



Brian Butler

Title: Member

Phone: 502-681-0617

Location: Louisville, KY

Email: bbutler@stites.com

Download: [vCard](#)

A trial attorney, Brian Butler has tried over 100 jury trials. Most recently, Brian had his own firm where he handled high-profile criminal defense cases, including white collar cases, in United States District Courts in Kentucky and Indiana as well as in state trial courts throughout Kentucky and Indiana. He is intimately familiar with complex federal investigations including those involving corporations and their employees. Before entering private practice, Brian served as an Assistant United States Attorney for the Western District of Kentucky where he prosecuted a variety of federal crimes. Prior to joining the United States Attorney's Office, Brian was a supervisor at the Commonwealth Attorney's Office in Louisville where he primarily prosecuted high-profile homicide cases. Brian started his legal career as a United States Navy Judge Advocate where he served as both a prosecutor and defense attorney.

Brian's success as a trial attorney has been widely-reported including being the subject of a front page profile piece by the *Louisville Courier-Journal*. He routinely serves as a legal analyst for Louisville television stations and the *Louisville Courier-Journal*. He served for many years as an adjunct professor for trial advocacy at the University of Louisville and a guest trial advocacy instructor at the National Advocacy Center in Columbia, South Carolina. He has conducted numerous trial focus groups on behalf of civil litigants. In 2021, he was appointed by the federal bench in the Western District of Kentucky to be the Criminal Justice Act panel representative in connection with indigent defendants obtaining quality legal representation in United States District Court.

Brian is a Fellow with the American College of Trial Lawyers (ACTL) and a Fellow with the American Board of Criminal Lawyers (ABCL).

CAPABILITIES

Practice Areas

- White Collar Criminal Defense Litigation
- Business Litigation
- Litigation & Appeals
- Class Action, Mass Action & Multi-District Litigation
- Product Liability Litigation
- Professional Liability Litigation

REPORTED DECISIONS

- Judge dismisses most serious felony charges in a Superseding Indictment against LPMD Sergeant Kyle Meany in connection with the Breonna Taylor search warrant (August 2025). [Media coverage](#).
- *Tinker, Kennedy et al. v. Vibes Nightclub, et al.* Successfully represented celebrity musician and actor Jack Harlow in three lawsuits, including a wrongful death lawsuit, stemming from a shooting inside Vibes Nightclub in Louisville during a Kentucky Derby event in 2021.
- *United States v. Kyle Meany*. Louisville Metro Police Officer Kyle Meany was charged with allegedly violating Breonna Taylor's civil rights by approving an allegedly fraudulent search warrant resulting in her death. After extensive pretrial litigation and motion practice, the Court granted our motion to dismiss by reducing the most serious charge carrying a potential life sentence to a misdemeanor.
- *Commonwealth v. David Owen*. Our client was a health care worker at Owensboro Hospital who was charged with sexually assaulting a patient during an EEG examination. In a high profile trial, our client was acquitted of all charges. [Click here](#) to view the local news story.
- *Commonwealth v. James Mallory*. Mr. Butler was hired by a major American corporation to represent Mr. Mallory in a death penalty case. He was selected as counsel in the first case in the United States in which this corporation assisted a criminal defendant. Mr. Mallory's case had been pending for nine years without a trial. The case involved complicated forensic science and nearly every hot button criminal justice issue. After a year of litigation, we were able to resolve this death penalty case for reduced charges whereby our client will be released in approximately two to five years.
- *Commonwealth v. English*. We represented Mr. English, a security officer, at the request of his employer, Baptist Healthcare. Mr. English was originally charged with assault in the second degree, criminal mischief in the first degree and unlawful imprisonment in the second degree concerning an incident at Baptist Hospital involving an unruly visitor. Mr. English was acquitted of all charges in a jury trial.
- *United States v. Gustin*. Mr. Gustin is a former compliance officer for a major pharmaceutical distributor. In a nationally significant case, Mr. Gustin was indicted in the

Eastern District of Kentucky for conspiring to illegally distribute controlled substances based upon allegations that Mr. Gustin failed to properly limit the number of controlled substances being distributed to independent pharmacies in Eastern Kentucky and West Virginia. The conspiracy to engage in drug trafficking was dismissed by the Government in exchange for a misdemeanor plea to failing to file a suspicious order report. Mr. Gustin was sentenced to two years of misdemeanor probation.

- *Commonwealth v. Runner*. Mr. Runner was charged with manslaughter in connection with an alleged road rage homicide. The case was resolved for diversion.
- *Commonwealth v. Dominick Mack*. In a high profile case, Mr. Mack was charged with violating an EPO in connection with possessing a firearm during a shooting at a Louisville Waffle House. He received misdemeanor probation.
- *Commonwealth v. Brian Bailey*. In an investigation that received significant [local and some national media](#) attention, our client, a former LMPD detective, was investigated for allegedly coercing confidential informants to engage in sexual acts. No charges were brought against our client.
- *United States v. Joshua Anna*. Our client was a mental health treatment provider accused of defrauding government programs well in excess of \$500,000. After years of work and negotiation, our client was sentenced to six months followed by two years of supervised release.
- *Commonwealth v. Bobby Taylor*. Mr. Taylor was charged with numerous sex offenses allegedly involving a fourteen year old girl. The case was favorably resolved for probation and without any requirement of sex offender registration.
- *Commonwealth v. Robbie Valentine*. Mr. Valentine, a member of the University of Louisville's 1986 National Championship team and a well-known community leader, was charged with the felony offense of strangulation. The charge was amended to a misdemeanor with an agreement to expunge the case in two years.
- *United States v. Troy Guinn*. Mr. Guinn was initially investigated for bankruptcy fraud, tax evasion and wire fraud. After lengthy negotiations, we were able to resolve Mr. Guinn's case by Information for probation despite sentencing guidelines advocating for 30-37 months of incarceration.
- *Commonwealth v. Paul Carroll*. A security guard employed by a hospital system was charged with assaulting a patient who lunged at a nurse. The hospital retained Stites & Harbison to represent their security guard who was defending hospital employees. Stites & Harbison filed a motion to dismiss the criminal case under Kentucky's self-defense immunity statute. The Court granted the Immunity Motion and dismissed the case.
- *Commonwealth v. Brooks Houck*. Mr. Houck was acquitted of all charges in connection with a series of alleged thefts. Mr. Houck's case received extensive publicity because the Nelson County Sheriff named him as a suspect in the disappearance of a woman in Bardstown, Kentucky, which led to national media attention.

- *United States v. Dino Gaudio*. In a nationally publicized case, former University of Louisville basketball coach and former ESPN analyst Dino Gaudio was charged with extortion in connection with a surreptitiously taped conversation Coach Gaudio had with University of Louisville Men's Basketball Coach Chris Mack. Upon reviewing our case submissions, particularly relating to Coach Gaudio's outstanding character, the presiding United States District Judge not only gave Coach Gaudio the minimum sentence permitted by law but went so far as to question the United States' decision to prosecute the case despite the United States Sentencing Guidelines recommending two (2) years of incarceration.
- *Quintairos, Prieto, Wood and Boyer, P.A. v. PCPMG Consulting, LLC*. In United States District Court for the Eastern District of Kentucky, successfully represented the largest minority owned law firm in the United States in a fraud and breach of contract civil lawsuit brought against PCPMG Consulting.
- *Davenport Extreme Pools and Spas v. Judd*. Davenport sued our client for alleged defamation relating to Davenport's business practices. In a case of first impression, we successfully obtained a dismissal utilizing Kentucky's recently enacted Anti-SLAPP legislation. The Court not only dismissed the case but awarded our clients their costs and fees.
- *Commonwealth v. Charles Bessen*. Our client was involved in a significant injury accident alleged to have been caused by intoxication. Our client's felony assault was amended and his DUI was dismissed. He was placed in a one year diversion program and, thereafter, his amended charge will be dismissed and expunged.
- *Commonwealth v. DeVito Tisdale*. Mr. Tisdale is a University of Kentucky football player who was charged with burglary in the first degree and wanton endangerment in a high profile case stemming from a fight at a fraternity house. We represented Mr. Tisdale in connection with a Fayette County Grand Jury investigation. The Fayette County Grand Jury declined to charge Mr. Tisdale.
- *Commonwealth v. Jason Stinson*. In a case of national significance, we successfully achieved a trial acquittal of all charges against Mr. Stinson, the Pleasure Park High School football coach charged in the death of his player.
- *State of Indiana v. James Morrow*. Mr. Morrow is the elected Gibson County Clerk. He was charged with two felony counts of criminal recklessness and one felony count of pointing a firearm at another person in connection with an argument in a convenience store parking lot. The case was moved to Evansville, Indiana based upon local publicity. Mr. Morrow was found not guilty at trial of both counts of criminal recklessness and the pointing a firearm charge was dismissed by the Court.
- *Commonwealth v. Katie McCoy*. Ms. McCoy, a Bellarmine student, was charged with murdering her child in a Bellarmine dormitory. She was acquitted of all homicide related charges at trial.
- *United States v. Dan Conway*. Mr. Conway, the former President of RBI Corporation, was charged in federal court with a million dollar fraud in connection with alleged improper

repair of the railroad bearings. After years of litigation and an indictment, Mr. Conway's criminal case was successfully resolved without any criminal convictions or Mr. Conway admitting fault in any manner.

- *United States v. Eric Guffey*. Mr. Guffey, a Barren County police detective, was charged in federal court with federal civil rights violations and lying to the FBI. After a two-week jury trial in federal court in Bowling Green, he was acquitted of all charges.
- *Commonwealth v. Shawn Bryant*. Mr. Bryant was charged with manslaughter in Grayson County, Kentucky in connection with a tragic ATV accident which resulted in a death. All felony charges were dismissed against Mr. Bryant.
- *State of Indiana v. Oscar Kays*. Mr. Kays was charged with the attempted murder of an Indiana State Trooper for shooting the Trooper in the head during a suspected DUI traffic stop. Mr. Kays received a sentence of home detention.
- *United States v. Todd Roadhouse*. Mr. Roadhouse was a Louisville Metro Police Officer who was charged with unlawfully obtaining money relating to overtime pay. He received probation in a highly publicized case.
- *Commonwealth v. Hunter Campbell*. Law enforcement allegedly seized 161 pounds of marijuana from Mr. Campbell. Through investigation, we identified a suppression issue. Subsequently, all charges were dropped and Mr. Campbell's pending motions to revoke felony probation were also withdrawn.
- *Commonwealth v. David Sherman*. Mr. Sherman was charged with murder for traveling down a one-way street the wrong way while intoxicated and running over a pedestrian. His charge was amended to manslaughter 2nd. He was granted probation without serving any jail sentence on March 5, 2019.
- *United States v. Chris Mattingly*. Mr. Mattingly was reputed to be the head of a major international marijuana trafficking organization. He was also accused of plotting to kill the head of the Bullitt County Drug Task Force. The case received national media attention when we challenged the wiretap evidence derived from Riverside County, California. Mr. Mattingly was facing 25-30 years. After two years of significant litigation, Mr. Mattingly was sentenced to 36 months.
- *Commonwealth v. Chane Behanan*. Former University of Louisville basketball star was charged with a felony offense accusing him of receiving a stolen firearm. All charges were dismissed.
- *Commonwealth v. Jonathan Hardin*. In a high-profile case, Mr. Hardin was charged with felony assault and wanton endangerment charges stemming from an incident where he choked a student unconscious while he was working as a school resource officer at Olmstead Academy. Following a week-long jury trial, Mr. Hardin was found not guilty of all charges.
- *Commonwealth v. Cierra Brettnacher*. Ms. Brettnacher was charged with criminal attempted murder for shooting her husband. Ms. Brettnacher pled guilty to a lesser offense

and was granted probation.

- *Commonwealth v. Alexander Roberts*. On December 1, 2015, Alex Roberts was charged with murder in a high-profile case involving a stabbing death in Bloomfield. A Nelson County jury found Alex Roberts not guilty of murder following a week-long trial.
- *Commonwealth v. Mark Handy*. In a high profile case, we successfully resolved a retired Louisville Police detective's case involving charges of perjury and tampering with evidence in connection with the conviction of a subsequently exonerated defendant. Mr. Handy was sentenced to 1 year but served less than 3 weeks in custody.
- *United States v. MSG Terrace Myles*. Retired MSG Myles was involuntarily returned to active duty to stand trial at a general court-martial for two unrelated counts of rape by two alleged victims. MSG Myles was acquitted of all charges.
- *United States v. Kyle Willett*. Louisville Metro Police Narcotics Detective was apprehended by the FBI for stealing U.S. currency out of UPS packages while working on an interdiction task force. Detective Willett admitted to taking \$80,000.00. We were able to successfully assist Detective Willett in obtaining a five-month sentence.
- *Commonwealth v. Christen McAllister*. In a nationally covered media case, Ms. McAllister, a model and student at the University of Louisville, was charged with Arson in the First Degree in connection with a fire started in University apartments. Ms. McAllister's case was resolved as a misdemeanor with an agreement to dismiss her misdemeanor in two years if no further offenses are committed.
- *United States v. Claxton*. In a case profiled on the front page of the *Courier-Journal* on February 8, 2017, we represented Mr. Claxton in connection with federal white-collar fraud charges stemming from allegedly fraudulent agreements to purchase multi-unit rental properties in Kentucky and Tennessee.
- *Commonwealth v. Jeffery Woods*. Mr. Woods was a weekend sports anchor for WHAS-11. He was charged with leaving the scene of a fatal accident and failing to render aid. Mr. Woods was granted Pretrial Diversion whereby his charges will be dismissed and expunged after completion of diversion.
- *United States v. Theodore Gerstle*. Represented a professional client in a criminal action in United States District Court in Lexington. Successfully convinced the Court to sentence our client to probation despite a sentencing guideline range requiring a prison sentence.
- *Commonwealth v. Joey Thompson*. In United States District Court in Lexington, Mr. Thompson was facing a 15-year and 8-month sentence for being a career offender under the sentencing guidelines. Based upon arguments that the guidelines were too high in his case, the Court reduced Mr. Thompson's sentence by over 10 years.
- *Commonwealth v. Candice Harris*. Ms. Harris was charged in a high profile DUI-related homicide involving the death of a motorcyclist. Ms. Harris was placed in a pretrial diversion program.

- *Commonwealth v. Ricky Nelson*. Mr. Nelson embezzled approximately \$300,000 from the Brandenburg United Methodist Church. Mr. Nelson was sentenced to probation in Meade Circuit Court.
- *Commonwealth v. Terry Moore*. In a high-profile case in Hardin Circuit County, Terry Moore, a retired Kentucky State Trooper and current Radcliff Police Officer, was charged with domestic felony assault and unlawful imprisonment of his wife. Mr. Moore was acquitted of all charges by a Hardin County jury.
- *Commonwealth v. Shawn Coogle*. In a high-profile Jefferson County case, Mr. Coogle was charged with murder and felony assaults in connection with the death of a 7-year-old child and the injury of others in an alleged controlled substance abuse related traffic accident. Mr. Coogle's murder and assault charges were all amended and he received a two-year sentence for Reckless Homicide.
- *Commonwealth v. Janessa McClure*. Ms. McClure was charged with murder and assault 1st for death of her child and serious injury to another child in a tragic car wreck. Ms. McClure was granted shock probation after serving six months.
- *Commonwealth v. Jerry Vincent*. In a high-profile case involving a former Teamsters President, Mr. Vincent pled guilty to embezzling from the Union. He was sentenced to probation in United States District Court.
- *Commonwealth v. Jonathan Hardin*. In a highly publicized case involving a school resource officer punching a student in an incident captured on videotape, we were able to negotiate a dismissal of all charges.
- *Commonwealth v. Ashley Silas*. In a high-profile case, a Bullitt County elementary teacher was accused of assaulting her student by dragging him 158 feet across a school floor. Ms. Silas was acquitted of all charges.
- *Commonwealth v. Christopher Wilton*. Mr. Wilton was charged with Murder in a DUI-related vehicular homicide. Mr. Wilton was convicted of reckless homicide and granted probation with the opportunity to have the conviction set aside and expunged after eight years.
- *Commonwealth v. William Summers*. Summers was charged with shooting an unarmed man causing serious injury. After lengthy litigation, Mr. Summers was placed in a pretrial diversion program whereby his charges will be subsequently dismissed and expunged.
- *Commonwealth v. Bakari Hicks*. Mr. Hicks was charged with molesting a child at a local daycare. He was acquitted of all charges at trial.
- *Commonwealth v. Darryl Fogle*. Mr. Fogle was charged with a vehicular homicide in the death of an off-duty police officer. Mr. Fogle was acquitted of all charges at trial.
- *Commonwealth v. Steve Henry*. Former Lieutenant Governor Steve Henry was charged with allegations of felony campaign finance violations in connection with his campaign for Governor. The matter was resolved with a plea only to a minor misdemeanor offense.

- *United States v. Riquel Logan*. Ms. Logan was charged in federal court with being a felon in possession of a firearm while on Kentucky state probation. All charges were dismissed.
- *United States v. Alexis Stewart*. Ms. Stewart was charged in federal court with trafficking in narcotics. Ms. Stewart was placed in a diversion program where her charges will be dismissed upon successful completion of a short diversion period.
- *United States v. Toni Conti*. Working as part of a trial team, Mr. Conti's health care fraud charges were resolved after several days of a jury trial with Mr. Conti pleading guilty to only a misdemeanor offense.
- *Commonwealth v. Michael Bishop*. Mr. Bishop was charged with assault in the first degree in connection with the shooting of a juvenile in the Glenmary neighborhood of Louisville in a case the media deemed the "ding dong ditch" case. Mr. Bishop was granted shock probation after serving 100 days.
- *Commonwealth v. David Whitlock*. Constable David Whitlock was charged with assault in the second degree and wanton endangerment in connection with the shooting of an alleged shoplifter in the Walmart parking lot. Mr. Whitlock agreed to one year on felony diversion (no jail time) with the charges to be dismissed after the one year diversion period.
- *Commonwealth v. Mark Handy*. In a high profile case, we successfully resolved a retired Louisville Police detective's case involving charges of perjury and tampering with evidence in connection with the conviction of a subsequently exonerated defendant.
- *State of Indiana v. Stephen Brockman*. Mr. Brockman was a youth sports photographer in Southern Indiana. He was charged with possession of child pornography unrelated to his employment. The matter was resolved with an agreement to serve six months followed by a probation period.
- *Commonwealth v. Patrick Kane*. Mr. Kane was charged with two counts of vehicular homicide stemming from a Thanksgiving Day incident in Oldham County, Kentucky. The matter was resolved by prosecution being deferred for three years (no jail time) with an agreement that the charges will be dismissed if certain conditions are met.
- *United States v. Austin Smith*. Mr. Smith was charged in federal court with traveling to meet an under aged juvenile for purposes of engaging in illegal sexual activity. Mr. Smith's case was dismissed prior to trial.
- *Commonwealth v. Tyson Mimms*. Mr. Mimms was charged with murder in a case that was covered by the television show "The First 48." Mr. Mimms' charges were dismissed prior to trial.

BAR ADMISSIONS

- Kentucky
- Indiana
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Southern District of Indiana

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- Jack Harlow dismissed from lawsuits over fatal nightclub shooting on Derby Eve 2021
by Jason Riley, WDRB.com, April 24, 2025
- Judge faults Breonna Taylor's boyfriend for shooting death, clears 2 Louisville offices of felony charges
by Danielle Wallace, Fox News, August 25, 2024
- Felony charges dismissed against 2 former Louisville officers charged in the Breonna Taylor raid
by Paradise Afshar and Dalia Faheid, CNN, August 23, 2024
- Federal judge dismisses most serious charges against 2 officers involved in Breonna Taylor raid
by Jason Riley, August 22, 2024
- Key federal charges dropped against former LMPD officers behind Breonna Taylor warrant
by Josh Wood, Rachel Smith and Lucas Aulbach, *Louisville Courier Journal*, August 22, 2024
- University of Notre Dame Law School recognizes Brian Butler for becoming a Fellow of the American Board of Criminal Lawyers (ABCL)
by Jonathan Bailey, August 1, 2024
- Kentucky Criminal Law Update: Navigating Legislative Changes and Legal Trends
Louisville Bar Association CLE, April 18, 2024
- Reevaluating Your Company's Compliance Program
,with [Michael Denbow](#) Stites & Harbison Client Alert, July 20, 2023
- FULL INTERVIEW: Discussion of USDOJ investigation into LMPD with Brian Butler
interview by Dawne Gee, WAVE.com, March 8, 2023
- Former UofL basketball player Robbie Valentine won't serve jail time, placed on probation
by Curadhan Powell, WLKY.com, March 6, 2023

- Three Bingham Fellows class initiatives to focus on Downtown Louisville
by Shea Von Hoy, *Louisville Business First*, February 24, 2023
- Buffalo Supermarket Shooter to Appear in Court for Federal Hate Crime Charges
SCRIPPS News, February 2023
- Kentucky bail laws can make cost of crimes inconsistent
by Tori Gessner, *wave3.com*, February 17, 2022
- Louisville man pleads guilty to 2012 fatal shooting of 15-year-old
WDRB.com, December 21, 2021
- Ex-Louisville coach Dina Gaudio sentenced to one year probation, \$10K fine in extortion case
by Shannon Russell, *Louisville Courier Journal*, August 27, 2021
- Feds Oppose Prison For Fired NCAA Coach's Blackmail Threat
By Rachel Scharf, *Law360.com*, August 11, 2021 ,with [Michael Denbow](#)
- Common billing errors that land medical providers on the government's radar
Medical News, July 25, 2021 ,with [Jennifer Henry Jackson](#)
- Case against Gibson County Clerk accused of pulling a gun on a man has been dismissed
by Staff, *Joylyn Bukovac, TristateHomepage.com*, July 20, 2021
- Ex-Louisville assistant basketball coach Dino Gaudio pleads guilty in federal extortion case
by Shannon Russell, *Louisville Courier-Journal*, June 4, 2021
- Common Billing Errors that Land Medical Providers on the Government's Radar
,with [Jennifer Henry Jackson](#) Stites & Harbison Client Alert, June 2, 2021
- Kentucky's self-defense laws negated possible homicide charges in Breonna Taylor's death
by Andrew Wolfson, *Courier Journal*, September 24, 2020
- High-profile local defense attorney leaves his firm to join Stites & Harbison as member
By Sarah Shadburne, *Louisville Business First*, August 13, 2020
- Former federal prosecutor joins Stites & Harbison in Louisville
The Lane Report, August 7, 2020

FIRM LEADERSHIP

- Louisville Office Recruiting Committee, Co-Chair

MEMBERSHIPS

- American College of Trial Lawyers (ACTL),
 - Fellow
- American Board of Criminal Lawyers (ABCL),
 - Fellow
- Kentucky Bar Foundation,
 - Fellow
- American Bar Association
- Kentucky Bar Association
- Louisville Bar Association

EDUCATION

- University of Notre Dame Law School J.D., 1995
- University of Kentucky B.A., with honors, 1991

MORE THAN STITES & HARBISON

Brian started his legal career as a Judge Advocate General with the United States Navy (1995-98). He then joined the Commonwealth of Kentucky Attorney's office (1999-2004) as Assistant Commonwealth Attorney and Chief of a General Trial Unit where he prosecuted and tried numerous murder cases while also supervising multiple prosecutors and staff as Chief of the General Trial Unit (2002-04); prosecuted crimes against children and domestic violence cases (1999-2001); and was selected to serve as adjunct faculty at the National Advocacy Center in Columbia, South Carolina, where he taught trial advocacy to prosecutors from every jurisdiction in the U.S. (2000-04). Brian then joined the United States Attorney's Office (2004-06) as Assistant U.S. Attorney where he prosecuted federal crimes including drug trafficking, Title III (wiretap) cases, firearms cases, violent crimes and numerous other federal crimes; successfully tried multiple jury trials; redrafted and assisted in implementing the U.S. Attorney's Office's policy for selecting and prosecuting gun crimes and served as the Gang Crimes Coordinator for the Western District of Kentucky. After leaving the public defense practice, he was a Member of Dathorne & Butler (2007-20) where he was a successful trial attorney. Brian has served as a legal expert for local television and print media.

ACCOLADES

- *Martindale-Hubbell®* AV-Preeminent® Peer Review Rated
- *Best Lawyers in America®*, Commercial Litigation; Product Liability Litigation - Defendants (2023-26)

- *Kentucky Super Lawyers*® (2012-25)
- *Louisville Magazine*, Top Lawyers
- Recipient of two Navy Achievement Medals for litigation success as a United States Navy JAGC
- Bingham Fellows, Class of 2022