

Brodie D. Erwin

Counsel

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Services

Employment Counseling
Employment Litigation & Class
Actions
Labor & Employment
Labor Relations
Litigation
OSHA Compliance & Litigation
Trade Secrets
Wage & Hour

Industries

Construction & Infrastructure
Food, Restaurant & Beverage
Health & Life Sciences
Medical & Surgical Devices
Retail & Consumer Goods

Brodie Erwin is a seasoned litigator with valuable trial experience. He has handled business and employment law matters for clients in multiple states and in various federal courts around the country. His experience includes litigating and counseling on all applicable federal and state employment statutes. Brodie also regularly prosecutes and defends matters seeking injunctive and equitable relief related to restrictive covenants (including non-compete, non-solicitation, and confidentiality agreements), misappropriation of trade secrets, tortious interference, unfair competition, and other business-related claims. Brodie has additional niche experience defending employers in high-stakes whistleblower actions brought under federal statutes like the Sarbanes-Oxley Act, the Dodd-Frank Wall Street Reform and Consumer Protection Act, and the Surface Transportation Assistance Act, before both the U.S. Department of Labor and federal courts in multiple jurisdictions.

In conjunction with his litigation practice, Brodie provides counsel and preventive advice to employers concerning a wide range of federal and state employment laws and regulations. He has also conducted highly-sensitive and potentially consequential investigations of alleged C-suite, executive, and director misconduct or wrongdoing on behalf of public and private client companies, assisting board members, in-house counsel, and chief compliance officers along the way. Through his counseling work, Brodie has advised employers on steps to assess, improve, and ensure a robust culture of compliance with applicable laws. Brodie prides himself on presenting his clients with creative, cost-effective solutions to litigation and work place issues.

Prior to joining the firm, Brodie was an attorney in the Raleigh, North Carolina office of one of the largest international labor and employment firms in the world.

Brodie was recognized by *The Best Lawyers in America*® in 2023 in the area of Management Employment Law.



He was also recognized as one of the "Best Lawyers: Ones to Watch" in 2021 for Labor and Employment Litigation and again in 2022 for Management Labor and Employment Law and Labor and Employment Litigation by *The Best Lawyers in America*®. Brodie was named a North Carolina "Legal Elite" in 2016-2023 for Employment Litigation by *Business North Carolina* magazine. He was recognized as a North Carolina "Rising Star" in the area of Employment Litigation: Defense in 2018-2022 by *Super Lawyers* magazine. *North Carolina Lawyers Weekly* named Brodie to its "Power List 2021" for Employment Law.

Experience

Obtained a preliminary injunction against the largest health and hospital system in Wake County, North Carolina, precluding it from enforcing overbroad restrictive covenants against a highly specialized cardiac electrophysiologist, and his new employer, allowing him to continue servicing patients in critical need of sophisticated medical care.

*Obtained a complete trial victory for the defense in a \$5 million restrictive covenant case involving competing pharmaceutical consulting firms in U.S. District Court for the Eastern District of North Carolina.

*Obtained outright early dismissal in federal court in Virginia for one of the country's largest defense manufacturing firms in whistleblower case alleging violations of the Sarbanes-Oxley Act and the Dodd-Frank Wall Street Consumer Protection Act.

*Victorious in oral argument before the North Carolina Court of Appeals, convincing the court to uphold early dismissal of multi-claim employment complaint filed against large U.S. company operating chain of boating supply and fishing retail stores.

*Obtained early dismissal at the U.S. Department of Labor of complex Dodd-Frank whistleblower complaint alleging shareholder fraud in the U.S. operations of a multi-national conglomerate producing fire-safety and security equipment for commercial buildings.

*Obtained summary judgment in the North Carolina Business Court, ultimately affirmed by the North Carolina Supreme Court, in favor of a large international company in a complex case brought under the North Carolina Trade Secret Protection Act alleging theft of a structural adhesive formula.

*Obtained numerous dismissals of complaints filed before the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor, and various state agencies.

Serves as employment counsel, on a pro bono basis, to the Raleigh Rescue Mission, one of Raleigh's oldest 501(c)(3) organizations.

*Experience gained by attorney prior to joining Kilpatrick Townsend



Education

Wake Forest University School of Law J.D. (2012) *Order of the Barristers*

Appalachian State University B.S. (2009) *cum laude, departmental high honors*

Admissions

North Carolina (2012)

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

Clerkships

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Professional & Community Activities

Boys and Girls Club of Wake County, Board of Directors

Wake County Bar Association, Board of Directors (2016-2018)

WCBA Young Lawyers Division, President (2015-2016)

Wake Forest University School of Law, Rose Council (Young Alumni Board of Visitors)

Insights

[News Releases](#)

Kilpatrick Townsend Attorneys Recognized in Business North Carolina Magazine's 2023 "Legal Elite"
January 9, 2023

[News Releases](#)

135 Kilpatrick Townsend Attorneys Recognized in 2022 Super Lawyers
December 15, 2022

[Alert](#)

EEOC Releases Updated "Know Your Rights" Poster
November 1, 2022



[News Releases](#)

Kilpatrick Townsend Earns Top Recognitions in 2023 Edition of The Best Lawyers in America®

August 18, 2022

[Events](#)

Small Legal Department Client Summit

March 3, 2022