S. Wesley Butler

Partner

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Services

Complex Commercial Litigation

Litigation

Employment Litigation & Class Actions

Employment Counseling

ERISA Litigation

Class Action Defense

Catastrophic Injury

Wage & Hour

Pro Bono

Industries

Energy

Financial Services

Health & Life Sciences

Retail & Consumer Goods

Wes Butler is the Managing Partner for the firm's Dallas office. His practice is focused on finding solutions to the complex problems companies face in today's economy and society, whether involving an internal dispute with a partner or employee, or a business dispute with a third-party. Clients regularly reach out to Wes on the front end before a potential issue escalates so he can counsel them on options, risks, strategies, and costs relating to same. Other times clients reach out to Wes after an issue has already progressed to litigation. Wes prides himself on providing practical and efficient yet aggressive representation for his clients. Wes's practice includes complex commercial litigation, real estate litigation, transportation litigation, employment litigation and counseling, and ERISA and bad faith litigation. His commercial litigation practice includes business and partnership disputes, trade secret and restrictive covenant litigation, and contractual disputes. He represents banks, master servicers, special servicers, CMBS trusts, insurance companies, and other lenders with respect to workouts of non-performing commercial real estate loans. In addition, Wes has an active general litigation docket, including a wide variety of tort claims. He represents parties in state and federal court litigation and arbitrations, and has represented creditors in the Northern and Eastern District of Texas Bankruptcy courts. He represents parties in administrative proceedings before the Equal Employment Opportunity Commission, the Texas Workforce Commission, and other state and federal agencies. He has handled cases in the state and federal courts of Alabama, Arizona, Arkansas, Florida, Georgia, Kansas, Louisiana, Oklahoma, Massachusetts, Mississippi, Nebraska, New Mexico, New York, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

In addition to his litigation practice, Wes provides counseling and litigation avoidance on all areas of employment law including issues concerning claims under Title VII of the Civil Rights Act of 1964, the Fair Credit Reporting Act, the WARN Act, ERISA, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Family and Medical Leave Act, discrimination and sexual harassment, defamation in the

workplace, negligent hiring, supervision and retention, covenants not-to-compete, employment contracts, and compensation under the Fair Labor Standards Act. He also has experience drafting and implementing arbitration policies and nonsubscriber ERISA plans for employers.

Prior to joining the firm, Wes was a partner at a litigation law firm based in Dallas, Texas, where his practice included commercial, transportation, employment, tort, and ERISA/employee benefits litigation.

While attending law school, Wes was a member and articles editor of the SMU Law Review Association. He also served as a judicial intern in the 14th Judicial District Court, Dallas County, Texas.

Wes was recognized in 2024, 2025 and 2026 by *The Best Lawyers in America*® for Arbitration. He was recognized as a Texas "Rising Star" in 2019 and the nine years immediately preceding and one of the “Up-and-Coming 100” in 2018 and 2019 by *Super Lawyers* magazine.

Experience

Represented *Fortune* 200 company in breach of contract and fraud lawsuit in federal court in Massachusetts involving a dispute with a group purchasing organization. Obtained favorable resolution of the dispute for the client, including cancellation of the contract.

Represented large privately-owned company in FLSA class-action lawsuit in federal court in Texas. Obtained stipulation of dismissal with prejudice without paying any damages to Plaintiffs.

Represented transportation company in wrongful death lawsuit in Texas state court where Plaintiff was seeking millions of dollars and secured favorable settlement for client after successfully implementing aggressive litigation strategy.

Represented large distributor in complex breach of contract lawsuit in federal court in Florida relating to commission payments allegedly owed to vendor involved in procuring government contract.

Lead counsel for nationwide health care provider in complex payment dispute under contract with large hospital system. The hospital system filed suit for breach of contract and fraud and we asserted counter-claims on behalf of our client. Obtained settlement that included dismissal of the Hospital’s claims and a significant payment to our client.

Obtained voluntary dismissal of employment discrimination lawsuit after vigorous cross-examination of Plaintiff during deposition revealed prior perjured testimony from Plaintiff.

Obtained summary judgment in a sexual harassment and discrimination case in Northern District of Texas where the plaintiff was seeking $1,000,000 in damages.

Lead counsel for nationwide health care provider in commercial litigation case filed in Cook County, Illinois to recover over $1,300,000 in unpaid invoices. Obtained favorable settlement for the client.

Lead counsel for large telecommunications company in a complex bad faith case in federal court in Mississippi.

Lead counsel in lawsuit filed in Dallas County against a former employee of the client who took confidential information and began soliciting clients on behalf of a competitor. Obtained a permanent injunction and final judgment against the former employee.

Lead counsel in ERISA lawsuit in the Eastern District of Texas in which client was sued by large health care provider seeking to recover excessive fees for medical services provided to former employee. Obtained favorable resolution for the client that resulted in a significant discount off the claimed invoices.

Education

Southern Methodist University School of Law J.D. (2004) *cum laude*

University of Virginia B.A. (2001) Foreign Affairs

Admissions

Texas (2004)

Arizona (2013)

Mississippi (2012)

Oklahoma (2013)

Court Admissions

U.S. Court of Appeals for the Fifth Circuit (2011)

U.S. District Court for the Eastern District of Texas (2006)

U.S. District Court for the Northern District of Mississippi (2017)

U.S. District Court for the Northern District of Texas (2004)

U.S. District Court for the Southern District of Mississippi (2017)

U.S. District Court for the Southern District of Texas (2006)

U.S. District Court for the Western District of Oklahoma (2017)

U.S. District Court for the Western District of Texas (2006)

Professional & Community Activities

American Bar Association, Member

State Bar of Texas, Member

Dallas Bar Association, Member

Arizona Bar Association, Member

Mississippi Bar Association, Member

Oklahoma Bar Association, Member

Dallas Regional Chamber, Member

Transportation Lawyers Association

Business Council for the Arts - Leadership Arts Institute 2017-2018 Class

KidLinks - Board Member

Greenland Hills Neighborhood Association - Board Member, Treasurer

Insights

News Releases

Kilpatrick Breaks Record for Number of Attorneys Recognized in 2025 Edition of The Best Lawyers in America®
August 16, 2024

News Releases

Kilpatrick Townsend Earns Record-Breaking Recognition in 2024 Edition of The Best Lawyers in America®
August 17, 2023

Publication

Kilpatrick Adds Litigation Pro In Dallas From Griffith Barbee
September 13, 2022

News Releases

Maeghan Whitehead Joins Kilpatrick Townsend in Dallas
September 7, 2022

News

Kilpatrick Townsend Names New Dallas Leader
February 15, 2022