



Elizabeth L. Winters

Senior Associate

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Services

Complex Commercial Litigation

Litigation

Trade Secrets

Beth Winters litigates complex commercial, trade secret, securities, Native American, and other legal issues for both plaintiffs and defendants. Ms. Winters has handled multiple cases in both federal and state courts across the country involving claims for breach of contract, such as services agreements, real estate leases, and non-disclosure and non-compete agreements, fraud, unfair and deceptive trade practices, and misappropriation of trade secrets.

Prior to joining the firm, Ms. Winters gained experience working as a law clerk in the North Carolina Business Court. Previously, she worked with the firm as a summer associate in 2010 and 2011.

Ms. Winters was recognized as a North Carolina "Rising Star" in 2021 and the five years immediately preceding for Business Litigation by *Super Lawyers* magazine. She was also recognized in 2022 as one of the "Best Lawyers: Ones to Watch" for Commercial Litigation by *The Best Lawyers in America*®.

Experience

Represented the sellers of a 120 acre tract of real estate slated for commercial development in Union County, North Carolina. After prolonged due diligence, the buyer repeatedly refused to close on the sale and filed suit to require the sellers to indefinitely hold the property for an eventual closing after all development permits were approved by the City of Monroe. After filing counterclaims based on the buyer's refusal to close on the sale, we moved for judgment on the pleadings on all claims. That motion was granted in the sellers' favor, and they were freed from the original contract and the court ordered the due diligence deposit to be released to our clients from escrow. Shortly thereafter, the sellers signed a new contract for an approximately one-third increase in the sale price. *Pace Development Group, Inc. v. Howey, et al.*, 20 CVS 2572, Superior Court, Union County, NC.

Lead associate in complex trade secret misappropriation lawsuit in North Carolina Business Court against client's former head of research and development. Worked closely with computer forensic experts to uncover misappropriation of 4,000 product formulas and spoliation of evidence. Obtained a temporary restraining order and a preliminary injunction.

Defended transportation company in federal court from claims arising from \$22 million deal, including breach of a



non-disclosure agreement and confidentiality obligations, fraud, negligent misrepresentation, and deceptive trade practices. Briefed motion to dismiss seven of the eight claims, which was granted in full, and plaintiff then voluntarily dismissed its remaining claim.

Defended in North Carolina Business Court multiple former officers and directors of Consert, Inc., the company who acquired Consert, Inc., an investment bank, and other parties against various claims brought by former shareholders of Consert, Inc. including breach of fiduciary duty, fraud, violation of the North Carolina Securities Act, conversion, and violation of North Carolina's Unfair and Deceptive Trade Practices Act related to the merger of Consert, Inc. into another company. The North Carolina Business Court granted 10 defendants' motions to dismiss.

Education

Wake Forest University School of Law J.D. (2012) *magna cum laude*, *Order of the Coif*, *CALI Award*
Wake Forest Law Review, Editorial Staff

University of Florida B.S. (2007) Psychology, *cum laude*

University of Florida B.A. (2007) Criminology, *cum laude*

Admissions

North Carolina (2012)

Court Admissions

U.S. District Court - Eastern District of North Carolina

U.S. District Court - Middle District of North Carolina

U.S. District Court - Western District of North Carolina

Clerkships

North Carolina Business Court - Judge James L. Gale (Aug 2012-Aug 2013)

Professional & Community Activities

21st Judicial District Bar, Member

Forsyth County Bar Association, Member

North Carolina Bar Association, Young Lawyers Division Member

Guardian ad Litem, Volunteer (2001-Present)

Yadkin Riverkeeper, Volunteer (2009-2010)



Insights

[News Releases](#)

Kilpatrick Townsend Receives Top-Tier Recognition in the 2022 Edition of *Best Lawyers: Ones to Watch in America*

August 19, 2021

[News Releases](#)

32 Kilpatrick Townsend Attorneys Named to the 2020 North Carolina Pro Bono Honor Society

May 18, 2021

[Alerts](#)

North Carolina Pauses Certain Evictions, Utility Shut-Offs, and Late Fees

June 5, 2020

[News Releases](#)

36 Kilpatrick Townsend Attorneys Named to the 2019 North Carolina Pro Bono Honor Society

May 28, 2020

[Perspectives](#)

5 Key Takeaways | Strategies for Protecting Trade Secrets

March 9, 2020

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2020 North Carolina Super Lawyers

February 27, 2020

[Perspectives](#)

6 Key Takeaways | North Carolina Business Court: Overview and Analysis of the 2018-2019 Term

June 7, 2019

[In The News](#)

35 Kilpatrick Townsend Attorneys Named to the North Carolina Pro Bono Honor Society

May 24, 2019

[Perspectives](#)



KT Client Success | Trade Secret Misappropriation and Related Patent Prosecution Enjoined
February 21, 2019

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2019 North Carolina Super Lawyers
January 28, 2019

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2018 North Carolina Super Lawyers
February 6, 2018

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2017 North Carolina Super Lawyers
January 30, 2017

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2016 North Carolina Super Lawyers
January 15, 2016