

Kimberly M. Marston

Partner



CONTACT INFO

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OFFICE

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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.

MY PRACTICE

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—

PRACTICE AREAS

Litigation

- › Complex Business Litigation
- › Federal Litigation
- › Litigation Support Technology
- › North Carolina Business Court
- › Professional Liability Litigation

INDUSTRIES

Accounting & Professional Services
Insurance
Manufacturing
Technology
Trade Organizations

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

BAR & COURT ADMISSIONS

North Carolina
US District Court - North Carolina
Western District
Middle District
Eastern District

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 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—often in the North Carolina Business Court.

PROFESSIONAL LIABILITY DEFENSE

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.

HONORS

Recognized in [North Carolina Super Lawyers](#)  (Thomson Reuters) as a “Rising Star” in Business Litigation (2021)

Selected by her peers for inclusion in [The Best Lawyers in America](#)  © “Ones to Watch” for Commercial Litigation (2021)

COMMUNITY INVOLVEMENT

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)

PUBLICATIONS & MEDIA

Author, "Remote Advocacy – Tips for Success," North Carolina Bar Association Blog, Dec. 7, 2020

Co-presenter, "Effective Technology in the Business Court in the Wake of COVID-19," Mecklenburg County Bar's 8th Annual North Carolina Business Court CLE, Oct. 23, 2020

Brooks Pierce Partner Authors Article for North Carolina Bar Association Blog, December 11, 2020

Kim Marston Named to Board of Directors for the National Conference for Community and Justice of the Piedmont Triad, October 13, 2020

Changes to the North Carolina Rules of Civil Procedure Take Effect Oct. 1, 2020, September 30, 2020

Brooks Pierce Announces Four New Partners, September 22, 2020

Kim Marston Named to NC Association of Defense Attorneys Board of Directors, June 26, 2020

Potential Insurance Coverage for COVID-19 Losses, March 26, 2020

Reviewing Business Contracts in Light of the COVID-19 Crisis, March 25, 2020

Brooks Pierce Attorneys Win Chemical Company a \$75 Million Verdict, December 2, 2019

Brooks Pierce Attorney Quoted by Triad Business Journal Regarding Partnerships for Young Attorneys, April 29, 2019

Brooks Pierce Case Recognized As One of N.C.'s Largest Eminent Domain Verdicts in 2018, March 11, 2019

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SPEAKING ENGAGEMENTS

Brooks Pierce Partner Presents at Mecklenburg County Bar's 8th Annual North Carolina Business Court CLE, October 9, 2020