



Emily Westridge Black

Partner

emily.westridgeblack@haynesboone.com

[Austin](#) | [Dallas](#)

[+1 512.867.8422](tel:+15128678422)

PRACTICES SEC Enforcement, Government Enforcement and Litigation, Internal Investigations and Crisis Management, Foreign Corrupt Practices Act (FCPA), Privacy and Data Security, Securities and Shareholder Litigation, Litigation, Antitrust and Competition, False Claims Act, Qui Tam and Litigation, Class Action Defense, Products Liability Litigation, Retail

High-profile individuals and companies across the country trust Emily Westridge Black to handle their most pressing crises. She has been recognized by *Chambers USA*, *Chambers and Partners*, 2021, as “a great writer” and a “consummate leader” who has “keen insight” and “provides good advice.” Her creative, tenacious, and efficient approach to litigation has also been recognized by the *Texas Lawyer*, ALM Media Properties, LLC, which named her “Attorney of the Year” in 2019.

Emily is dedicated to obtaining positive results for her clients. For example, she obtained walk-away, voluntary dismissals in a price-gouging class action against a prominent grocer and a breach of fiduciary duty suit against a hedge fund and its principals. She obtained an early, favorable settlement of a Telephone Consumer Protection Act (TCPA) class action. She also recently obtained summary judgment on behalf of a specialty retailer in suits against its payment card processor and its insurer, securing multimillion-dollar judgments in each case.

Emily also helps clients investigate a range of sensitive allegations, including fraud and corruption, product safety concerns, and executive malfeasance. In recent matters, she led investigations into alleged Foreign Corrupt Practices Act (FCPA) and UK Bribery Act violations by employees and agents of publicly traded transportation, manufacturing, and software companies. She also represented an oil and gas services company in connection with a criminal investigation of alleged FCPA violations. Emily is also experienced in leading investigations into suspected data security incidents in diverse sectors, including retail, hospitality, healthcare, and energy.

Emily counsels clients on regulatory issues, including compliance with anti-corruption and anti-bribery laws. Clients benefit from Emily’s experience working in-house at an international pharmaceutical company, where she developed and implemented organization-wide anti-corruption initiatives that balanced legal requirements with business objectives.

Emily is committed to serving the community, and has been involved in humanitarian asylum work since 2010. She helped twelve individuals from countries including Cameroon, Ghana, Guatemala, El Salvador, and Honduras win humanitarian asylum, including a case that secured a precedent-setting opinion on constitutional due process rights of asylum-seekers. She also proudly serves on the board of directors for the March of Dimes of Central Texas.

QUALIFICATIONS

EDUCATION

- J.D., University of Texas School of Law, 2007, *cum laude*; Phi Delta Phi
- B.A., University of North Carolina at Chapel Hill, 2003, *cum laude*; Phi Beta Kappa

CLERKSHIPS

- 1/01/0001 - 1/01/0001
- The Honorable W. Osmond Smith III, Superior Court of North Carolina (Caswell and Person Counties), May-September 2002

ADMISSIONS

- Texas

COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Western District of Texas

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Savvy Social Media - Intelligence Gathering and Personal Privacy Protection," panelist, Women's White Collar Defense Association, May 20, 2021.
- "Cybersecurity Law & Practice for the Generalist," panelist, University of Denver Sturm College of Law, March 10, 2021.
- "2020 Year in Review: Antitrust and Business Litigation," co-author, *Texas Bar Journal 2020 Year in Review*, January 2021.
- "TCPA Compliance: Risks and Responsibilities," presentation to public and private clients, December 15, 2020.
- "In-House Counsel Panel," moderator, The University of Texas School of Law 2020 Essential Cybersecurity Law Conference, July, 15, 2020.
- "2019 Year in Review: Antitrust and Business Litigation," co-author, *Texas Bar Journal 2019 Year in Review*, January 2020.
- "Tackling a Data Breach and Preventative Measures," speaker, Women in eDiscovery Conference, May 9, 2019.
- "Best Practices for Cyber-Preparedness," speaker, San Antonio Compliance Roundtable, San Antonio, TX, February 14, 2019.
- "Best Practices for Cyber-Preparedness," speaker, Austin Compliance Roundtable, Austin, TX, February 13, 2019.
- "Fighting the Cyber War: Corporate Governance, People and Process," speaker, General Counsel Data Privacy and Cyber Security Forum, Dallas, TX, November 13, 2018.
- "The In-House Perspective on Managing Cybersecurity," panel moderator, The University of Texas School of Law Cybersecurity Conference, July 25, 2018.
- "Risk Management," speaker, Texas Bankers Association Trust Audit and Operations Conference, June 14, 2018.
- "The Post-Mortem: Assessing Your Incident Response," presenter, 2nd Cybersecurity and Data Privacy Law Conference, April 13, 2018.
- "What You Need to Know About Cybersecurity," presenter, Austin Bar Association Real Estate Section, April 10, 2018.

- "Cybersecurity Planning: When (not if) a data breach occurs, will you be ready to respond?" speaker, University of Texas, School of Law Conference, Austin, Texas, February 23, 2018.
- "This Training Will Make You Rethink Anti-Corruption Compliance," presenter, webinar for Bloomberg BNA, October 5, 2017.
- "Data Security, Client Confidences, and Ethics Rules Applicable to the Protection of Client Information," speaker, Texas Bar CLE 35th Annual Advanced Tax Law Course, August 18, 2017.
- "Incident Response and Breach Disclosure," panel moderator, The University of Texas Law School 2017 Essential Cybersecurity Law Conference, July 28, 2017.
- "Hot Topics in Anti-Corruption Law," speaker, Association of Corporate Counsel D-FW Chapter Lunch & Learn CLE, May 9, 2017.
- "Emerging Trends in Cybersecurity Litigation and Regulatory Actions," speaker, The Center for American and International Law's First Annual Cybersecurity and Data Privacy Law Conference, January 25, 2017.
- "Antitrust and Business Litigation," co-author, *Texas Bar Journal*, January 2017.
- "Data Security, Client Confidences, and Ethics Rules Applicable to the Protection of Client Information," speaker, University of Texas School of Law 64th Annual Taxation Conference, December 1, 2016.
- "Managing Cyber Liability: Protecting Records and Financial Information," speaker, UT CLE Mortgage Lending Institute, September 29, 2016.
- "Reacting to a Cyber-Attack: How to Investigate, Remediate, and Minimize Losses," Gulf Coast Power Association, August 25, 2016.
- "Regulatory Actions and Civil Litigation Update," speaker, The University of Texas Law School 2016 Essential Cybersecurity Law Conference, August 19, 2016.
- "Antitrust and Business Litigation," co-author, *Texas Bar Journal*, Vol. 79, No. 1, January 2016.
- "Cyber Attacks - Are You Prepared?" presentation to public and private clients in Dallas, April 14, 2015.
- "Practical Tips on Preventing, Managing, and Insuring for Data Breaches," panelist, Houston Cybersecurity panel, February 18, 2015.
- "Despite Bipartisan Support, Data Breach Law Faces Obstacles," author, *Law360*, February 02, 2015.
- "Data Security Law: Predictions for 2015," author, *The Privacy Advisor*, January 27, 2015.
- "Obama Cybersecurity Blitz May Lessen Liability For Breaches," author, *Law360*, January 14, 2015.
- "2014 Year in Review: Antitrust and Business Litigation," author, *Texas Bar Journal*, January 2015.
- "A Focus on Cybersecurity Litigation Risks and Liabilities," presenter, General Counsel Forum, November 6, 2014.
- "Critical Organizational Threats Facing General Counsel," presenter, Texas Lawyer In-House Counsel Summit, November 6, 2014.
- "A Compliance Officer's Guide to Cyberliability and Cyber Insurance," speaker, Houston Compliance Roundtable, October 15, 2014.
- "What You Need to Know About Cybersecurity," presenter, Better Business Bureau of Central, Coastal, Southwest Texas and the Permian Basin, September 16, 2014.
- "A Guide to Data Protection and Breach Response—Part 2," author, *Intellectual Property & Technology Law Journal*, Vol. 26, No. 8, August 2014.
- "A Guide to Data Protection and Breach Response—Part 1," author, *Intellectual Property & Technology Law Journal*, Vol. 7, No. 3, July 2014.
- "What You Need to Know About Data Security and Cyber Insurance: Practical tips on preparing for and responding to a cyber security breach," presented to public and private company clients in the Dallas area, June 26, 2014.
- "Understanding Privacy, Cybersecurity, and Cyber Insurance," speaker, Austin Compliance Roundtable, May 28, 2014.
- "What Registered Entities Need to Know about Cybersecurity and Cyber Insurance," speaker, San Antonio Compliance Roundtable, May 14, 2014.

- "Cyber Liability and Loss Seminar," presented to public and private company clients in the Austin area, April 22, 2014.
 - "2013 Year in Review: Antitrust and Business Litigation," author, *Texas Bar Journal*, January 2014.
 - "2012 Year in Review: Antitrust and Business Litigation," author, *Texas Bar Journal*, January 2013.
 - "2011 Year in Review: Antitrust and Business Litigation," author, *Texas Bar Journal*, January 2012.
 - "2010 Year in Review: Antitrust and Business Litigation," co-author, *Texas Bar Journal*, January 2011.
 - "Managing Risk: A Guide for Investment Advisers," co-author, National Society of Compliance Professionals Southern Regional Meeting, February 2010.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- 2nd Cybersecurity and Data Privacy Law Conference, Co-Chair
 - The University of Texas Law School 2017 Essential Cybersecurity Law Conference, Presiding Officer
 - The Center for American and International Law's 2nd Cybersecurity and Data Privacy Law Conference, Co-Chair
 - Steering Committee of the American Bar Association's Death Penalty Representation Project
 - Executive Committee of the Board of Directors of the Dallas Mayor's Committee
 - Fellow, American Bar Foundation
 - Member, United Way Women United
 - Patrick E. Higginbotham Inn of Court, Associate (2009)
 - American Bar Association
 - ABA Young Lawyers Division
 - Texas Young Lawyers Association
 - Dallas Association of Young Lawyers
 - Board of Directors, March of Dimes of Central Texas
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SELECTED CLIENT REPRESENTATIONS

- Counseled Fortune 500 manufacturing company on the defense of a \$250 million products liability case brought by a downstream domestic products manufacturer. Provided strategic counsel regarding claims, defenses, and third-party claims. Oversaw development of factual record, including through intensive testing efforts undertaken jointly with plaintiff. Assisted client in strategizing for and obtaining favorable settlement of all claims and third-party claims.
- Lead counsel for defendants in a putative class action alleging breach of fiduciary duty, aiding and abetting, and vicarious liability in connection with the failure of a hedge fund. Defeated class certification and obtained voluntary dismissal of remaining claims.
- Internal investigation and remediation of a data security breach of an information technology solutions company; counsel client on the company's remediation efforts, disclosure obligations, and recourse against the former employee.
- Internal investigation of data security breach at high profile specialty retailer that implicated payment card information and personal identifying information; counsel client on numerous post-breach issues including disclosure obligations, public disclosure, negotiation of fraud recovery and operational reimbursement fines and penalties with card brands, and related counseling regarding collateral litigation; counsel client on insurance coverage for breach-related expenses.
- Internal investigation and remediation of a data security breach at a Fortune 200 transportation company; civil prosecution of entity responsible for the security breach.

- Investigation of criminal spear-phishing attack used to steal funds from public oilfield services technology company; direct forensic investigation of attack; counsel client on disclosure obligations and remediation efforts.
 - Internal investigation of alleged FCPA violations made against a Fortune 200 company in connection with the construction of cross-border facilities.
 - Defense of the former CEO of an international technology company in an SEC enforcement action for options backdating.
 - Internal investigation on behalf of the audit committee of a national construction and restoration company regarding securities issues and fraud allegations.
 - Defense of an international freight forwarder under federal investigation for antitrust compliance issues.
 - Defense of a national multi-industry company in breach of warranty litigation.
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AWARDS AND RECOGNITION

- Listed in *Chambers USA*, Chambers and Partners, for Litigation: General Commercial in Texas: Austin & Surrounds, 2021
- Recognized as a 2019 Attorney of the Year by *Texas Lawyer*, ALM Media Properties, LLC, as part of their Professional Excellence Awards