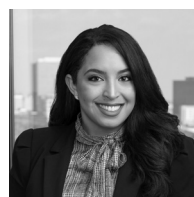
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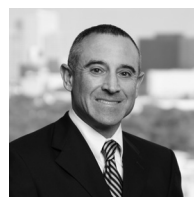
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Our Firm

At Spencer Fane, your business leaders work with our business leaders. We provide an unconventional approach to legal services geared toward protecting and advancing business and personal interests. Our clients are certain that their interests are our priority, because they work with leaders – leaders who work decisively, execute with purpose and understand the importance of flawless timing.

Practice Areas

Spencer Fane attorneys serve clients in a variety of practice areas. In each practice, our attorneys are sought out for their business knowledge, practical experience and ability to develop creative solutions to clients' complicated legal problems.

- Banking and Financial Services
- Bankruptcy, Restructuring, and Creditors' Rights
- Corporate and Business Transactions
- Data Privacy and Cybersecurity
- Education Law
- Employee Benefits
- Energy Law
- Environmental Law
- Governmental Affairs
- Health Care
- Higher Education
- Intellectual Property
- Labor and Employment
- Litigation and Dispute Resolution
- Mergers & Acquisitions
- Nonprofit and Tax-Exempt Organizations
- Real Estate
- Special Districts
- Tax Credit Finance and Opportunity Zones
- Tax, Trusts, & Estates
- White Collar Defense and Investigations

Practice Locations

Spencer Fane is a full-service law firm with more than 400 attorneys across 22 offices in Arizona, Colorado, Florida, Kansas, Minnesota, Missouri, Nebraska, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, and Texas. Attorneys are organized into 21 primary practices, and possess substantial experience in many sub-specialties and industries.

