

Gregoire v. Bd. of Trs. of San Francisco Bay Area Rapid Transit Dist.

United States District Court for the Northern District of California

April 27, 2026, Decided; April 27, 2026, Filed

Case No. 25-cv-02150-TSH

Reporter

2026 U.S. Dist. LEXIS 95767 *; 2026 LX 204091; 2026 WL 1140876

KARL GREGOIRE, Plaintiff, v. BOARD OF TRUSTEES OF SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT, Defendant.

Prior History: Gregoire v. San Francisco Bay Area Rapid Transit Dist., 2026 U.S. Dist. LEXIS 6755 (Jan. 13, 2026)

Counsel: [*1] For Mr Karl Gregoire, Plaintiff: Jessica Robin Barsotti, LEAD ATTORNEY, San Leandro, CA.

For Board of Trustees of San Francisco Bay Area Rapid Transit District, Defendant: Ronald Q. Tran, LEAD ATTORNEY, Regan Heslop, Jackson Lewis P.C., San Francisco, CA.

Judges: THOMAS S. HIXSON, United States Magistrate Judge.

Opinion by: THOMAS S. HIXSON

Opinion

SECOND ORDER TO SHOW CAUSE

Re: Dkt. No. 40

On April 24, 2026, Plaintiff filed an opposition to Defendant's pending motion for sanctions. ECF No. 40. Having reviewed Plaintiff's filing, the Court is unable to locate three of the four cases cited therein¹ and is concerned that these inaccuracies suggest the possible use of generative artificial intelligence tools resulting in hallucinations. Counsel of record is responsible for ensuring the accuracy and reliability of all submissions to the Court, including any content drafted with the assistance of artificial intelligence tools. See Fed. R. Civ. P. 11(b) (attorneys have a duty to conduct a

reasonable inquiry into the facts and the law when filing pleadings and motions). While the Court does not prohibit or oppose the use of AI in legal advocacy, if AI tools are utilized, parties have a duty to "independently verif[y] the accuracy of AI-generated [*2] content." See *Oneto v. Watson*, 808 F. Supp. 3d 974, 979, 981 (N.D. Cal. 2025) (awarding sanctions against counsel for citing fictitious cases). Thus, counsel must not present authorities that have not been independently confirmed, and counsel remains fully accountable for the contents of any filing submitted under counsel's signature.

Accordingly, **IT IS HEREBY ORDERED** that Jessica R. Barsotti, counsel for Plaintiff Karl Gregoire, shall file a declaration by May 4, 2026 that:

- (1) identifies, verbatim and by page and line, each statement or quotation in the opposition that cites to a legal authority;
- (2) explains the origin of each such statement and citation, including whether any generative artificial intelligence tool was used in preparing any portion of the filing, and, if so, which tool(s) and how they were used;
- (3) sets forth the steps counsel took prior to filing to verify the accuracy of the statements and citations, including citation checking and review of the record and authorities; and
- (4) if appropriate, provides corrected citations, supported by pinpoint references to the sources.

The Court advises counsel that failure to comply with this Order, or a finding that counsel submitted inaccurate or unreliable content without adequate verification, [*3] may result in the Court issuing sanctions, including striking the filing in whole or in part, referral to the appropriate authorities; and monetary or other sanctions as appropriate to the circumstances and consistent with this Court's authority.

IT IS SO ORDERED.

Dated: April 27, 2026

¹The Court does not include the names of these cases here, as doing so could inadvertently amplify any error that these cases exist.

/s/ Thomas S. Hixson

THOMAS S. HIXSON

United States Magistrate Judge

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