

Authority Cite-Check: Firm AI Use Policy Package

From: John A. Kelly

Date: August 5, 2026

Re: Authority cite-check for Folder 42 package (Instructions 60, 94, 96): COMPLETE

Scope: every authority and load-bearing factual claim in documents 01 through 05. Westlaw verification per Instructions 60 and 94 (IDE browser automation, client ID E.1066, August 5, 2026). Local rule claims verified against Folder 40 July 2026 texts. Instruction 96 note: no assembled exhibit PDF exists yet for this package; this check covers authorities and rule-text claims.

Result: one error found and corrected (CM-110 item number). One citation upgraded (Farris reporter cite). All other rows pass.

A. Cases

C1. Citation: Mata v. Avianca, Inc. (S.D.N.Y. 2023) 678 F.Supp.3d 443 | **Cited for:** AI fabrication sanctions | **Status: Pass.** Westlaw result metadata: S.D.N.Y., June 22, 2023, 678 F.Supp.3d 443, 2023 WL 4114965; synopsis confirms Rule 11 sanctions against firm and two attorneys for bad-faith AI filings. Full text obtained free 8/5/26 from the RECAP archive (Doc 54, docket 1:22-cv-01461, S.D.N.Y.); caption and Opinion and Order confirmed against Westlaw metadata; PDF + TXT in Exhibits.

C2. Citation: Noland v. Land of the Free, L.P. (2025) 114 Cal.App.5th 426 | **Cited for:** California published AI sanctions decision | **Status: Pass.** Full text downloaded (Exhibits) and verified: caption, cite, Second District, Div. Three, B331918; \$10,000 sanction; 21 of 23 quotations fabricated by generative AI; holding that relying on AI-fabricated authority is sanctionable. KeyCite yellow flag (distinguished on other grounds by Samuel K. v. Focia (2026)); does not affect the cited proposition.

C3. Citation: United States v. Farris (6th Cir. 2026) | **Cited for:** AI tool hallucination sanctions | **Status: Pass, cite upgraded.** Westlaw metadata: Sixth Circuit, April 3, 2026, now published at 171 F.4th 920 (2026 WL 915082); synopsis confirms sanctions for improper AI use in appellate briefs. Appendix B in document 02 updated with the reporter cite. Full text obtained free 8/5/26 from the Sixth Circuit's own site (slip op. 26a0105p-06, No. 25-5623, decided April 3, 2026); docket number and date confirmed against Westlaw metadata; PDF + TXT in Exhibits.

C4. Citation: Fivehouse v. U.S. Dept. of Defense (E.D.N.C. 2026) No. 2:25-cv-00041 | **Cited for:** AI misuse consequences | **Status: Pass.** Westlaw confirms docket No. 2:25-CV-00041-M-RN, E.D.N.C.; four orders on Westlaw including May 7, 2026 (2026 WL 1278575, to be published in F.Supp.3d). The AI episode (AUSA Renfer resignation, March 2026) corroborated by folder 12 verified-sources exhibit (WHQR, ABA Journal, Bloomberg Law). Docket cite added to Appendix B.

B. Statutes (full text downloaded from Westlaw CA Statutes & Court Rules; PDFs and TXTs in Exhibits)

S1. Citation: Bus. & Prof. Code § 6068(d), (e) | **Status: Pass.** Subd. (d): means consistent with truth, never mislead the judge. Subd. (e)(1): maintain inviolate client confidences. Both match the propositions cited.

S2. Citation: Bus. & Prof. Code § 6147 | **Status: Pass.** Contingency fee contract requirements, as cited.

S3. Citation: Bus. & Prof. Code § 6148 | **Status: Pass.** Fee contracts for cases not within § 6147 (hourly), as cited.

S4. Citation: Code Civ. Proc. § 128.7 | **Status: Pass.** Signature certification for court papers; sanctions. Eff. Jan. 1,

2006 text.

S5. Citation: Code Civ. Proc. § 2018.030 | **Status: Pass.** Subd. (a): attorney impressions, conclusions, opinions, legal research or theories not discoverable under any circumstances. Matches the work product proposition.

Search returned 7 items for 5 cites; the two neighbors (§ 6068.11 repealed; § 6147.5) were discarded per Instruction 60.

C. Rules and forms

R1. Authority: Rules of Prof. Conduct 1.1, 1.2, 1.4, 1.5, 1.6, 3.1, 3.3, 5.1, 5.2, 5.3, 8.4.1, 8.5 | **Status: Pass.** Every rule number in the package's duty stack appears in the COPRAC 2026 guidance's own rule citations (Exhibits/01), which is the source the package maps.

R2. Authority: Cal. Rules of Court 3.720 to 3.730; 3.724 | **Status: Pass.** The current CM-110 form itself cites rule 3.724 for the meet-and-confer certification; CMC framework confirmed.

R3. Authority: Rule 10.430; Standard 10.80 | **Status: Pass.** Verified against the Judicial Council amendment text at courts.ca.gov (adopted July 18, 2025, effective September 1, 2025); court-side scope confirmed.

R4. Authority: Form CM-110, Other Issues item | **Status: FAIL, corrected.** Current CM-110: "Other issues" is item 18; item 19 is "Meet and confer" (rule 3.724). Document 03 said item 19; corrected to item 18 with a note that item 19 is the meet-and-confer certification. Current form filed in Exhibits.

D. Local rules (verified against Folder 40 July 2026 texts, 2026-08-04)

L1. Authority: Santa Clara Local General Rule 10, incl. (B)(5) ex parte disclosure, eff. 7/1/26 | **Verified at:** Santa_Clara_County_General.txt lines 508-535 | **Status: Pass**

L2. Authority: San Benito Rule 10.3, eff. 1/1/26 | **Verified at:** San_Benito_County_Local_Rules.txt lines 1449-1471 | **Status: Pass**

L3. Authority: San Mateo Rule 2.14, eff. 1/1/26 | **Verified at:** San_Mateo_County_Local_Rules.txt lines 2887-2892 | **Status: Pass**

L4. Authority: Napa Rule 3.10, eff. 1/1/26 | **Verified at:** Napa_County_Local_Rules.txt lines 704-713 | **Status: Pass**

L5. Authority: Sacramento Rule 1.28, adopted 7/1/26 | **Verified at:** Sacramento_County_Local_Rules.txt lines 1414-1420 | **Status: Pass**

L6. Authority: Mendocino Rules 1.54, 1.55, eff. 7/1/26 | **Verified at:** Mendocino_County_Local_Rules.txt lines 2514-2532 | **Status: Pass**

Corroboration: the Noland opinion (Exhibits) quotes the same "carefully check every case citation, fact, and argument" standard that Napa 3.10 and Mendocino 1.55 codified.

E. Secondary and pending authorities

E1. Authority: COPRAC, Practical Guidance (2026) | **Status: Pass.** Read in full; filed at Exhibits/01.

E2. Authority: ABA Formal Op. 512 (July 29, 2024) | **Status: Pass.** Full text (americanbar.org) confirms the duty framing and Rule 1.5 fee discussion cited in document 02 §§ 7 and 8.

E3. Authority: SB 574 (Umberg) | **Status: Pass.** leginfo.ca.gov bill status (checked 8/5/26): active bill in Assembly, amended 7/2/26, ordered to third reading 8/3/26, Asm. Appropriations hearing 8/5/26. "Pending in the Assembly" as stated in the package.

E4. Authority: COPRAC proposed comment amendments (Rules 1.1, 1.4, 1.6, 3.3) | **Status: Pass with caveat.** Verified via legalgovernance.com tracker (comment period closed 5/4/26; Trustees action expected later 2026). Not independently confirmed on calbar.ca.gov; the package cites it only as a watch item.

E5. Authority: "Fewer than half of firms have written gen-AI policies" | **Status: Pass.** B.9032/28 Exhibits/03 Verified Sources (~41%).

Downloads filed in Exhibits

- Noland v Land of the Free LP.pdf (+ .txt) - full opinion, single column
- Statute PDFs 1, 3, 5, 6, 7 (+ .txt each): B&P 6068, 6147, 6148; CCP 128.7, 2018.030 (source ZIP retained)
- CM-110 Case Management Statement (current form).pdf
- Mata v Avianca (SDNY 2023) Opinion and Order Doc 54 (RECAP).pdf (+ .txt) - full sanctions opinion, pulled free from RECAP 8/5/26
- US v Farris (6th Cir 2026) No 25-5623 Published Opinion (CA6).pdf (+ .txt) - official slip opinion from the Sixth Circuit's site, pulled free 8/5/26
- Fivehouse (E.D.N.C.) full text not downloaded: out of plan on Westlaw and not needed (docket verified by Westlaw metadata plus folder 12 sources); retrievable free via RECAP under draft Instruction 97 if ever wanted.

Supplement: billing amendment authorities (2026-08-05)

Added with the Section 8 task-unit pricing amendment (policy items 8.5 and 8.6).

C5. Citation: Welch v. Metropolitan Life Ins. Co. (9th Cir. 2007) 480 F.3d 942 | **Cited for:** Minimum-increment billing reduced on Iodestar review (policy 8.6) | **Status: Pass.** CourtListener metadata confirms caption, cite, Ninth Circuit, filed March 6, 2007, docket 04-56768. Full text pulled free (public.resource.org reporter copy) and read: the court affirmed the 20 percent reduction for quarter-hour increments because the district court "expressly correlated its reduction for quarter hour billing to ... actual over-billing" (minimum 15 minutes billed for calls and emails "that likely took a fraction of the time"), while REVERSING the separate 20 percent block-billing reduction. Cite it for the increment point only, not for block billing. TXT in Exhibits.

E6. Citation: ABA Formal Op. 93-379 (Dec. 6, 1993), Billing for Professional Fees, Disbursements and Other Expenses | **Cited for:** Time-based billing must reflect actual time; rounding to disclosed minimum increments expressly permitted (policy 8.5) | **Status: Pass.** Full text downloaded (Nevada Bar mirror of the ABA opinion) and read; the rounding allowance is express: "may not bill more time than she actually spends on a matter, except to the extent that she rounds up to minimum time periods (such as one-quarter or one tenth of an hour)." PDF and TXT in Exhibits.

Additional Exhibits filed: "ABA Formal Op 93-379 Billing for Professional Fees (NV Bar copy).pdf" (+ .txt); "Welch v Metropolitan Life Ins Co (9th Cir 2007) 480 F3d 942 (public.resource.org).txt". No charges incurred; Welch is in plan on Westlaw if the editorially enhanced copy is ever wanted.