

## **Dorsey v. Jones**

Chancery Court of Delaware. | December 16, 2025 | 2025 WL 3654768

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Jurisdiction: Delaware

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**2025 WL 3654768 (Del.Ch.) (Trial Order)**

Chancery Court of Delaware.

Bryan DORSEY, derivatively on behalf of Roots Foods Holdings, Inc. (f/k/a Roots Food Group Holdings, Inc.), Roots Group Holdings, Inc., Roots Group Holdings LLC, and Roots Food Group Management LLC, Plaintiffs,

v.

Robert T. JONES, Defendant, and Roots Foods Holdings, Inc. (f/k/a Roots Food Group Holdings, Inc.), Nominal Defendant.

Robert T. Jones, Counterclaim Plaintiff,

v.

Bryan Dorsey, Roots Group Holdings LLC, and Roots Food Group Management LLC, Counterclaim Defendants.

No. 2024-0134-CDW.

December 16, 2025.

**Order Requiring Certification on Use of Generative Ai**

Christian Douglas Wright, Magistrate in Chancery.

**WHEREAS:**

\*1 A. Defendant and counterclaim plaintiff filed two briefs that cite false legal authority and miscites legal authority.<sup>1</sup>

B. The court suspects that defendant and counterclaim plaintiff used generative artificial intelligence (“GenAI”) to prepare the answering brief, and that the program may have “hallucinated.”<sup>2</sup>

C. For the purposes of this order, GenAI means models or tools that generate new content, including text, based upon machine learning from existing data. GenAI includes, but is not limited to, ChatGPT, Google Gemini, Microsoft Copilot, Meta AI, and Thomas Reuters CoCounsel.

**IT IS ORDERED**, this 16th day of December, 2025, that:

1. Any future court filings by defendant and counterclaim plaintiff that are prepared using GenAI must be accompanied by a certification, with a sworn statement by defendant and counterclaim plaintiff, that:
  - a. Confirms GenAI was used to prepare the court filing;
  - b. Identifies the GenAI tool, model, or platform used;
  - c. Identifies the specific pages, paragraphs, and/or sections of the court filing that were created using GenAI; and

d. Confirms that any text in the court filing prepared using GenAI has undergone a human review for accuracy and completeness. This includes confirming that any citation to legal authority is accurate and that the authority stands for the cited provision.

2. Failure to abide by this Order may lead to the issuance of sanctions.

*/s/ Christian Douglas Wright*

Magistrate in Chancery

#### Footnotes

1 Dkts. 118, 125.

2 “AI hallucination is a phenomenon wherein a large language model (LLM)--often a generative AI chatbot or computer vision tool--perceives patterns or objects that are nonexistent or imperceptible to human observers, creating outputs that are nonsensical or altogether inaccurate.” *Harris as Next Friend of RNH v. Adams*, 757 F. Supp.3d 111, 119 n.3 (D. Mass. 2024) (quoting *What Are Hallucinations?*, IBM, <https://www.ibm.com/topics/ai-hallucinations>).

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