



John J. Butts

PARTNER

Chair, Commercial Litigation Group

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John Butts is a partner and chair of the Commercial Litigation Group, and a member of the Securities Department and the Securities Litigation and Enforcement Practices. He joined the firm in 2000.

Mr. Butts has litigated and arbitrated across the country in a wide range of complex commercial and securities matters. He has successfully represented clients in the banking, financial services, life sciences, information technology and automotive industries in cases with significant financial implications. His more frequent matters include business tort, trade secret, and contract disputes as well as consumer and securities class actions.

Before law school, Mr. Butts served as a surface warfare officer in the United States Navy.

Solutions

Class Actions
Securities Enforcement

Commercial Litigation
Securities Litigation

Litigation
Trials

Experience

Successfully represented numerous technology clients in trade secret and licensing disputes, including cases involving complex technologies in the financial services, biotechnology, information technology, video game and Internet of Things fields.

Leader of a team that defended a major automotive manufacturer in hundreds of arbitrations filed against the company in the wake of its well-publicized bankruptcy. WilmerHale was responsible for the defense of approximately 250 arbitrations filed

throughout the US under a special statute passed by Congress granting an arbitration right to the more than 700 franchised dealers nationwide whose contracts were terminated in the bankruptcy. WilmerHale tried approximately 70 arbitrations to great success. Mr. Butts personally tried a number of those arbitrations.

Lead counsel for an artificial intelligence company in a multi-forum dispute with a former investor, prevailing on all claims and recovering attorneys' fees in arbitration and securing the dismissal of a related defamation case in federal court.

Lead counsel for a financial services company, and prevailed at arbitration, in a dispute related to the value of the company's privately held stock.

Currently lead counsel for a provider of customer loyalty programs in multiple nationwide consumer class actions.

Obtained dismissal, and successfully defended a subsequent appeal, of a putative nationwide consumer class action alleging that consumers overpaid for a product that was later recalled from the market due to safety concerns.

Defended a number of public companies and their officers and directors in securities class actions brought under the Securities and Exchange Act of 1934 and the Securities Act of 1933, including cases against State Street, Endurance International Group, The First Marblehead Corporation, Medtronic and Raytheon.

Defended a number of multinational companies and individual defendants in putative class actions alleging breaches of ERISA fiduciary duties, including several cases challenging the prudence of investment decisions.

Obtained dismissal of a putative nationwide class action against the Sun Life Assurance Company of Canada, which asserted claims under, among other things, RICO and the Massachusetts consumer protection statute relating to the sale of equity indexed annuities to senior citizens.

Obtained dismissal of a putative nationwide class action against The Hartford Financial Services Group in a complex multi-district litigation which asserted, among others, RICO, ERISA, antitrust and common law claims relating to the payment of contingent commissions to insurance brokers.

Recognition

- Recognized in the 2023 Edition of *Chambers USA Guide* in the area of general commercial litigation.
- Recommended in the 2017 and 2018 editions of *The Legal 500 United States* for his general commercial dispute resolution practice.
- Named among the 2020–2024 *Best Lawyers in America* for his commercial litigation practice and in 2023 and 2024 for his securities litigation practice.
- Named to *Boston Magazine's* inaugural Top Lawyers list in 2021–2023 in the area of civil litigation/defense.

Credentials

EDUCATION

JD, University of Pennsylvania
Law School, 1999

cum laude

*Editor-in-Chief, University of
Pennsylvania Law Review*

BS, Villanova University, 1992

cum laude

ADMISSIONS

Massachusetts

CLERKSHIPS

The Hon. Patti B. Saris, US
District Court for the District
of Massachusetts, 1999 - 2000