

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
BRITTNEY KAUFMAN,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	25-11550-FDS
)	
JAMEY UPTON, CONNIE UPTON, and)	
DEWITT UPTON,)	
)	
Defendants.)	
)	
_____)	

**ORDER REFERRING ATTORNEY ROGER A. PEACE TO
BOARD OF BAR OVERSEERS FOR POTENTIAL DISCIPLINE**

SAYLOR, J.

On September 10, 2025, this Court issued an order requiring attorney Roger A. Peace to show cause why he should not be sanctioned or referred to the Massachusetts Board of Bar Overseers. (Dkt. No. 25). The Court issued that order after it found what appeared to be AI-generated citations to nonexistent authority in plaintiff’s submissions opposing defendants’ motions to dismiss.

Attorney Peace responded to the Court’s show-cause order on September 23, 2025. (Resp. & Decl. to Show Cause, Dkt. No. 26). His response, however, was somewhat less than forthcoming. He asserted that the “errors of incorrect case citations arose from a version control mistake,” and that a “first draft with placeholder and unverified citations” was inadvertently filed as the result of a “clerical error.” (*Id.* ¶¶ 4-5). His response did not, however, address whether and to what extent artificial intelligence was used in the preparation of the responses, nor the precise nature of the “clerical error” that led to their inclusion in the relevant submissions.

The submission of false authority to a court, whether generated by artificial intelligence or not, potentially implicates several rules of professional conduct, including an attorney's duty of candor. *See* Mass. R. Pro. Conduct 3.3(a). Therefore, because the Court has now dismissed the action for lack of jurisdiction and failure to state a claim upon which relief can be granted, it will refer the matter to the Board of Bar Overseers to impose such discipline, if any, that the Board deems appropriate under the circumstances. The Clerk is directed to transmit a copy of this order, as well as the Court's show-cause order dated September 10, 2025, and counsel's response dated September 23, 2025, to the Board of Bar Overseers.

So Ordered.

Dated: January 21, 2026

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
United States District Judge