

# Steve Epstein

## PARTNER

t: 919.783.2846

Steve handles civil litigation in state and federal courts, and in arbitration, in North Carolina and several other states, primarily in the areas of product liability, liability defense, commercial transactions, and intra-corporate disputes. He is also a Board-Certified Specialist in family law and a DRC-certified family financial mediator.



### OFFICE LOCATION

301 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
P.O. Box 1801  
Raleigh, NC 27602

### JURISDICTIONS LICENSED

North Carolina, Supreme Court of the United States, US District Court for the Eastern District of NC, US District Court for the Middle District of NC, US District Court for the Western District of NC, US Court of Appeals for the Fourth Circuit

*“In litigation, the difference between winning and losing often boils down to preparation and mastery of detail. I strive to be the best prepared lawyer in the courtroom.”*

## BIOGRAPHY

Steve has been a civil litigator for 35 years, primarily as a defense lawyer for companies sued for allegedly defective products or damages arising from allegedly improperly performed services. He has sub-specialized in fire loss claims, having been involved in hundreds of matters in which the cause of a fire was the central issue. In 2014, after nearly 25 years in practice, Steve also migrated into the area of [family law](#), where he now advises clients and represents them in litigation regarding separation and divorce, child custody and support, alimony, equitable distribution, and alienation of affection. He began practicing family law following his own lengthy odyssey through the family court justice system. Steve is a frequent CLE presenter on a wide range of litigation topics and is a certified arbitrator and DRC-certified family financial mediator.

Steve is also the author of four true crime thrillers, [Murder on Birchleaf Drive](#) (June 2019), [Evil at Lake Seminole](#) (June 2020), [Extreme Punishment](#) (October 2022), and [Deadly Heist](#) (February 2025), all published by Black Lyon Publishing LLC.

## AREAS OF FOCUS

### LITIGATION

Steve has litigated cases in North Carolina District and Superior Courts, the North Carolina Business Court, the Eastern, Middle, and Western Districts of North Carolina, and numerous state and federal courts throughout the United States, including California, New York, Connecticut, Texas, Florida, and Michigan. He has tried over 50 cases, including jury and non-jury trials and arbitrations. He has also handled appeals before the North Carolina Court of Appeals and Supreme Court, Tennessee Supreme Court, and U.S. Court of Appeals for the Fourth Circuit. His cases have involved a vast array of substantive areas, including intra-corporate disputes and corporate governance, securities fraud, contracts and commercial transactions, Constitutional challenges to legislative redistricting, product and civil liability, and personal injury and wrongful death.

**Each case is different and the results of cases reported here cannot be used as a basis for predicting the results in future cases. Each case is judged on its own unique set of facts. The cases reported here do not represent our entire record and the outcome of a particular case cannot be predicted based on past results.**

*Common Cause v. Rucho*, 318 F. Supp. 777 (E.D.N.C. 2018) (conducted direct examination of plaintiffs' mathematical expert and cross-examination of defendants' political science expert during trial before three-judge district court that held that North Carolina's congressional districts constitute an unconstitutional partisan gerrymander)

*Medfusion, Inc. v. Allscripts Healthcare Solutions, Inc.*, 2015 NCBC 31 (N.C. Business Court, March 31, 2015) (defeated the defendant's motion to dismiss by persuading Business Court judge that limitation of liability clause precluding recovery for "loss or damage to revenues, profits, or goodwill or other special, incidental, indirect, or consequential damages of any kind" could be construed to permit recovery of lost profits which were part of the benefit of the bargain of the contract).

*Piazza v. Brannon*, Case No. 12 CVS 14344 (Wake County, Feb. 18, 2014) (obtained \$250,000 jury verdict against former director of startup technology company for making false and misleading statements in connection with the sale of corporate securities, in violation of the N.C. Securities Act), *aff'd*, 2016 N.C. App. LEXIS 371 (N.C. Ct. App. Apr. 5, 2016), *aff'd*, 2019 N.C. LEXIS 379 (N.C.S.C. May 10, 2019).

*Tong v. Dunn*, 752 S.E.2d 669 (2013) (obtained reversal of Business Court's dismissal of shareholder claim for breach of fiduciary duty which was grounded on doctrine of res judicata).

## **PRODUCT LIABILITY**

For over 15 years, Steve has served as the national coordinating counsel for one of North America's leading manufacturers of luxury motor coaches and transit buses on all product liability matters throughout the country, including fires, property damage, crash litigation, and warranty claims. He has defended a variety of other product manufacturers against claims and litigation, including manufacturers of aircraft and aircraft components, automotive batteries, lawn tractors, construction products and machinery, agricultural seed and machinery, and recreational products.

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*Daniels v. Prevost Car U.S., Inc.*, 2015 U.S. Dist. LEXIS 13068 (E.D. Mich. Feb. 4, 2015) (obtained summary judgment for transit bus manufacturer on strict liability and failure to warn claims brought by City of Detroit mechanic injured while installing a rear suspension air spring; court held that the plaintiff had failed to forecast requisite foreseeability of injury and could not pursue claim for inadequate instructions because the City of Detroit was a "sophisticated user").

*Lincoln Gen. Ins. Co. v. Detroit Diesel Corp.*, 293 S.W.3d 487 (Tenn. 2009) (persuaded Tennessee Supreme Court that economic loss rule precludes liability in tort even where damage to product occurs in sudden, calamitous manner).

## **TORT & INSURANCE DEFENSE**

Steve has litigated cases in several states involving claims that services provided by pesticide applicators and fumigation companies caused fires and/or personal injuries and property damage. He represented defendants in class action litigation, including a class action involving the explosion of a hazardous waste facility in Apex, North Carolina. He has also defended officers and directors alleged to have breached their fiduciary obligations to their companies.

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*Severn Peanut Co., Inc. v. Industrial Fumigant Co.*, 807 F.3d 88 (4th Cir. Dec. 2, 2015) (affirming grant of summary judgment in favor of pesticide applicator in \$19 million fire subrogation case on basis of contractual exclusion of consequential damages and application of North Carolina's economic loss doctrine).

**Bridges v. Parrish**, 366 N.C. 539, 742 S.E.2d 794 (2013) (persuaded North Carolina Supreme Court that no duty exists for homeowners to secure their firearm to prevent its criminal use by their adult, non-resident son who had a history of criminal conduct and violence and who, after obtaining their gun, used it to injure plaintiff).

**Riggs v. Orkin, Inc.**, 2011 U.S. Dist. LEXIS 62938 (E.D.N.C. June 13, 2011) (won dismissal for pest control company against plaintiff's claims for negligence, fraud, unfair and deceptive trade practices, and punitive damages on grounds that economic loss rule barred negligence claim and plaintiff's failure allege sufficient aggravating facts barred all other non-contract claims).

**State of North Carolina ex rel. Commissioner of Insurance as Liquidator of Commercial Casualty Ins. Co. v. Custard**, 2010 NCBC 6 (N.C. Business Court, March 19, 2010) (won complete summary judgment in favor of former officers and directors of insolvent property and casualty insurance company on Commissioner of Insurance's claims for breach of fiduciary duty and unfair and deceptive trade practices, which sought in excess of \$40 million in damages, on ground that challenged decisions and financial statement filings did not evince bad faith or self-dealing and were protected by business judgment rule and appropriate reliance on outside actuaries).

## **FAMILY LAW**

Since 2014, Steve has regularly represented clients in North Carolina family courts in litigation involving separation and divorce, child custody and support, alimony and post-separation support, and equitable distribution. He has also prosecuted and defended claims for alienation of affection and criminal conversation. In addition to representing clients in family law proceedings, Steve is certified as a parent coordinator to be appointed in high-conflict cases to assist parents in communication and decision making.

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**Sazdanovic v. Cooper**, 19 CVD 6676 (Wake County District Court, April 13, 2021) – Our client was the father of two girls, ages 5 and 1, when he and his wife separated. Though he and his wife were both professors at NC State, our client had recently accepted a job to teach at the University of Pennsylvania in Philadelphia. His wife refused to let him spend more than one weekend per month with the girls, and only if he remained in Raleigh with them. We proceeded to a temporary custody hearing, at which the judge granted our client substantially more time with his girls, including extended time in Philadelphia over the holidays. On the eve of the permanent custody hearing, we resolved the case by settlement, obtaining for our client custody with his girls on terms as close to 50/50 as was possible while they live in Raleigh during the school year. But we were unable to negotiate a resolution to the distribution of the parties' marital property, with our client's wife insisting that the appraisal to the marital home was inflated and that items of our client's non-marital property were actually marital property subject to equitable distribution. At trial, the judge agreed fully with our position and divided the parties' property almost precisely in the manner we were seeking, requiring our client's wife to refinance the marital home in her sole name and pay a distributive award to our client far in excess of the amount she argued to the judge was appropriate.

***Greene v. Hume***, 18 CVD 2304 (Wake County District Court, January 15, 2021) – Our client was the mother of a 5-year-old son born out of wedlock to a man she was living with for several years. They began living apart in February 2018 and a custody order was entered shortly thereafter providing for equal sharing of custody of their son. When our client first came to the firm for her initial consultation in June 2020, she had never sought nor received child support. We filed a motion for retroactive and prospective child support the following month and fought for and obtained financial disclosures from the child’s father, revealing that he had been making substantially more income than our client for several years. On the eve of trial, we resolved our client’s claim for child support on very favorable terms: requiring the father to pay nearly \$8,500 in retroactive child support; prospective child support of nearly \$500/month; and 64% of all uninsured medical/dental/vision expenses incurred on behalf of the minor child; and \$4,000 in attorney’s fees.

***Cole v. Reasoner***, 13 CVD 14732 (Wake County District Court, August 16, 2018) – Our client and her ex-husband had a son in February 2008 during their brief marriage. She moved to Virginia when he was only two to secure employment. Her ex-husband moved for and was granted primary custody, with our client only permitted to exercise visitation every other weekend. She moved back to North Carolina when her son was six and tried to reach agreement with her ex-husband to equalize her time with their son. By then he was remarried and he and his new wife refused to voluntarily alter the custody schedule. With the assistance of another lawyer, our client filed a motion to modify custody. That motion was finally resolved in August 2016, just before her son turned eight. The judge ruled against her, leaving her ex-husband (and his wife) with primary custody—our client was permitted visitation only every other weekend during the school year. In late 2017, our client retained Poyner Spruill to, once again, try to modify custody to equalize her custodial time with her son. By this time, her ex-husband and his wife had separated, and the two had their own son. After a two-day trial, the judge ruled in our client’s favor, granting her equal, “week-on/week-off” custody with her now 10-year-old son. That new schedule began just in time for the 2018-2019 school year.

***Lowery v. Lowery***, 15 CVD 1542 (Alamance County District Court, September 23, 2016) – Our client is the father of two daughters, ages 12 and 11. Since 2011, the children had lived nearly 80% of the time with our client’s ex-wife in Alamance County, spending only every other weekend with our client at his home in Rockingham County. They attended public schools in Alamance County. In August 2015, our client’s ex-wife filed suit seeking to prevent our client from having any custodial time with the children except through supervised visitation. She contended that our client was drinking alcohol to excess during his custodial time and created an unsafe environment for the children. Our client counterclaimed, seeking to equalize the children’s custodial time between his residence and his ex-wife’s residence. The case was tried over four days. At the conclusion of the trial, the trial judge found that it was in the best interest of the children for them to spend equal time with both parents and to attend a specialized private school approximately equidistant between their two homes. The custody order he signed placed the children on a week-on/week-off custody schedule, which commenced in time for the new school year.



**Kaiser v. Kaiser**, 816 S.E.2d 223 (N.C. Ct. App. 2018). This was our appeal following a multi-day child support trial in New Hanover County in which the trial judge, in calculating our client's income, included \$1,750/month her new fiancé's contributions toward joint household expenses in their rental home as well as over \$6,000/month in capital gains, even though those gains were recorded on a prior year's tax return. We convinced the Court of Appeals to reverse the trial judge's decision to include these two items as part of our client's income. The Court of Appeals remanded the case back to the trial judge for further consideration.

**Ovando v. Bowen**, 16 CVS 1269 (Wake County Superior Court, August 25, 2016) – Unbeknownst to our client, her husband began a sexual affair with a co-worker, who also purported to be our client's good friend. The affair continued throughout our client's pregnancy with her first child. She learned of the affair shortly after giving birth. Ultimately, the affair led to her husband leaving her and seeking a divorce. We sued her husband's co-worker for alienation of affections and criminal conversation, which are so-called "heart balm torts." The co-worker admitted to the existence of the affair, as did our client's husband. Shortly following mediation, the case settled for \$350,000.

## **MEDIATION & ARBITRATION**

Steve has been certified as an arbitrator with the American Arbitration Association since 2014 and has arbitrated numerous cases, both as a single arbitrator and in panels. In 2025, he became certified by the Dispute Resolution Commission as a family financial mediator.

## **CREDENTIALS**

### **EDUCATION**

University of North Carolina School of Law, J.D., 1990, *with highest honors*

University of North Carolina, B.A., 1987, *with highest honors*

### **PROFESSIONAL & COMMUNITY ACTIVITIES**

Raleigh Little Theatre, Board of Directors, 2020-2023, Treasurer 2023-2024, Vice President 2024-2025, President 2025-

North Carolina Bar Association Board of Governors, 2014 – 2017

North Carolina Bar Association, Chair, Litigation Section, 2003-2004, Chair, Continuing Legal Education Committee, 2012-2014, Chair, Annual Meeting Committee, 2023-2024, Member, Strategic Planning/Emerging Trends Committee, 2006-2014, Member, Development Committee, 2011-12

North Carolina Association of Defense Attorneys, Board of Directors 2011 – 2014; Chair, Product Liability Practice Group 2010-2011

Wake County Bar Association, Grievance Committee 2021-2024, Nominations Committee 2013-2018

Community Partnerships, Inc. Board of Directors, Chair 2010-2014, Vice-Chair, 2009-2010

North Carolina Legal Education Assistance Foundation, Board of Directors, 1997-2007, Advisory Board, 2008-2010

### **NOTABLE ACCOMPLISHMENTS**

Recognized in The Best Lawyers in America® (Commercial Litigation), 2023-2025

Recognized in Business North Carolina magazine's "Legal Elite" (Family Law) 2018-2019, 2021-2025

Ranked among *Super Lawyers* magazine's North Carolina "Super Lawyers" (Litigation Defense), 2006-2013, 2015-2017, 2024-2025

National Law Journal's Family Law Trailblazers, 2019 (one of 14 awardees nationally)

## **CLERKSHIPS**

Law clerk to the Honorable W. Earl Britt in the Eastern District of North Carolina, 1990-1992

## **WRITING**

Published [\*Deadly Heist: The True Story of the Mile High Bank Massacre\*](#) – February 2025

Published [\*Extreme Punishment: The Chilling True Story of Acclaimed Law Professor Dan Markel's Murder\*](#) – October 2022

Published [\*Evil at Lake Seminole: The Shocking True Story Surrounding the Disappearance of Mike Williams\*](#) — June 2020

Published [\*Murder on Birchleaf Drive: The True Story of the Michelle Young Murder Case\*](#) — June 2019

## **CERTIFICATIONS & SPECIALIZATIONS**

North Carolina State Bar Board-Certified Specialist in Family Law

Certified AAA Arbitrator

DRC Certified Mediator – Family Financial