

Susan H. Boyles

Partner

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Services

Alternative Dispute Resolution

Appellate Litigation

Business & Finance

Complex Commercial Litigation

Litigation

Trade Secrets

Industries

Financial Services

Susan Boyles focuses her practice on business litigation and insurance coverage disputes. She has nearly thirty years of experience representing both policyholders and insurers in a wide variety of insurance coverage matters in both state and federal courts. She is a fellow and member of the prestigious American College of Coverage Counsel. Susan also has a broad general litigation and arbitration practice involving commercial disputes, breach of contract claims, banking and financial services issues, unfair and deceptive trade practices, and other business torts.

Susan takes ownership of her client's problems and works to find the most cost-effective way to solve them. She analyzes the legal issues alongside the practical and business implications and partners with clients to accomplish their goals. She recognizes that litigation is not always the best path forward; negotiation, mediation, and other forms of dispute resolution should always be considered. Susan has handled matters involving breach of contract (such as supply agreements, non-disclosure agreements and asset purchase agreements), fraud, unfair and trade practices, misappropriation of trade secrets, misrepresentation, and allegations of professional misconduct. Susan is listed in the 2026 and three years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for General Commercial Litigation. In 2014, 2016 and 2017, she was recommended by *Legal 500 US* in the area of Trade Secrets Litigation. She was recognized as a North Carolina "Super Lawyer" for Business Litigation in 2025 and the four years immediately preceding by *Super Lawyers* magazine. She was recognized in *The Best Lawyers in America®* for Commercial Litigation, Insurance Law, Banking & Finance Litigation, Insurance Litigation, and Personal Injury Litigation in 2027 and the 20 years immediately preceding. Susan was also named "Triad Lawyer of the Year" in 2027 for Personal Injury Litigation - Defendants by *The Best Lawyers in America®*. She was listed in the "North Carolina Legal 250" for Business Litigation in 2026 by *North Carolina Lawyers Weekly*.

Susan's insurance practice includes experience in evaluating defense and coverage obligations under commercial general liability policies, property insurance policies, products liability policies, excess policies,

directors and officers policies, builder's risk policies, professional liability insurance policies, fidelity bonds, employment liability policies, auto and homeowners' policies, and specialized or manuscripted policies. Susan also has handled first-party and third-party disputes, including those involving "additional insured," and "other insurance" clauses, as well as bad faith issues. In addition, she has represented brokers defending against professional liability claims that often arise when coverage is denied. Susan was named a 2016 and 2018 "Greensboro Lawyer of the Year" in the area of Insurance Litigation, a 2017, 2020, 2023 and 2025 "Triad Lawyer of the Year" for Insurance Law, and a 2021 "Triad Lawyer of the Year" for Insurance Litigation by *The Best Lawyers in America*®. She is also a certified mediator for North Carolina Superior Court cases by the North Carolina Dispute Resolution Commission.

Susan has a strong commitment to providing pro bono legal services. Most of her pro bono representation has focused on guardian ad litem services for children throughout the state. In 2018, she was named Kilpatrick's "Pro Bono Partner of the Year" for her longstanding service as a guardian ad litem in high-conflict child custody cases in Forsyth County. For the past 10 years, she has volunteered with the NC Guardian ad Litem division as appellate counsel. In 2021, she received the Volunteer Leadership Award from the Children's Law Center of Central North Carolina. She has been inducted into the North Carolina Pro Bono Honor Society.

Experience

Represented multiple property managers in insurance coverage litigation (including claims for bad faith and unfair and deceptive trade practices) seeking a defense and coverage for claims made against them in class-action lawsuits relating to eviction practices. One of the cases resulted in a ruling that an insurer cannot recover defense costs from its insured, even if it did not have a duty to defend, unless the policy specifically gives it the right to do so. *Hanover Ins. Co. v. Blue Ridge Property Mgmt. LLC*, 904 F. Supp. 3d 904 (M.D.N.C. 2020).

Represented families whose children had been unlawfully taken from them by the Cherokee County Department of Social Services in insurance litigation in which the families sought to obtain coverage for violation of their civil rights under multiple liability insurance policies issued to the county over a 15-year-period. *North Carolina Counties Liab. Property Joint Risk Mgmt. Agency v. Cherokee County, et al.*, No. 22 CVS 37 (Cherokee County Superior Court).

Regularly advise a NC-based insurer on coverage issues for its insured municipalities and prepare coverage opinion letters.

Represented policyholder seeking coverage under multiple excess insurance policies for damages that occurred as a result of an accidental fire at its chicken processing plant. The case raised issues of first impression about assignment of insurance proceeds in North Carolina and an assignee's standing to sue an insurer for bad faith. *Brakebush Brothers, Inc. v. Certain Underwriters at Lloyd's of London et al.*, 20 CVS 367 (Davie County Superior Court) (assigned to NC Business Court).

Represented former Sprint dealers in multiple arbitrations against T-Mobile on claims for fraud and unfair business practices following the merger of Sprint and T-Mobile in 2020.

Represented property owner on claim for first-party coverage under an insurance policy after the collapse of a historical building.

Represented defendant-property owner seeking a defense and indemnity from multiple insurers for litigation alleging that the owner's activities on its property had caused a sinkhole on the plaintiffs' adjacent property.

Represented Family Dollar as the plaintiff in a breach of contract and unfair and deceptive trade practices case arising from a vendor's premature termination of a contract and failure to pay for accrued rebate hours. *Family Dollar Operations, Inc. v. Driveline Retail Merchandising, Inc.*, No. 3:17-cv-00054-FDW-DSC (W.D.N.C.).

Filed litigation on behalf of P&L Development LLC after its supplier failed to provide products under multiple requirements contracts for generic pharmaceutical products. The firm obtained a Temporary Restraining Order and Preliminary Injunction requiring the defendant to ship products to our client. *P&L Development LLC v. Bionpharma Inc.*, No. 1:17-cv-1154-NCT-JLW (M.D.N.C.).

Regularly provide advice and counsel to clients whose claims for insurance coverage have been denied under commercial general liability, professional liability, directors and officers, errors and omissions and other types of insurance policies.

Defended Western Union and related entities in multiple putative class action cases alleging violations of the Fair Debt Collection Practices Act. The firm was successful in obtaining orders of dismissal in all cases. *Carmen Woods, et al. v. Santander Consumer USA, Inc., et al.*, Civil Action No. 2:14-CV-02104 (N.D. Ala.); *Contonius Gill and Raymond Bell, et al. v. Western Union Business Solutions (USA), LLC*, Civil Action No. 14-CV-1066 (W.D.N.C.); *Timmy Fontenot v. Santander Consumer USA, Inc., et al.*, Civil Action No. H-15-1884 (N.D. Tex.); *April Lindblom v. Santander Consumer USA Inc., et al.*, Civil Action No. 1:15-CV-00990-LJO-BAM (E.D. Cal.); *Harold McWhorter and Robert Fielder, on behalf of themselves and all others similarly situated v. Ocwen Loan Servicing, LLC and Western Union Business Solutions (USA) LLC*, Civil Action No. 2:15-cv-01831-MHH, (N.D. Ala.).

Represented Tanger Properties Limited Partnership in a lawsuit filed by a former vendor alleging breach of contract and quantum meruit claims. *Nitz Graphics Services, Inc. v. Tanger Properties Limited Partnership, et al.*, Civil Action No. 18-CVS-4401 (Guilford County Superior Court).

Represented Plaintiff Neusoft Medical Systems, U.S.A., Inc. in a lawsuit involving claims of conversion, violation of the Computer Fraud and Abuse Act, misappropriation of trade secrets, unjust enrichment, and violation of North Carolina's Unfair and Deceptive Trade Practices Act. The case also had significant issues regarding the enforcement of international arbitration agreements and the relationship between a Chinese medical equipment manufacturer and a U.S. distributor that were appealed to the U.S. Supreme Court. *Neusoft Medical Systems, U.S.A., Inc. v. Neuisys, LLC, et al.*, Civil Action No. 11-CVS-11405 (Guilford County Superior Court).

Defended McGriff Seibels & Williams Inc. (McGriff), a retail insurance broker, against claims of negligence and breach of contract for alleged failure to procure insurance coverage for a client that suffered a fire loss. The wholesale broker and insurance carrier that wrote the policy were also named as defendants, and they asserted cross claims against McGriff. After extensive discovery, the court granted McGriff's motion for summary judgment on the breach of contract claim. A confidential settlement was reached before trial. *Foster Apartment*

Group, LLC v. Certain Underwriters at Lloyd's, London, Colemont Insurance Brokers of Georgia, LLC, and McGriff, Seibels & Williams, Inc., No. 08-CVS-5242 (Forsyth County Superior Court).

Defended Broyhill Furniture Industries, Inc. (Broyhill) in breach of contract claim arising from allegations that Broyhill refused to pay the plaintiff for heat provided to a warehouse used by Broyhill. The case involved novel issues of contract interpretation and damages theories. The court granted Broyhill's motion for summary judgment and denied the plaintiff's motion to amend its complaint to allege extra-contractual theories of recovery, which resulted in a dismissal of all claims against our client. The Court of Appeals, in a 2-1 decision, affirmed summary judgement for Broyhill. The plaintiff appealed to the North Carolina Supreme Court, which issued a unanimous opinion adopting the COA's majority decision and affirming summary judgment for Broyhill. *Micro Capital Investors, Inc. v. Broyhill Furniture Indus., Inc.*, 728 S.E. 2d 376 (N.C. Ct. App. 2012), *aff'd.*, 736 S.E.2d 172 (N.C. 2013).

Defended BB&T against claims for fraudulent concealment and unfair and deceptive trade practices related to funding it provided for real estate transactions in the Village of Penland. The Court granted BB&T's motion to dismiss all claims prior to any discovery. *Randy A. Carpenter v. Branch Banking and Trust Company, et al.*, Civil Action No. 13-CVS-239 (Avery County Superior Court).

Represented Lowe's, its subsidiaries, and one of its individual employees in a case alleging breach of contract, tortious interference with contract, and interference with prospective contract. The plaintiff, a vendor of Lowe's, alleged that Lowe's improperly and prematurely terminated its contract for services, which caused it to lose \$3 million per year in revenue. Lowe's successfully enforced the arbitration clause in the contract, and the court sent the case to arbitration. The Arbitrator granted the Defendants' Motion to Dismiss all claims prior to a hearing on the merits.

Represented ABT Building Products Corp. and ABT Co. Inc., one of the largest manufacturers of building materials in North America, and working with another firm, obtained a jury verdict of more than \$18 million in the United States District Court for the Western District of North Carolina (Statesville Division). ABT sought coverage under a three-year umbrella policy issued by National Union with respect to numerous class actions and individual lawsuits alleging defects in hardboard siding manufactured by ABT. The jury awarded our clients \$2.5 million for breach of contract, \$3.9 million for unfair and deceptive trade practices, \$3.9 million for bad faith and \$7.5 million in punitive damages for the carrier's bad faith denial of coverage, misrepresentation of policy terms and failure to effectuate a prompt and fair settlement of the underlying lawsuit. The trial judge trebled the unfair and deceptive portion of the award and granted our clients' motion for nearly \$2 million in attorneys' fees. *The Fourth Circuit affirmed. ABT Bldg. Prod. Corp. v. Nat'l Union Fire Ins. Co. of Pittsburgh, Inc.*, 472 F.3d 99 (4th Cir. 2006).

Represented Lincoln Financial Media Company as plaintiff in a complex contract matter arising from the merger of Jefferson Pilot Corporation with Lincoln Financial Corporation and a subsequent name change. CBS contended that the corporate transaction extinguished its contractual duty to make promotional payments to Lincoln Financial Media Company. The court entered summary judgment in our client's favor. The Fourth Circuit Court of Appeals affirmed. *Lincoln Fin. Media Co. v. CBS Broadcasting, Inc.*, 316 F. App'x 235 (4th Cir. 2009).

The firm served as co-counsel for Krispy Kreme Doughnuts, Inc. defending claims of breach of contract, fraud, unfair and deceptive trade practices, and other causes of action arising from a decision not to grant area development rights to petitioners in northern California. Arbitration award is confidential.

Defended BB&T against claims of “wrongful foreclosure” and a preliminary injunction related to BB&T’s foreclosure on residential real property and its subsequent resale. The Court granted BB&T’s motion for summary judgment on all claims after limited discovery. *One West Bank v. Branch Banking & Trust Co. et al.*, Civil Action No. 12-CVS-10554 (Guilford County Superior Court).

Represented Universal Underwriters Insurance Company, an insurance carrier, in a dispute with another carrier in a subrogation claim arising from a fire loss where the policy involved a unique question of law concerning drop-down limits for a particular kind of loss.

Represented Lowe’s Companies, Inc. in a suit brought by a former in-store service provider alleging multiple business tort claims, including fraud, negligent misrepresentation, unfair and deceptive trade practices, breach of contract, and copyright infringement arising out of Lowe’s relationship with the service provider and the termination of the provider’s contract. The Court denied plaintiffs’ attempt to take the depositions of multiple Lowe’s executives. After discovery closed, the firm was successful on a summary judgment motion that resulted in the dismissal of 29 of the plaintiffs’ 30 claims. The remaining claim for an unpaid invoice was settled shortly before trial. *Performance Sales & Marketing, LLC, et al. v. Lowe’s Cos., Inc.*, Civil Action No. 5:07CV00140-RLV-DLH (W.D.N.C.).

Education

University of North Carolina at Chapel Hill J.D. (1994) *with honors, Order of the Coif*

University of North Carolina at Chapel Hill B.A. (1990) Journalism, *with highest honors, Phi Beta Kappa*

Admissions

North Carolina

Court Admissions

U.S. Court of Appeals for the Fourth Circuit

U.S. District Court for the Eastern District of North Carolina

U.S. District Court for the Middle District of North Carolina

U.S. District Court for the Western District of North Carolina

U.S. Supreme Court

Professional & Community Activities

Fellow, American College of Coverage Counsel, 2022-Present

North Carolina Bar Association, 1994-Present

Insurance Law Section Council: 2013-2015 (inaugural member); 2019-2022

- * CLE Course Planner for 2016 and 2017 Annual Meetings

- * Co-Chair, Ethics Subcommittee, 2018-2022

Professionalism Committee, 2011-Present

Litigation Section Member, 1994-Present

Litigation Section Council, 1997-2002

- * Chair, Litigation Council Subcommittee on Civil Practice and Procedure, 1997-99

- * Member, Litigation Council Subcommittee on Civil Practice and Procedure, 1999-2002

Children's Law Center of Central North Carolina

Board Member, 2015-2021

Chair, 2020-2021

Vice Chair, 2018-2020

Treasurer, 2016-2017

Volunteer Guardian Ad Litem Attorney, 2005-Present

Bethesda Center for the Homeless

Board Member, 2018-2023

National Spasmodic Dysphonia Association

General Counsel, 2021-Present

Area Contact Person, 1998-Present

North Carolina Association of Defense Attorneys, 1996-2021

Defense Research Institute, 1997-2021

Forsyth County Bar Association, 1994-Present

Wrote Bar Exam Questions for North Carolina Board of Law Examiners, 1999-2002

Barrister, Joseph Branch Inn of Court, 1999-2001

Maple Springs United Methodist Church

Board of Trustees

Chair, Safe Sanctuaries Committee

Staff-Parish Relations Committee

Insights

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August 20, 2026

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July 15, 2026

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Kilpatrick Attorneys Earn 102 Rankings in 2026 Chambers USA and Global Guides

June 5, 2026

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Kilpatrick Attorneys Earn a Record 100 Recognitions in 2025 Chambers USA

June 6, 2025

Alert

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January 15, 2025