



Brian J. Butler

Management Committee Chair

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Profile

Brian J. Butler serves as Chair of Bond, Schoeneck & King's Management Committee, where he leads the firm's more than 300 attorneys across 14 offices. In that role — and in his legal practice — Brian focuses on helping organizations navigate complex, high-stakes disputes and risk-laden business decisions with clarity, discipline and a long-term perspective.

Clients turn to Brian not only for his litigation experience, but for his ability to serve as a strategic advisor when the consequences extend beyond the courtroom. He works closely with business leaders, boards and senior management to assess exposure, align legal strategy with business objectives and make informed decisions in moments that matter — whether confronting the company litigation, regulatory scrutiny, competitive threats or enterprise-level disputes.

Brian represents clients in complex commercial and business litigation in federal and state courts and in arbitration. His experience spans contract and securities disputes, unfair competition and non-compete matters, intellectual property and trade secret claims, employment and ERISA litigation, insurance coverage disputes, construction litigation and bankruptcy-related adversary proceedings. He regularly appears before FINRA, the American Arbitration Association and JAMS and is known for developing pragmatic strategies that prioritize efficiency, risk management, and results.

Across industries — including financial services, communications, construction, insurance, securities and the public sector — Brian is valued for his ability to see around corners, anticipate how disputes evolve and guide clients through uncertainty with confidence. His approach reflects a belief that effective legal advocacy is inseparable from sound business judgment.

Before joining the firm, Brian clerked for the Honorable Frederick J. Scullin, Jr., of the U.S. District Court for the Northern District of New York.

Representative Matters

- *Securities and Exchange Commission v. Pinnacle Advisors LLC et al.*, case number 5:23-cv-00547 (N.D.N.Y. 2025) – secured dismissal of first-ever case accusing an investment advisor of violating the SEC's Liquidity Risk Management Rule. Read more [here](#) and [here](#).

Education

- Syracuse University College of Law (J.D. 1996)
- Syracuse University (B.A. 1991)

Bar/Court Admissions

- New York
- U.S. Courts of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

Practices

- Litigation
- Class and Collective Action Litigation
- Semiconductor and Technology Industry

- *Hanks v. City of Syracuse*, 2022 WL 4619877 (N.D.N.Y. 2022) – secured dismissal of high-profile discrimination claims against city and police department leadership and successfully defended appeal to the United States Court of Appeals, Second Circuit, 2023 WL 8889764 (2d Cir. 2023).
- *Skaneateles Country Club v. Cambs*, 40 N.Y.3d 1026 (2023) – successfully prosecuted claims and an appeal to the New York Court of Appeals enforcing a licensor's right to terminate a real property license.
- *Poole v. Bendixen, et al.*, 2021 WL 3737780 (N.D.N.Y. 2021) – secured dismissal of civil Racketeer Influenced and Corrupt Organizations ("RICO") action filed against seventy-five defendants and a national dairy cooperative.
- *Spindler v. North American Transmission Forum, et al.*, 5:15-cv-00779 (2018) – obtained jury verdict for trade secret misappropriation, unfair competition and breach of contract and an award of compensatory and punitive damages in the amount of \$2.65 million.
- *Hernandez v. State of New York* (Sup. Ct., Albany County 2017) – represented intervenor defendant New York Farm Bureau and obtained dismissal of action by plaintiffs, represented by the NY Civil Liberties Union, seeking to invalidate the farm laborer exemption in New York's State Labor Relations Act ("SLRA").
- *U.S. D.I.D. Corp. v. Windstream Communications, Inc.*, 2014 U.S. App. LEXIS 24133 (2d Cir. 2014) – successfully defended appeal of award of costs and damages from security posted by a plaintiff in obtaining a temporary restraining order ("TRO"), even though the plaintiff later filed a notice of voluntary dismissal without prejudice after the District Court vacated TRO.
- *The Trustees of the Masonic Hall and Asylum Fund v. Advest, Inc., and Merrill Lynch*, FINRA Arbitration Case No. 08-00568 (March 2009) – Obtained a \$39.8 million award, reportedly one of the single largest securities arbitration awards.
- *Davidson v. Grossman*, 268 Fed. Appx. 343; 2008 U.S. App. LEXIS 4821 (5th Cir. 2008) and *Davidson v. Vivra Inc.*, Fed. Appx. 923; 2005 U.S. App. LEXIS 5520 (9th Cir. 2005) – Obtained dismissal of claims against medical college in RICO action.
- *DiFillippo v. Special Metals Corp.*, 2016 U.S. Dist. LEXIS 119711 (N.D.N.Y. 2016) – secured dismissal of gender and disability discrimination claims against specialty metals manufacturer.
- *Hamilton v. Board of Educ.*, 145 A.D. 3d 1622 (4th Dept. 2016) – successfully defended board of education from claims of wrongful termination.
- *DS Parent, Inc.; and Davis-Standard, LLC, Plaintiffs, v. Teich and SAM North America, LLC*, 2014 U.S. Dist. LEXIS 16116 (N.D.N.Y. 2014) – Successfully defended solution coating and printing machine manufacturer from claims of trade secret misappropriation, unfair competition and breach of non-compete agreements.
- *Center State Sec. Consultants, Inc. v. Syracuse Housing Authority*, 104 A.D. 3d 1334 (4th Dept. 2013) – obtained dismissal of claims against the housing authority for breach of a long-term security agreement.
- *U.S. D.I.D. Corp. v. Windstream Communications, Inc.*, 2012 U.S. Dist. LEXIS 97867 (S.D.N.Y. 2012) – Defense of telecommunications carrier against claims under the Communications Act.

- *CoActiv Capital Partners, Inc. v. Hudson Converting, Inc.*, 2011 U.S. Dist. LEXIS 97795 (N.D.N.Y. 2011) – Obtained \$5.7 million judgment for Plaintiff in RICO and fraud action.
- *McBride v. Unum Provident*, 2010 U.S. Dist. LEXIS 136064 (N.D.N.Y. 2010) – Obtained dismissal of ERISA claims.
- *CoActiv Capital Partners, Inc. v. Hudson Converting, Inc.*, 2010 U.S. Dist. LEXIS 114265 (N.D.N.Y. 2010) – Obtained summary judgment for Plaintiff in RICO and fraud action.
- *Cont'l Ins. Co. v. Coyne Int'l Enter. Corp.*, 700 F. Supp. 2d 207; 2010 U.S. Dist. LEXIS 49868 (N.D.N.Y. 2010); *Cont'l Ins. Co. v. Coyne Int'l Enter. Corp.*, 700 F. Supp. 2d 207; 2010 U.S. Dist. LEXIS 30540 (N.D.N.Y. 2010) – Obtained dismissal of Plaintiff's breach of contract claims in case involving retrospective workers' compensation insurance premiums.
- *Rice v. Hartford Life & Accident Ins. Co.*, 2009 U.S. Dist. LEXIS 31182 (N.D.N.Y. 2009) – Obtained dismissal of ERISA claims.
- *Davidson v. Grossman*, 2007 U.S. Dist. LEXIS 48544 (S.D. Tx. 2007) -- Obtained dismissal of Plaintiff's RICO claims.
- *O'Connell v. OpticTrek.com, Inc.*, 2006 U.S. Dist. LEXIS 65206 (N.D.N.Y. 2006) – Obtained dismissal of action for breach of contract.
- *Souter v. Tatro*, 2004 U.S. Dist. LEXIS 13743 (W.D.N.Y. 2004) – Obtained dismissal of class action complaint alleging violations Section 10(b) and 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5.
- *Spoto v. Herkimer County Trust*, 2000 U.S. Dist. LEXIS 6057 (N.D.N.Y. 2000) – Obtained dismissal of Plaintiff's RICO claims.
- *Wende C. v. United Methodist Church*, 4 N.Y.3d 293; 827 N.E.2d 265; 794 N.Y.S.2d 282; 2005 N.Y. LEXIS 238 (Ct. App. 2005), US Supreme Court certiorari denied by *Wende C. v. United Methodist Church*, 124 S. Ct. 346, 163 L. Ed. 2d 57, 2005 U.S. LEXIS 5597 (2005) – Obtained dismissal of claims against church for sexual battery and breach of fiduciary duty.
- *Matter of Troutman v. Syracuse Hous. Auth.*, 35 A.D.3d 1252; 827 N.Y.S.2d 796; 2006 N.Y. App. Div. LEXIS 15559 (4th Dept. 2006) – Obtained dismissal of action against housing authority asserting toxic tort claims of infant plaintiff.
- *Guerra Press, Inc. v. Campbell & Parlato, LLP*, 17 A.D.3d 1031; 794 N.Y.S.2d 189; 2005 N.Y. App. Div. LEXIS 4597 (4th Dept. 2005) – Obtained dismissal of action for legal malpractice.

Honors & Affiliations

- Listed in:
 - *The Best Lawyers in America*®, Commercial Litigation, 2018-2026 (listed for more than 6 years)
 - *New York Super Lawyers*®, Business Litigation, 2025 (listed for more than 10 years)
 - *Martindale-Hubbell*®, AV Preeminent Rated
 - *The Daily Record*, Power 20 List - Litigation, Power Players in the Western New York Legal Community, 2021

- *The Daily Record*, Power 50 List, Power Players in the Western New York Legal Community, 2021
- New York State Bar Association, Past Member Executive Committee, Trial Lawyers Section; Federal and Commercial Litigation Section
- Onondaga County Bar Association, Past Member, Board of Directors
- President for the Northern District of New York Federal Court Bar Association
- Mediator, ADR Mandatory Mediation Program, Northern District of New York
- City and State Law Power 100, 2025

Representative Presentations

- An Interview with Brian Butler, Micron, Legally Bond Podcast, December 5, 2022.
- An Interview with Brian Butler, Litigation, Legally Bond Podcast, May 24, 2021
- Basic Lessons on Ethics & Civility CLE, New York State Bar Association, 2018
- Remedies and Damages in Commercial Litigation CLE, Northern District of New York Federal Court Bar Association, 2017
- Representing Your Client in the Northern District of New York CLE, Northern District of New York Federal Court Bar Association, 2015
- Bond, Schoeneck & King's In-House Counsel CLE Series: Defensibly Downsizing Your Data, February 27, 2014

Representative Publications

- Brian J. Butler, Suzanne M. Messer and Clifford G. Tsan, "E-Discovery and Information Management - Can Clicking "Like" Make or Break a Lawsuit?," *Intellectual Property & Technology Law Journal*, April 2016

Other Activities

- Executive Committee Member, United Way of Central New York
- Board Member, CenterState Corporation for Economic Opportunity
- President, Northern District of New York Federal Court Bar Association