



Kimberly M.
Marston
PARTNER

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Kim Marston litigates contract and commercial disputes, including unfair trade practices, trade secrets, unfair competition and breach of fiduciary duty claims, on behalf of businesses and professionals in all levels of state and federal courts, including the North Carolina Business Court.

COMPLEX COMMERCIAL LITIGATION

When things go wrong in your business, I help resolve disputes through negotiation and the courts. During litigation, I work to quickly understand your business so that I can effectively handle and focus on the dispute, letting you focus on your business.

Kim represents professionals and businesses in a variety of industries in complex litigation matters, including matters involving breach of contract, unfair trade practices, trade secrets, and the False Claims Act. Whether it's a single contract or a long-term business relationship that unexpectedly goes bad, Kim has experience helping clients resolve disputes—litigating through trial when necessary. She has significant experience in all stages of litigation from pre-suit resolution through appeal and has tried cases in all levels of state and federal courts, including the North Carolina Business Court.

Kim is particularly skilled at navigating cases with high volumes of documents and extensive discovery needs. She works with our in-house e-discovery staff and utilizes the latest technology to efficiently and effectively manage and analyze documents that can number in the millions. Kim gets to the key information without incurring undue expense.

BUSINESS OWNERSHIP DISPUTES

When a trusted business partner does something to hurt the company or disputes arise about the ownership or control of your company, LLC, or partnership, I help you understand your options and litigate when necessary.

Kim counsels and represents business owners when disputes over ownership and control arise. She has experience representing clients in litigation over ownership, dissolution, breach of fiduciary duties, and constructive fraud in the North Carolina Business Court.

PROFESSIONAL LIABILITY LITIGATION

I counsel lawyers and law firms when they are faced with thorny issues and defend them when they are accused of malpractice. I handle the issues they face so they can focus on their own clients.

Kim counsels North Carolina lawyers in carrying out their professional responsibilities and defends professionals when faced with allegations of malpractice. She has successfully defended lawyers and law firms in North Carolina in state and federal courts, securing dismissal of claims on behalf of her clients in numerous recent cases. Kim also represents out-of-state lawyers and firms when they are hauled into North Carolina courts.

EXPERIENCE

Client Success

Shangyu Sunfit Chemical Company

SERVICES

Complex Business Litigation

Federal Litigation

Insurance & Professional Services

Litigation

Litigation Support Technology

Manufacturing

North Carolina Business Court

Professional Liability Litigation

Technology

CREDENTIALS

Honors & Recognitions

Recognized as a "Rising Star" by *North Carolina Lawyers Weekly* (2021)

Selected by her peers for inclusion in *The Best Lawyers in America*® "Ones to Watch" for Commercial Litigation (2021)

Recognized in *North Carolina Super Lawyers* (Thomson Reuters) as a "Rising Star" in Business Litigation (2021)

Education

Washington and Lee School of Law, J.D., 2013, *magna cum laude*; Order of the Coif; Lead Articles Editor, *Washington and Lee Law Review*

Duke University, B.A., 2009

Admissions

North Carolina

U.S. District Court for the Western, Middle, and Eastern Districts of North Carolina

PROFESSIONAL & CIVIC

Member, Board of Directors, National Conference for Community and Justice of the Piedmont Triad

Member, Board of Directors, Guilford Green Foundation & LGBTQ Center

Member, Board of Directors, North Carolina Association of Defense Attorneys

Member, Community Foundation of Greater Greensboro Future Fund

Co-coach, Guilford College Mock Trial Team (2013-2015)

Therapeutic Horseback Riding Volunteer & Exercise Rider, Harmony Farms, Inc. (2009-2010)

ABOUT ME

In my free time, I try to enjoy the beautiful weather and variety of interesting places North Carolina has to offer. You're most likely to find me outdoors with my wife—hiking with our dogs or exploring North Carolina's waterways in our kayaks. Although the pandemic has grounded us for now, we are also excited to get back to traveling in search of new adventures and great food!

NEWSROOM

News

Brooks Pierce Lawyers Named North Carolina Lawyers Weekly Rising Stars
North Carolina Lawyers Weekly, 05.04.2021

Thirty Brooks Pierce Attorneys Recognized by 2021 North Carolina Super Lawyers
North Carolina Super Lawyers, 01.14.2021

Brooks Pierce Partner Authors Article for North Carolina Bar Association Blog
North Carolina Bar Association Blog, 12.11.2020

Kim Marston Named to Board of Directors for the National Conference for Community and Justice of the Piedmont Triad
10.13.2020

Brooks Pierce Announces Four New Partners
09.22.2020

Speaking Engagements

Brooks Pierce Partner Presents at Mecklenburg County Bar's 8th Annual North Carolina Business Court CLE
10.09.2020

Publications

Changes to the North Carolina Rules of Civil Procedure Take Effect Oct. 1, 2020
09.30.2020

Potential Insurance Coverage for COVID-19 Losses
COVID-19 Response Resource Center: Timely Counsel for your Business, 03.26.2020

Reviewing Business Contracts in Light of the COVID-19 Crisis
COVID-19 Response Resource Center: Timely Counsel for your Business, 03.25.2020