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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TENIAH TERCERO,  
Plaintiff,  
v.  
SACRAMENTO LOGISTICS, LLC, et al.,  
Defendants.

No. 2:24-cv-00953-DC-JDP  
ORDER SANCTIONING PLAINTIFF'S  
COUNSEL, SEPIDEH ARDESTANI

On June 16, 2025, the court ordered Sepideh Ardestani, counsel for Plaintiff Teniah Tercero, to show cause why sanctions or other appropriate disciplinary action should not issue for her inclusion of nonexistent and erroneous citations in Plaintiff's motion for reconsideration. (Doc. No. 48.) On June 20, 2025, Attorney Ardestani filed her response to the court's order to show cause. (Doc. No. 49.) For the reasons explained below, the court will impose sanctions against Attorney Ardestani pursuant to Federal Rule of Civil Procedure 11(b) and Local Rule 180(e).

**BACKGROUND**

**A. Briefing on Plaintiff's Motion for Reconsideration**

On January 7, 2025, the court granted Defendant Sacramento Logistics LLC's and Defendant C&S Wholesale Grocers, LLC's motion to compel arbitration of Plaintiff Teniah Tercero's claims and stayed all proceedings pending the completion of arbitration. (Doc. No. 33.)

1 On March 26, 2025, Plaintiff filed a motion for reconsideration of the court’s January 7, 2025  
2 order compelling arbitration. (Doc. No. 34.) Plaintiff’s motion for reconsideration was signed and  
3 filed by Plaintiff’s counsel, Sepideh Ardestani. (*Id.* at 19.) Attorney Ardestani is a member of the  
4 State Bar of California.<sup>1</sup> (*See id.* at 1.)

5 On April 9, 2025, Defendants filed an opposition to Plaintiff’s motion for reconsideration.  
6 (Doc. No. 36.) In their opposition, Defendants noted that the authorities cited in Plaintiff’s motion  
7 for reconsideration are “non-existent, patently manufactured, or entirely inapplicable.” (*Id.* at 13.)  
8 Specifically, Plaintiff cites to “two cases that simply do not exist,” “[t]en other cases . . . [that] do  
9 not contain the language quoted by Plaintiff,” and twelve cases that “do not support the  
10 propositions for which [Plaintiff] proffers them.” (*Id.* at 13–15.) In Defendants’ view, “Plaintiff’s  
11 non-existent and misleading citations bear all the hallmarks of fictitious citations generated by  
12 artificial intelligence.” (*Id.* at 8.)

13 In support of their assertions, Defendants submit the declaration of their counsel, Amy E.  
14 Beverlin, who “personally reviewed Plaintiff’s [m]otion [for reconsideration] and each of the case  
15 citations included therein.” (Doc. No. 36-1 at 2.) In a table attached to her declaration, Attorney  
16 Beverlin carefully details her concerns with eighteen of the twenty-four cases cited in Plaintiff’s  
17 motion for reconsideration. (*Id.* at 11–17.) Attorney Beverlin identifies two citations to cases that  
18 she believes are nonexistent: “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331 (11th Cir. 2000)”  
19 and “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022).” (*Id.* at 2–3, 11.) Attorney Beverlin  
20 searched for both cases using Westlaw, LexisNexis, and Google, but was unsuccessful in locating  
21 either case. (*Id.* at 3, 11.) In addition, Attorney Beverlin asserts that ten cases cited in Plaintiff’s  
22 motion for reconsideration exist but do not contain the quoted language for which they are cited.  
23 (*Id.* at 3, 11–14.) Finally, Attorney Beverlin asserts that twelve cases cited in Plaintiff’s motion  
24 for reconsideration exist but “[do] not support the positions for which they were offered.” (*Id.* at  
25 4, 12–17.)

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26 <sup>1</sup> In Plaintiff’s motion for reconsideration, Attorney Ardestani listed her State Bar of California  
27 number as 274259. The court confirmed Attorney Ardestani’s registration and bar number based  
28 on a public search of the State Bar of California member directory. *See* California Attorney  
Search, <https://apps.calbar.ca.gov/attorney/Licensee/Detail/274259> (last visited Sept. 8, 2025).

1 On April 18, 2025, Attorney Ardestani filed Plaintiff’s reply to the motion for  
2 reconsideration. (Doc. No. 40.) Therein, Plaintiff contends that “Defendants[’] attacks on  
3 Plaintiff’s cited cases are baseless and misleading.” (*Id.* at 6.) Plaintiff asserts that “8 citations  
4 inadvertently included a pincite and quotation marks around a summary of the holding (though  
5 the case summaries were accurate); 2 citations included a pincite in error (though the case  
6 summaries were accurate); 3 citations contained no actual errors, aside from Defendants’  
7 disagreement with their application; and 4 citations mistakenly listed the wrong case name and  
8 citation (though the case summaries were accurate).” (*Id.*) In Plaintiff’s view, Defendants’  
9 opposition “mischaracterizes minor errors” and “her counsel should not be disparaged for  
10 typographical errors.” (*Id.*)

11 In support of her reply, Plaintiff submits the declaration of Attorney Ardestani, who  
12 acknowledges that she cited a total of twenty-four cases in Plaintiff’s motion for reconsideration  
13 and made “inadvertent mistake[s]” with respect to fourteen of those cases. (Doc. No. 40-1 at 2.)  
14 Attorney Ardestani provides what she characterizes as “[c]orrect citation[s]” to replace the  
15 nonexistent and erroneous citations identified by Attorney Beverlin. (*Id.* at 2–11.) Attorney  
16 Ardestani requests that the court strike the fourteen citation errors she admittedly made in  
17 Plaintiff’s motion for reconsideration. (*Id.* at 5–9.)

18 In her declaration, Attorney Ardestani also states that she is “unsure” why “incorrect case  
19 names and citations” were provided “instead of the correct ones.” (*Id.*) Attorney Ardestani  
20 explains that she drafted Plaintiff’s motion for reconsideration “late in the evening, and in the  
21 process, [these] error[s] occurred.” (*Id.*) Attorney Ardestani contends that she has “not attempted  
22 to mislead this [c]ourt or Defendants’ [c]ounsel” and “did not use artificial intelligence to cite any  
23 cases used in Plaintiff’s [motion for reconsideration].” (*Id.* at 3.) Attorney Ardestani “apologize[s]  
24 to the [c]ourt and to Defendants’ [c]ounsel for this oversight.” (*Id.*)

25 **B. Hearing on Plaintiff’s Motion for Reconsideration**

26 The court ordered Attorney Ardestani to appear at the June 13, 2025 hearing on Plaintiff’s  
27 motion for reconsideration, which she did. (Doc. Nos. 44, 45, 47.) At the hearing, Attorney  
28 Ardestani proclaimed that prior to reading Defendants’ opposition, wherein Defendants suggest

1 that the citations in Plaintiff’s motion for reconsideration may have been generated by artificial  
2 intelligence (Doc. No. 36 at 8), she did not know what artificial intelligence was, so she had to  
3 look up artificial intelligence online to understand Defendants’ accusations. Attorney Ardestani  
4 reaffirmed the statements made in her declaration (Doc. No. 40-1) that she is “unsure” how the  
5 citation errors in Plaintiff’s motion for reconsideration occurred. However, Attorney Ardestani  
6 also implied, for the first time, that the citation errors may have occurred because she handwrote  
7 her research notes. Attorney Ardestani stated that she conducted research for a friend regarding  
8 debt collection while working on Plaintiff’s motion for reconsideration and may have confused  
9 cases regarding debt collection for cases supporting Plaintiff’s motion for reconsideration.

10 When the court inquired as to Attorney Ardestani’s source for citations to nonexistent  
11 cases, including the case name, reporter, pincite, and court provided for “*Klein v. Avante Group,*  
12 *Inc.*, 199 F.3d 1328, 1331 (11th Cir. 2000)” and “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir.  
13 2022),” Attorney Ardestani was unable to provide an explanation. When the court inquired as to  
14 her citations quoting language not found in the cases cited, Attorney Ardestani stated that she  
15 mistakenly cited her case summaries as direct quotes from the cases cited. The court noted that  
16 for at least one such citation, the language Attorney Ardestani allegedly drafted as a case  
17 summary is itself a direct quote from a different case not cited in Plaintiff’s motion for  
18 reconsideration. Specifically, Attorney Ardestani cited *In re Loudermilch*, 158 F.3d 1143, 1145  
19 (11th Cir. 1998) as stating that “[o]nce a district court certifies a remand order to state court, it is  
20 divested of jurisdiction and can take no further action on the case” (Doc. No. 34 at 14), but that  
21 quote actually appears word-for-word in *Seedman v. U.S. Dist. Ct. for Cent. Dist. of California*,  
22 837 F.2d 413 (9th Cir. 1988). Finally, when the court inquired as to the pincites Attorney  
23 Ardestani provided for language she incorrectly cited as direct quotes, Attorney Ardestani  
24 expressed uncertainty as to where the pincites came from. Despite insisting that she handwrote  
25 her research notes, Attorney Ardestani stated that she used Westlaw to copy and paste pincites  
26 and may have copied the wrong pincites.

### 27 **C. Order to Show Cause**

28 Following the hearing on Plaintiff’s motion for reconsideration, on June 16, 2025, the

1 court ordered Attorney Ardestani to show cause why sanctions or other appropriate disciplinary  
2 action should not issue due to her use of nonexistent and erroneous citations in Plaintiff's motion  
3 for reconsideration. (Doc. No. 48.) Attorney Ardestani timely filed her response to the order to  
4 show cause on June 20, 2025. (Doc. No. 49.) In her response, Attorney Ardestani explains that  
5 she drafted Plaintiff's motion for reconsideration "over several evenings between March 17,  
6 2025, and March 25, 2025," prior to its filing on March 26, 2025. (*Id.* at 2.) During this time  
7 period, Attorney Ardestani also prepared Plaintiff's motion to remand (Doc. No. 35),  
8 "participated in five mediation sessions (each lasting 8 to 10 hours), attended two court hearings,  
9 and conducted six phone conferences." (Doc. No. 49 at 2.) Additionally, Attorney Ardestani  
10 cared for her two young children and was "the sole caretaker of [her] 81-year-old father, who is  
11 mute, wheelchair-bound, and paraplegic due to late-stage Parkinson's disease." (*Id.* at 3.)

12 Attorney Ardestani maintains that "the first time [she] became aware of the use of  
13 [artificial intelligence] in the legal field was when Defendants accused [her] of using it to draft  
14 Plaintiff's motion." (*Id.* at 2.) Attorney Ardestani insists that she "did not use artificial  
15 intelligence" to draft Plaintiff's motion for reconsideration and "[a]ny miscited cases in Plaintiff's  
16 [m]otion were the result of human error, not the use of [artificial intelligence]." (*Id.*) Specifically,  
17 she states that "the errors in case names and citations stemmed from inaccuracies in [her]  
18 handwritten notes." (*Id.* at 3.) Attorney Ardestani alleges she was "conducting research on debt  
19 collection and discovery dispute cases for a family friend" while she was drafting Plaintiff's  
20 motion and "recorded case names, citations, and summaries of holdings by hand on a legal pad  
21 rather than typing them into a Word document." (*Id.*) Attorney Ardestani states that she "did not  
22 intend to mislead this [c]ourt or Defendant[s'] counsel" with the "inadvertent errors" contained in  
23 Plaintiff's motion for reconsideration. (*Id.* at 11.)

#### 24 **D. Erroneous Citations in Plaintiff's Motion for Reconsideration**

25 The court has carefully reviewed Plaintiff's motion for reconsideration, signed and filed  
26 by Attorney Ardestani. (Doc. No. 34.) Based on the court's review, a majority of the citations in  
27 Plaintiff's motion for reconsideration are erroneous. Of the twenty-four citations in Plaintiff's  
28 motion, eighteen citations present concerns. As Defendants outlined in their opposition to

1 Plaintiff’s motion (Doc. No. 36), two citations appear to be fabricated as they cite to cases that do  
 2 not exist, ten citations quote language that does not appear in the case cited, and twelve citations  
 3 misrepresent cases by citing them for propositions they do not support. For the sake of brevity,  
 4 the court addresses only the most egregious examples below.<sup>2</sup>

5 1. Citations to Nonexistent Cases

6 In Plaintiff’s motion for reconsideration, Attorney Ardestani cited two cases that do not  
 7 exist. Attorney Ardestani’s fabricated citations to nonexistent cases, as well as the alternative  
 8 citations she provided to the court as replacements for her fabricated citations, can be summarized  
 9 as follows:

Original Citation to Nonexistent Case in Plaintiff’s Motion for Reconsideration	Citation Attorney Ardestani Located for Her Friend	“Corrected” Citation
<i>Klein v. Avante Group, Inc.</i> , 199 F.3d 1328, 1331 (11th Cir. 2000) (finding that a district court lacks the authority to split claims and retain jurisdiction over some while remanding others based on the same set of facts and legal issues)	<i>Klein v. Affiliated Grp., Inc.</i> , No. 18-CV-949 DWF/ECW, 2019 WL 246768 (D. Minn. Jan. 17, 2019)	<i>Simon v. Stang</i> , No. C 10-00262 JF (HRL) 2010 WL 1460430 (N.D. Cal. Apr. 12, 2010) (Remand required once federal court dismisses precluded claims)
<i>Gersh v. Anglin</i> , 40 F.4th 917, 920 (7th Cir. 2022) (“A void judgment is one entered by a court lacking jurisdiction and must be set aside.”).	<i>Gersh v. Anglin</i> , No. CV 17-50-M-DLCKLD, 2022 WL 2466782 (D. Mont. May 11, 2022)	<i>Burke v. Smith</i> , 252 F.3d 1260 (11th Cir. 2001) (Generally, judgment is void, warranting relief from judgment under civil procedure rules, if court that rendered it lacked jurisdiction of subject matter, or of parties, or if it acted in manner inconsistent with due process of law, or was powerless to enter judgment.)

25 \_\_\_\_\_  
 26 <sup>2</sup> Several citations in Plaintiff’s motion for reconsideration (Doc. No. 34), Attorney Ardestani’s  
 27 declaration (Doc. No. 40-1), and Attorney Ardestani’s response to the court’s order to show cause  
 28 (Doc. No. 49) contain formatting errors. To maintain consistency with Attorney Ardestani’s  
 filings, the court will not correct the formatting errors in the citations Attorney Ardestani  
 provided.

1 Attorney Ardestani cited to “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331 (11th Cir.  
2 2000)” for the proposition that “a district court lacks the authority to split claims and retain  
3 jurisdiction over some while remanding others based on the same set of facts and legal issues.”  
4 (Doc. No. 34 at 14–15.) However, “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331 (11th Cir.  
5 2000)” does not exist. The court’s search for “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331  
6 (11th Cir. 2000)” did not yield any results. Not only is there no case by the name of “*Klein v.*  
7 *Avante Group, Inc.*,” but there is no case at reporter “199 F.3d 1328” from the United States  
8 Court of Appeals for the Eleventh Circuit from the year 2000, or any other year. A search for  
9 “199 F.3d 1328” on Westlaw yields a table of cases from the United States Court of Appeals for  
10 the Fourth Circuit, none of which bear the name “*Klein v. Avante Group, Inc.*” or were issued in  
11 the year 2000.

12 Attorney Ardestani claims that she mistakenly cited “*Klein v. Avante Group, Inc.*, 199  
13 F.3d 1328, 1331 (11th Cir. 2000)” because she confused her notes for Plaintiff’s motion with  
14 notes on cases regarding debt collection that she located for her friend. Specifically, Attorney  
15 Ardestani claims to have located a case regarding debt collection with a slightly different name  
16 for her friend: *Klein v. Affiliated Grp., Inc.*, No. 18-CV-949 DWF/ECW, 2019 WL 246768 (D.  
17 Minn. Jan. 17, 2019). (Doc. No. 49 at 3–4.) Attorney Ardestani contends she “misspelled  
18 ‘*Affiliated*’ and instead wrote ‘*Avante*’ while writing the case name on [her] document while [she]  
19 was researching [] for a family friend.” (*Id.* at 4.) Nevertheless, Attorney Ardestani “do[es] not  
20 know” where she sourced the reporter, pincite, court, or year for her “*Klein v. Avante Group, Inc.*,  
21 199 F.3d 1328, 1331 (11th Cir. 2000)” citation in Plaintiff’s motion. (*Id.*)

22 Beyond the similarity in the case name, the court notes there is no overlap between  
23 Attorney Ardestani’s citation to “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331 (11th Cir.  
24 2000)” and the case she purportedly located for her friend, *Klein v. Affiliated Grp., Inc.*, No. 18-  
25 CV-949 DWF/ECW, 2019 WL 246768 (D. Minn. Jan. 17, 2019). The citation to *Klein v.*  
26 *Affiliated Group, Inc.* does not include a “199 F.3d 1328” reporter citation, was not issued in the  
27 year 2000, and is not from the Eleventh Circuit. Furthermore, *Klein v. Affiliated Group, Inc.* does  
28 not support the proposition for which Attorney Ardestani cited “*Klein v. Avante Group, Inc.*, 199

1 F.3d 1328, 1331 (11th Cir. 2000),” that “a district court lacks the authority to split claims and  
2 retain jurisdiction over some while remanding others based on the same set of facts and legal  
3 issues.” (Doc. No. 34 at 14.)

4 Attorney Ardestani claims that she intended to cite *Simon v. Stang*, No. C 10-00262 JF  
5 (HRL) 2010 WL 1460430 (N.D. Cal. Apr. 12, 2010) instead of “*Klein v. Avante Group, Inc.*, 199  
6 F.3d 1328, 1331 (11th Cir. 2000).” (See Doc. Nos. 40-1 at 8; 49 at 4.) Notably, the citation to  
7 *Simon* does not bear any resemblance to Attorney Ardestani’s citation to “*Klein v. Avante Group,*  
8 *Inc.*, 199 F.3d 1328, 1331 (11th Cir. 2000)” with respect to the case name, reporter, court, or year.  
9 *Simon* also does not support the proposition for which Attorney Ardestani cited “*Klein v. Avante*  
10 *Group, Inc.*, 199 F.3d 1328, 1331 (11th Cir. 2000).” (Doc. No. 34 at 14.) *Simon* addresses  
11 whether the Securities Litigation Uniform Standards Act of 1998 requires remand once a federal  
12 court dismisses precluded claims. See *Simon*, 2010 WL 1460430, at \*2–3. This action does not  
13 involve any claims under that Act. Indeed, Attorney Ardestani provides an entirely different  
14 parenthetical alongside her citation to *Simon* stating that “[r]emand [is] required once [a] federal  
15 court dismisses precluded claims.” (See Doc. Nos. 40-1 at 8; 49 at 4.)

16 Unfortunately, “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331 (11th Cir. 2000)” is not  
17 the only nonexistent case Attorney Ardestani cited in Plaintiff’s motion for reconsideration.  
18 Attorney Ardestani also cited “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022)” as containing  
19 language stating that “[a] void judgment is one entered by a court lacking jurisdiction and must be  
20 set aside.” (Doc. No. 34 at 15.) The court searched for “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th  
21 Cir. 2022),” but that search did not yield any results. There is no case from the United States  
22 Court of Appeals for the Seventh Circuit with the name “*Gersh v. Anglin.*” A search for “40 F.4th  
23 917” on Westlaw yields a case from the United States Court of Appeals for the Ninth Circuit:  
24 *Audubon Society of Portland v. Haaland*, 40 F.4th 917 (9th Cir. 2022). *Audubon* does not contain  
25 the language quoted by Attorney Ardestani alongside her citation to “*Gersh v. Anglin*, 40 F.4th  
26 917, 920 (7th Cir. 2022).”

27 Attorney Ardestani claims that she mistakenly cited “*Gersh v. Anglin*, 40 F.4th 917, 920  
28 (7th Cir. 2022)” because she confused her notes for Plaintiff’s motion with notes on cases

1 regarding debt collection that she located for her friend. Specifically, Attorney Ardestani claims  
2 to have located a case with the same name for her friend: *Gersh v. Anglin*, No. CV 17-50-M-  
3 DLCKLD, 2022 WL 2466782 (D. Mont. May 11, 2022). (Doc. No. 49 at 4.) Nevertheless,  
4 Attorney Ardestani “do[es] not know” where she sourced the reporter, pincite, court, or year for  
5 her citation to “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022)” in Plaintiff’s motion. (*Id.*)

6 Besides the case name, the court notes that there is no overlap between Attorney  
7 Ardestani’s citation to “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022)” and *Gersh v. Anglin*,  
8 No. CV 17-50-M-DLCKLD, 2022 WL 2466782 (D. Mont. May 11, 2022). The citation provided  
9 in Plaintiff’s motion is to a published case from the United States Court of Appeals for the  
10 Seventh Circuit, while the case Attorney Ardestani purportedly located for her friend is  
11 unpublished and from the United States District Court for the District of Montana. Furthermore,  
12 *Gersh v. Anglin*, No. CV 17-50-M-DLCKLD, 2022 WL 2466782 (D. Mont. May 11, 2022) does  
13 not contain the language Attorney Ardestani quoted alongside her citation to “*Gersh v. Anglin*, 40  
14 F.4th 917, 920 (7th Cir. 2022)” in Plaintiff’s motion. (Doc. No. 34 at 15.)

15 Attorney Ardestani asserts that she intended to cite *Burke v. Smith*, 252 F.3d 1260 (11th  
16 Cir. 2001) instead of “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022)” in Plaintiff’s motion  
17 for reconsideration. (*See* Doc. Nos. 40-1 at 3, 8; 49 at 4–5.) In fact, at the hearing on Plaintiff’s  
18 motion, Attorney Ardestani indicated that the language she quoted alongside her citation to  
19 “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022)” was actually from *Burke*. The citation to  
20 *Burke* bears no resemblance to Attorney Ardestani’s citation to “*Gersh v. Anglin*, 40 F.4th 917,  
21 920 (7th Cir. 2022)” with respect to the case name, reporter, court, or year. Contrary to Attorney  
22 Ardestani’s assertion that the language she quoted from “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th  
23 Cir. 2022)” was actually from *Burke*, *Burke* does not contain the language Attorney Ardestani  
24 quoted alongside her citation to “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022).” Indeed,  
25 Attorney Ardestani provides a different parenthetical for her citation to *Burke*, stating that  
26 “[g]enerally, judgment is void, warranting relief from judgment under civil procedure rules, if  
27 court that rendered it lacked jurisdiction of subject matter, or of parties, or if it acted in manner  
28 inconsistent with due process of law, or was powerless to enter judgment.” (Doc. Nos. 40-1 at 8;

1 49 at 5.)

2 2. Citations Falsely Attributing Language As Quotations

3 In addition to citing two nonexistent cases, Attorney Ardestani falsely attributed language  
4 as direct quotations in ten citations. Three of those citations are summarized below:

Citation in Plaintiff's Motion for Reconsideration	"Corrected" Citation
<i>In re Loudermilch</i> , 158 F.3d 1143, 1145 (11th Cir. 1998) ("Once a district court certifies a remand order to state court, it is divested of jurisdiction and can take no further action on the case.")	<i>In re Loudermilch</i> , 158 F.3d 1143 (11th Cir. 1998) (Once a district court certifies a remand order to state court, it is divested of jurisdiction and can take no further action on the case.)
<i>Atlantic Marine Constr. Co. v. U.S. Dist. Court</i> , (2013) 571 U.S. 49, 56 ("A court lacking jurisdiction has no authority to enter orders compelling arbitration or enforcing arbitration agreements.").	<i>Doe v. Trump Corp.</i> , 6 F.4th 400 (2d Cir. 2021) (district court lacked jurisdiction over enterprise's motion to compel arbitration).
<i>Ackermann v. United States</i> , 340 U.S. 193, 202 (1950) ("Rule 60(b)(6) should be liberally applied in the interest of justice.").	<i>Chena Obstetrics &amp; Gynecology, P.C. v. Bridges</i> , 502 P.3d 951 (Alaska 2022) (Rule 60(b)(6) should be liberally applied in the interest of justice).

15 First, Attorney Ardestani cited *In re Loudermilch*, 158 F.3d 1143, 1145 (11th Cir. 1998)  
16 as stating that "[o]nce a district court certifies a remand order to state court, it is divested of  
17 jurisdiction and can take no further action on the case." (Doc. No. 34 at 14.) The quoted language  
18 does not appear in *In re Loudermilch*. Attorney Ardestani asserts that she "inadvertently included  
19 a pincite and quotation marks around [her] summary of the holding" for *In re Loudermilch*. (Doc.  
20 Nos. 40-1 at 2; 49 at 6.) In actuality, Attorney Ardestani's case summary for *In re Loudermilch* is  
21 a direct quote from *Seedman v. U.S. Dist. Ct. for Cent. Dist. of California*, 837 F.2d 413, 414 (9th  
22 Cir. 1988), a case not cited in Plaintiff's motion for reconsideration. When confronted with this  
23 fact at the hearing on Plaintiff's motion for reconsideration, Attorney Ardestani was unable to  
24 provide an explanation.

25 Second, Attorney Ardestani cited *Atlantic Marine Constr. Co. v. U.S. Dist. Court*, 571  
26 U.S. 49, 56 (2013) as stating that "[a] court lacking jurisdiction has no authority to enter orders  
27 compelling arbitration or enforcing arbitration agreements." (Doc. No. 34 at 16.) The quoted  
28 language does not appear in *Atlantic Marine Constr. Co.* In fact, *Atlantic Marine Constr. Co.*

1 does not discuss orders compelling arbitration or arbitration agreements, it discusses a forum-  
2 selection clause. *See Atlantic Marine Constr. Co.*, 571 U.S. at 49. Attorney Ardestani claims that  
3 she “inadvertently provided the wrong case name and citation” when citing to *Atlantic Marine*  
4 *Constr. Co.* in Plaintiff’s motion. (Doc. Nos. 40-1 at 3; 49 at 5–6.) According to Attorney  
5 Ardestani, *Atlantic Marine Constr. Co.* is a “[v]enue selection case [she] reviewed for a family  
6 friend” and she “do[es] not know where the citation after the case name came from.” (Doc. No.  
7 49 at 5.)

8 Attorney Ardestani asserts that she intended to cite *Doe v. Trump Corp.*, 6 F.4th 400 (2d  
9 Cir. 2021) in Plaintiff’s motion rather than *Atlantic Marine Constr. Co.* (Doc. Nos. 40-1 at 3; 49  
10 at 5.) *Doe* does not contain the language quoted by Attorney Ardestani alongside her citation to  
11 *Atlantic Marine Constr. Co.* Indeed, Attorney Ardestani provides different language alongside her  
12 corrected citation to *Doe*, stating that a “district court lacked jurisdiction over enterprise’s motion  
13 to compel arbitration.” (Doc. Nos. 40-1 at 8; 49 at 5–6.) When the court requested an explanation  
14 at the hearing on Plaintiff’s motion for reconsideration, Attorney Ardestani stated that the quoted  
15 language she attributed to *Atlantic Marine Constr. Co.* was her case summary for *Doe*.

16 Third, Attorney Ardestani cited *Ackermann v. United States*, 340 U.S. 193, 202 (1950) as  
17 stating that “Rule 60(b)(6) should be liberally applied in the interest of justice.” (Doc. No. 34 at  
18 18.) The quoted language does not appear in *Ackermann*. Although *Ackermann* mentions Federal  
19 Rule of Civil Procedure (“FRCP”) 60(b)(6), it does not indicate that FRCP 60(b)(6) should be  
20 applied liberally in the interest of justice. *See Ackermann*, 340 U.S. at 197–199, 202.

21 Attorney Ardestani asserts that she intended to cite to *Chena Obstetrics & Gynecology,*  
22 *P.C. v. Bridges*, 502 P.3d 951 (Alaska 2022) in Plaintiff’s motion for reconsideration rather than  
23 *Ackermann*. (Doc. Nos. 40-1 at 3, 8; 49 at 3, 6.) At the hearing on Plaintiff’s motion, and in her  
24 response to the order to show cause, Attorney Ardestani stated that “[w]hile the *Ackermann* case  
25 does address [FRCP] 60(b), [she] ultimately decided not to rely on it, as *Chena Obstetrics* is more  
26 directly applicable to the specific context of [FRCP] 60(b)(6).” (Doc. No. 49 at 3.) Attorney  
27 Ardestani fails to explain why she cited *Ackermann* in Plaintiff’s motion for reconsideration if it  
28 is not directly applicable to the specific context of FRCP 60(b)(6).

3. Citations Misrepresenting Cases

Finally, Attorney Ardestani misrepresented twelve cases by citing them for propositions they do not support. Two of those citations are summarized below:

Citation in Plaintiff’s Motion for Reconsideration	“Corrected” Citation
<i>United States v. Beggerly</i> , 524 U.S. 38, 46 (1998) (“Rule 60(b)(6) is meant to prevent extreme and unexpected hardship caused by inconsistent or erroneous rulings.”)	<i>United States v. Beggerly</i> , 524 U.S. 38 (1998) (Rule 60(b) is meant to prevent mistake, inadvertence, surprise, or excusable neglect).
<i>United States v. Tittjung</i> , 235 F.3d 330, 335 (7 <sup>th</sup> Cir. 2000) (“A judgment is void if the court that rendered it lacked jurisdiction over the subject matter or the parties.”)	<i>United States v. Tittjung</i> , 235 F.3d 330 (7 <sup>th</sup> Cir. 2000) (A judgment is void if the court that rendered it lacked jurisdiction over the subject matter or the parties).

First, Attorney Ardestani provided the following quotation in a parenthetical alongside her citation to *United States v. Beggerly*, 524 U.S. 38, 46 (1998): “Rule 60(b)(6) is meant to prevent extreme and unexpected hardship caused by inconsistent or erroneous rulings.” (Doc. No. 34 at 17.) The quoted language does not appear in *Beggerly*, which only mentions FRCP 60(b), not FRCP 60(b)(6). Attorney Ardestani asserts that she “erroneously placed a pincite and quotations marks” around her summary of the case. (Doc. No. 40-1 at 6.) Attorney Ardestani does not explain why her case summary of *Beggerly* referenced FRCP 60(b)(6), a rule not addressed by the case. Instead, Attorney Ardestani provides a “corrected” parenthetical for *Beggerly*, stating that “Rule 60(b) is meant to prevent mistake, inadvertence, surprise, or excusable neglect.” (*Id.*; see also Doc. No. 49 at 8.) The court notes that the corrected parenthetical Attorney Ardestani provides for *Beggerly* is different from the quotation she provided alongside her citation to *Beggerly* in Plaintiff’s motion, despite the fact that she asserts the original misquoted language was her case summary for *Beggerly*.

Second, Attorney Ardestani provided the following quotation in a parenthetical alongside her citation to *United States v. Tittjung*, 235 F.3d 330, 335 (7<sup>th</sup> Cir. 2000): “A judgment is void if the court that rendered it lacked jurisdiction over the subject matter or the parties.” (Doc. No. 34

1 at 15.) The quoted language does not appear in *Tittjung*. Attorney Ardestani asserts that she  
2 “erroneously placed a pincite and quotations marks” around her summary of the case. (Doc. No.  
3 40-1 at 5.) She states the parenthetical should read the same, but without quotation marks. (*Id.*)  
4 However, even as a case summary, the parenthetical Attorney Ardestani provided for *Tittjung* is  
5 misleading. Contrary to Attorney Ardestani’s contention that *Tittjung* stands for the proposition  
6 that “[a] judgment is void if the court that rendered it lacked jurisdiction over the subject matter  
7 or the parties,” *Tittjung* states that “a lack of subject matter jurisdiction will not always render a  
8 final judgment ‘void.’” *Tittjung*, 235 F.3d at 335. Thus, Attorney Ardestani’s citation to *Tittjung*  
9 is inaccurate.

10 In sum, the court finds that the majority of citations Attorney Ardestani included in  
11 Plaintiff’s motion for reconsideration are nonexistent, inaccurate, or misleading.

#### 12 LEGAL STANDARD

13 FRCP 11(b) provides, in relevant part, that, in presenting to a court a written and signed  
14 pleading, motion, or other paper, an attorney “certifies that to the best of the person’s knowledge,  
15 information, and belief, formed after an inquiry reasonable under the circumstances: the claims,  
16 defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument  
17 for extending, modifying, or reversing existing law or for establishing new law.” Fed. R. Civ. P.  
18 11(b)(2). Under FRCP 11(b), an attorney who signs a legal document certifies that they have  
19 “read the document, [have] conducted a reasonable inquiry into the facts and the law and [are]  
20 satisfied that the document is well grounded in both, and is acting without any improper motive.”  
21 *Bus. Guides, Inc. v. Chromatic Commc’ns Enters., Inc.*, 498 U.S. 533, 542, 551 (1991); *see also*  
22 *Park v. Kim*, 91 F.4th 610, 615 (2d Cir. 2024) (“At the very least, the duties imposed by [FRCP  
23 11(b)] require that attorneys read, and thereby confirm the existence and validity of, the legal  
24 authorities on which they rely.”) (citation omitted). Thus, FRCP 11(b) imposes on counsel an  
25 affirmative duty to investigate the caselaw before submitting a court filing. *Rachel v. Banana*  
26 *Republic, Inc.*, 831 F.2d 1503, 1508 (9th Cir. 1987).

27 Courts apply an objective test in assessing whether FRCP 11(b) has been violated.  
28 *Yagman v. Republic Ins.*, 987 F.2d 622, 628 (9th Cir. 1993) (citing *Zaldivar v. City of Los*

1 *Angeles*, 780 F.2d 823, 829–32 (9th Cir. 1986), *abrogated on other grounds*, 496 U.S. 384  
2 (1990)). “A violation of [FRCP 11(b)] does not require subjective bad faith.” *Id.* (citing *Zaldivar*,  
3 780 F.2d at 829–32). If a court determines that FRCP 11(b) has been violated, it “may impose an  
4 appropriate sanction on [the] attorney . . . responsible for the violation.” Fed. R. Civ. P. 11(c)(1).

5 In addition to the duties imposed by FRCP 11(b), Local Rule 180(e) of the Eastern  
6 District of California mandates that any attorney appearing in this court shall “comply with the  
7 standards of professional conduct required of members of the State Bar of California and  
8 contained in the State Bar Act, the Rules of Professional Conduct of the State Bar of California,  
9 and court decisions applicable thereto” and “[n]o attorney admitted to practice before this [c]ourt  
10 shall engage in any conduct that degrades or impugns the integrity of the [c]ourt or in any manner  
11 interferes with the administration of justice.” E.D. Cal. L.R. 180(e).

12 Rule 3.1 of the Rules of Professional Conduct of the State Bar of California provides that  
13 a lawyer shall not “present a claim or defense in litigation that is not warranted under existing  
14 law, unless it can be supported by a good faith argument for an extension, modification, or  
15 reversal of the existing law.” Cal. R. Prof. Conduct 3.1(a)(2). In addition, Rule 3.3 requires  
16 candor to the tribunal. That rule specifically provides that a lawyer shall not “knowingly make a  
17 false statement of fact or law to a tribunal or fail to correct a false statement of material fact or  
18 law previously made to the tribunal by the lawyer.” Cal. R. Prof. Conduct 3.3(a)(1). Further, a  
19 lawyer shall not “knowingly misquote to a tribunal the language of a book, statute, decision or  
20 other authority.” Cal. R. Prof. Conduct 3.3(a)(2).

21 Lastly, Local Rule 110, which corresponds to FRCP 11, provides that “[f]ailure of counsel  
22 or of a party to comply with [the] Rules or with any order of the [c]ourt may be grounds for  
23 imposition by the [c]ourt of any and all sanctions authorized by statute or Rule or within the  
24 inherent power of the [c]ourt.” E.D. Cal. L.R. 110.

### 25 ANALYSIS

26 In Plaintiff’s motion for reconsideration, Attorney Ardestani cited cases that do not exist,  
27 falsely attributed language as direct quotations from cases, and misrepresented cases by citing  
28 them for propositions they do not support. Attorney Ardestani had multiple opportunities to

1 candidly explain the erroneous citations she submitted to the court but failed to do so. Instead,  
2 Attorney Ardestani made misleading statements about her erroneous citations in the declaration  
3 she submitted alongside Plaintiff’s reply brief (Doc. No. 40-1), at the hearing on Plaintiff’s  
4 motion for reconsideration, and in her response to the court’s order to show cause (Doc. No. 49).  
5 As detailed below, Attorney Ardestani’s conduct plainly violates FRCP 11(b) and Local Rule  
6 180(e) and therefore, constitutes a sufficient basis for imposing sanctions. The court begins by  
7 addressing Attorney Ardestani’s violation of FRCP 11(b) and Local Rule 180(e), before turning  
8 to appropriate sanctions.

9 **A. Violations of Federal Rule of Civil Procedure 11(b) and Local Rule 180(e)**

10 Plaintiff’s motion for reconsideration is plagued with erroneous citations, including two  
11 fabricated citations to cases that do not exist: “*Klein v. Avante Group, Inc.*, 199 F.3d 1328, 1331  
12 (11th Cir. 2000)” and “*Gersh v. Anglin*, 40 F.4th 917, 920 (7th Cir. 2022).” (Doc. No. 34 at 14–  
13 15.) “To start with the obvious, an attorney who submits fake cases clearly has not *read* those  
14 nonexistent cases.” *Benjamin v. Costco Wholesale Corp.*, 779 F. Supp. 3d 341, 343 (E.D.N.Y.  
15 2025) (emphasis in original). Without reading the legal authorities upon which she relied,  
16 Attorney Ardestani could not have “ensure[d] that the arguments made based on those authorities  
17 are ‘warranted by existing law,’ [] or otherwise ‘legally tenable.’” *Park*, 91 F.4th at 615 (citation  
18 omitted); *see also Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443, 461 (S.D.N.Y. 2023) (“A fake  
19 opinion is not ‘existing law’ and citation to a fake opinion does not provide a non-frivolous  
20 ground for extending, modifying, or reversing existing law, or for establishing new law.”).  
21 Attorney Ardestani’s submission of citations to nonexistent cases, on its own, constitutes a  
22 violation of FRCP 11(b). *See e.g., Mavy v. Comm’r of Soc. Sec. Admin.*, No. 2:25-cv-00689-  
23 PHX-KML, 2025 WL 2355222, at \*6–7 (D. Ariz. Aug. 14, 2025) (“By repeatedly citing this  
24 [c]ourt to non-existent ‘cases’. . . [c]ounsel failed to conduct any review whatsoever that those  
25 cases were valid or that the arguments she was making were legally tenable. That conduct  
26 squarely runs afoul of [FRCP] 11’s mandate.”); *Allen v. Mercedes-Benz USA, LLC*, No. 2:25-cv-  
27 01222-DJC-JDP, 2025 WL 1744451, at \*3 (E.D. Cal. June 24, 2025) (“By providing fabricated  
28 quotations in the [r]eply and the [r]esponse, the [c]ourt finds that [counsel] violated FRCP

1 11 because he did not act reasonably under the circumstances to ensure that the legal contentions  
2 in his brief were accurately representing existing law.”); *Wadsworth v. Walmart Inc.*, 348 F.R.D.  
3 489, 495 (D. Wyo. 2025) (“Because there is no dispute that [r]espondents cited fake cases in a  
4 signed motion, [r]espondents’ conduct violates [FRCP] 11(b)(2).”).

5 However, Attorney Ardestani did not just submit citations to nonexistent cases, she also  
6 falsely attributed language as direct quotations from cases and misrepresented cases by citing  
7 them for propositions they do not support. Attorney Ardestani’s erroneous citations make clear  
8 that she submitted Plaintiff’s motion to the court without conducting a reasonable inquiry into the  
9 validity of the legal authorities cited. Had she done so, it stands to reason that she would have  
10 discovered her numerous erroneous citations. Nevertheless, Attorney Ardestani signed and filed  
11 Plaintiff’s motion for reconsideration, falsely certifying that she had conducted a “reasonable  
12 inquiry into the facts and the law,” *Bus. Guides, Inc.*, 498 U.S. at 551, and that the motion’s  
13 “legal contentions” were “warranted by existing law or by a nonfrivolous argument for extending,  
14 modifying, or reversing existing law or for establishing new law,” Fed. R. Civ. P. 11(b)(2).  
15 Attorney Ardestani’s filing of Plaintiff’s motion, “without taking the necessary care in [its]  
16 preparation[,] is an abuse of the judicial system” that directly contravenes FRCP 11(b). *ByoPlanet*  
17 *Int’l, LLC v. Johansson*, No. 0:25-cv-60630-DSL, 2025 WL 2091025, at \*7 (S.D. Fla. July 17,  
18 2025); *see also Mavy*, 2025 WL 2355222, at \*6 (counsel violated FRCP 11 by citing cases that  
19 did not stand for the propositions put forth); *Dehghani v. Castro*, No. 2:25-cv-00052-MIS-DLM,  
20 2025 WL 1361765, at \*4 (D.N.M. May 9, 2025) (counsel violated FRCP 11 by providing thirteen  
21 citations for cases that did not support the propositions stated and quoted language not found in  
22 the cases cited). Therefore, the court finds that Attorney Ardestani violated FRCP 11(b).

23 Similarly, as discussed further below, Attorney Ardestani’s submission of “fictitious  
24 cases and quotations to the court ‘degrades or impugns the integrity of the [c]ourt’ and ‘interferes  
25 with the administration of justice’ in violation of Local Rule 180(e), and violates California Rules  
26 of Professional Conduct 3.1(a)(2), 3.3(a)(1), and 3.3(a)(2).” *See United States v. Hayes*, 763 F.  
27 Supp. 3d 1054, 1064 (E.D. Cal. 2025) (noting that courts have found rules of professional  
28 conduct violated by the submission of fictitious legal authority); *see also Allen*, 2025 WL

1 1744451, at \*3 (finding counsel “violated Local Rule 180(e) by way of violation of Rule 3.3(a)(1)  
2 of the Rules of Professional Conduct of the State Bar of California, as [counsel] knowingly made,  
3 and failed to correct, false statements of law” when he submitted fictitious cases and quotations).

4 Because Attorney Ardestani violated FRCP 11(b) and Local Rule 180(e), the court  
5 considers whether sanctions should be imposed.

#### 6 **B. Sanctions Against Attorney Ardestani**

7 If the court finds an attorney has violated FRCP 11(b), the court “may impose an  
8 appropriate sanction” after the court has provided that attorney “notice and a reasonable  
9 opportunity to respond.” Fed. R. Civ. P. 11(c)(1). “[A]n opportunity to be heard does not require  
10 an oral or evidentiary hearing on the issue.” *Pac. Harbor Cap., Inc., v. Carnival Air Lines, Inc.*,  
11 210 F.3d 1112, 1118 (9th Cir. 2000). Sanctions for violation of FRCP 11(b) may be imposed via  
12 motion or on a court’s own initiative. Fed. R. Civ. P. 11(c)(2)–(3). “[U]nlike the situation in  
13 which an opposing party moves for [FRCP] 11 sanctions—there is no ‘safe harbor’ in [FRCP 11]  
14 allowing lawyers to correct or withdraw their challenged filings” when a court is considering  
15 issuing sanctions *sua sponte*. *United Nat. Ins. Co. v. R&D Latex Corp.*, 242 F.3d 1102, 1115–16  
16 (9th Cir. 2001) (citation omitted). In light of this distinction, sanctions issued *sua sponte* under  
17 FRCP 11 “will ordinarily be imposed only in situations that are *akin to a contempt of court*.” *Id.*  
18 at 1116 (citation omitted) (emphasis in original).

19 A court has “wide discretion in determining the appropriate sanction for a [FRCP] 11  
20 violation.” *Hudson v. Moore Bus. Forms, Inc.*, 836 F.2d 1156, 1163 (9th Cir. 1987). “[FRCP]  
21 11 sanctions are meant to serve several purposes, including (1) deterring future litigation abuse,  
22 (2) punishing present litigation abuse, (3) compensating victims of litigation abuse, and (4)  
23 streamlining court dockets and facilitating case management.” *Wadsworth*, 348 F.R.D. at 496.

24 “The Local Rules of the Eastern District also provide wide latitude to the court to issue  
25 sanctions.” *See Wolinski v. Abdulgader*, No. 2:21-cv-2078-DJC-CKD, 2025 WL 1150943, at \*2  
26 (E.D. Cal. Apr. 18, 2025). Local Rule 184(a) provides that “[i]n the event any attorney subject to  
27 [the Local] Rules engages in conduct that may warrant discipline or other sanctions,” the court  
28 may “after reasonable notice and opportunity to show cause to the contrary, take any []

1 appropriate disciplinary action against the attorney.” E.D. Cal. L.R. 184(a).

2 Attorney Ardestani was provided with notice and an opportunity to be heard on why  
3 sanctions or other appropriate disciplinary action should not issue for her use of nonexistent and  
4 erroneous citations in Plaintiff’s motion for reconsideration. (Doc. No. 48.) In fact, Attorney  
5 Ardestani had multiple opportunities to explain her nonexistent and erroneous citations. Attorney  
6 Ardestani’s first opportunity to acknowledge her errors was in response to Defendants’ opposition  
7 to Plaintiff’s motion for reconsideration, especially given Defendants’ comprehensive discussion  
8 identifying concerns with eighteen of the twenty-four citations Attorney Ardestani included in  
9 Plaintiff’s motion. Rather than being forthcoming, however, Attorney Ardestani downplayed  
10 Defendants’ concerns in Plaintiff’s reply, characterizing the errors in her citations as “trivial  
11 formatting issues,” “superficial issue[s,]” and “typographical errors.” (Doc. No. 40 at 6, 9.)  
12 Attorney Ardestani went as far as framing Defendants’ concerns as “inflammatory and unfounded  
13 allegations” that were “misleading and unjustified.” (*Id.* at 5–6.) In her declaration, filed  
14 alongside Plaintiff’s reply, Attorney Ardestani failed to acknowledge that she submitted citations  
15 to the court for cases that do not exist. Instead, Attorney Ardestani claimed she made “inadvertent  
16 mistake[s]” in Plaintiff’s motion because it was “drafted late in the evening.” (Doc. No. 40-1 at  
17 3.)

18 Attorney Ardestani’s second opportunity to explain her erroneous citations was at the  
19 hearing on Plaintiff’s motion, where the court made clear that it had serious concerns with the  
20 citations in Plaintiff’s motion. Although the court dedicated significant time to discussing the  
21 citations, Attorney Ardestani provided little, if any, clarity. Attorney Ardestani failed to explain  
22 where she sourced the reporters, pincites, courts, and years for her citations to nonexistent cases.  
23 Instead, Attorney Ardestani proclaimed she did know what artificial intelligence was and claimed  
24 her citation errors occurred because she was researching debt collection cases for her friend, an  
25 explanation she did not provide in her initial declaration. Attorney Ardestani’s explanation that  
26 the errors may have been caused by her “old-school” handwritten notes is also belied by her  
27 subsequent explanation that she used Westlaw’s copy/paste feature to retrieve citations and  
28 pincites.

1 Attorney Ardestani’s third opportunity to explain her erroneous citations was in response  
2 to the court’s order to show cause. By that time, Attorney Ardestani was well aware that the court  
3 was deeply troubled by the citations in Plaintiff’s motion for reconsideration and was considering  
4 sanctions. But instead of providing clarity for the court, Attorney Ardestani reiterated the  
5 nonsensical explanations she provided at the hearing on Plaintiff’s motion for reconsideration. In  
6 her response to the order to show cause, Attorney Ardestani maintained that she did not use  
7 artificial intelligence and her citations to nonexistent cases were the result of human error. Yet,  
8 Attorney Ardestani still failed to provide sources for the reporters, pincites, courts, and years she  
9 included in citations. Attorney Ardestani also maintained that she mistakenly cited her case  
10 summaries as direct quotations, even for *In re Loudermilch*, 158 F.3d 1143 (11th Cir. 1998). In  
11 other words, Attorney Ardestani would have the court believe that the summary she drafted for *In*  
12 *re Loudermilch*, 158 F.3d 1143 (11th Cir. 1998) coincidentally happens to be, word-for-word, the  
13 same as a sentence from the United States Court of Appeals for the Ninth Circuit’s opinion in  
14 *Seedman v. U.S. Dist. Ct. for Cent. Dist. of California*, 837 F.2d 413 (9th Cir. 1988).

15 Although Attorney Ardestani insists she did not use artificial intelligence to prepare  
16 Plaintiff’s motion for reconsideration, she has repeatedly failed to provide any other cogent  
17 explanation for the numerous citation deficiencies in Plaintiff’s motion. “A citation to one non-  
18 existent case may be a mere mistake. But here, the fact that [two] citations are non-existent  
19 suggests [ ] counsel may have used artificial intelligence to draft the motion and failed to confirm  
20 the accuracy of the citations.” *Strike 3 Holdings, LLC v. Doe*, No. 2:22-cv-08183-TJH-SP, 2025  
21 WL 882212, at \*3 (C.D. Cal. Jan. 22, 2025). Indeed, Attorney Ardestani’s citations to nonexistent  
22 cases bear the hallmarks of hallucinated cases created by artificial intelligence tools. *See Hayes*,  
23 763 F. Supp. 3d at 1065–66 (fabricated citation “look[ed] like a real case with a case name; a  
24 citation to the Federal Supplement, which is the reporter that publishes opinions from federal  
25 district courts; identification of a district court; and the year for the decision,” but in actuality was  
26 a citation “for a different case” and the language quoted “appear[ed] nowhere in the decision”);  
27 *Mata*, 678 F. Supp. 3d at 451, 454 (fictitious case did not address the claimed subject matter and  
28 identified the wrong parties, the wrong court, and the wrong year). However, the court “need not

1 make any finding as to whether [Attorney Ardestani] actually used [artificial intelligence] to draft  
2 any portion of” Plaintiff’s motion for reconsideration because “[c]iting nonexistent case law or  
3 misrepresenting the holdings of a case is making a false statement to a court. It does not matter if  
4 [artificial intelligence] told you so.” *See Hayes*, 763 F. Supp. 3d at 1066-67 (citation omitted).<sup>3</sup>

5 To put it simply, Attorney Ardestani’s post-hoc explanations for her nonexistent and  
6 erroneous citations are inconsistent and not credible. Attorney Ardestani’s submission of a motion  
7 with numerous nonexistent and erroneous citations, coupled with her repeated failure to be  
8 forthcoming with the court, constitutes conduct that is “akin to contempt of court.” *See Mavy*,  
9 2025 WL 2355222, at \*7 (“Plaintiff’s [o]pening [b]rief is riddled with fabricated, misleading, or  
10 unsupported citations. This situation is indeed akin to contempt of court. Left with the surviving  
11 authority, entire sections of the filing’s ‘[a]nalysis’ are nearly wholly unsupported, and clearly,  
12 there was no reasonable inquiry made into its contents.”); *Brown v. Royal Power Mgmt., Inc.*, No.  
13 3:11-cv-4822-EMC, 2012 WL 298315, at \*4 (N.D. Cal. Feb. 1, 2012) (“Plaintiffs’ counsel  
14 continued to assert that venue was proper despite knowing that this assertion was baseless. The  
15 [c]ourt finds that this behavior, particularly after confronted with evidence that their venue  
16 allegations were baseless, constituted bad faith and lacked forthrightness with the [c]ourt; this  
17 conduct is ‘akin to contempt of court.’”) (citation omitted). Therefore, having provided Attorney  
18 Ardestani with notice and the opportunity to be heard (Doc. No. 48), the court may *sua sponte*  
19 impose sanctions on Attorney Ardestani for her violations of FRCP 11(b) and Local Rule 180(e).

20 “Courts across the country have issued sanctions against attorneys . . . for submitting  
21 fictitious case citations, fictitious quotations, and related misrepresentations to the court.” *Hayes*,  
22 763 F. Supp. 3d at 1071. Sanctions often include (1) monetary sanctions, (2) striking the filing  
23 containing erroneous citations, (3) requiring written notification to the client, (4) requiring written  
24 notification to judges incorrectly identified as having authored nonexistent cases, and (5) referring

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25 <sup>3</sup> To be clear, the court is not opposed to the ethical use of artificial intelligence. But “a lawyer  
26 who wishes to use [artificial intelligence] ethically must ensure that the legal propositions and  
27 authority generated are trustworthy. The lawyer has a duty to check all the cases and quotations  
28 for accuracy. Anything less is to abdicate one’s duty, waste legal resources, and lower the  
public’s respect for the legal profession and judicial proceedings.” *ByoPlanet Int’l, LLC*, 2025  
WL 2091025, at \*2.

1 attorneys to the appropriate disciplinary body for disciplinary proceedings. *See e.g., Benjamin*,  
2 779 F. Supp. 3d at 351 (requiring an attorney to pay a \$1,000 fine to the court and serve a copy of  
3 the court’s sanction order on their client); *Wadsworth*, 348 F.R.D. at 499 (D. Wyo. 2025)  
4 (imposing a \$3,000 fine payable to the court on an attorney who drafted a brief with nonexistent  
5 cases and a \$1,000 fine payable to the court for other attorneys who signed, but did not draft, the  
6 brief); *Gauthier v. Goodyear Tire & Rubber Co.*, No. 1:23-cv-00281, 2024 WL 4882651, at \*3  
7 (E.D. Tex. Nov. 25, 2024) (imposing a \$2,000 fine on an attorney for submitting a brief with  
8 citations generated by artificial intelligence, ordering the attorney to attend continuing legal  
9 education courses, and requiring the attorney to serve a copy of the court’s sanction order on their  
10 client); *Mata*, 678 F. Supp. 3d at 449, 466 (imposing a \$5,000 fine on attorneys who submitted a  
11 brief with citations to fake cases and “doubled down” when confronted); *Allen*, 2025 WL  
12 1744451, at \*3 (referring violations of FRCP 11 and Local Rule 180(e) to the State Bar of  
13 California “for whatever proceedings the State Bar deems appropriate”); *Avendano v. Sec.*  
14 *Consultants Grp.*, No. 3:13-cv-00168-HDM, 2014 WL 6773027, at \*12 (D. Nev. Dec. 2, 2014)  
15 (sanctioning attorney for knowingly making misrepresentations to the court and referring  
16 sanctions order to disciplinary counsel of the Ohio Supreme Court, of which the attorney was a  
17 member).

18 The court recognizes that “any sanction imposed must be proportionate to the offense and  
19 commensurate with principles of restraint and dignity inherent in judicial power.” *Zambrano v.*  
20 *City of Tustin*, 885 F.2d 1473, 1480 (9th Cir. 1989); *see also* Fed. R. Civ. P. 11(c)(4) (“A sanction  
21 imposed under this rule must be limited to what suffices to deter repetition of the conduct or  
22 comparable conduct by others similarly situated.”). For example, in *Hayes*, an attorney was  
23 sanctioned pursuant to the court’s inherent power for citing one fictitious case. *Hayes*, 763 F.  
24 Supp. 3d at 1065. The court ordered the attorney to pay a \$1,500 fine and serve a copy of the  
25 sanctions order on all district judges and magistrate judges within the district. *Id.* at 1073. The  
26 Clerk of the Court was also ordered to serve a copy of the sanctions order on the District of  
27 Columbia Bar, of which the attorney was a member. *Id.* By contrast, in *Mavy*, an attorney who  
28 submitted a brief full of “fabricated, misleading, or unsupported” citations was sanctioned for

1 violating FRCP 11. *Mavy*, 2025 WL 2355222, at \*9. There, the court revoked the attorney’s *pro*  
2 *hac vice* status and ordered the attorney to serve a copy of the sanctions order on her client, write  
3 a letter to the judges to whom she falsely attributed fictitious cases, and transmit a copy of the  
4 sanctions order on every judge presiding over any case in which the attorney was counsel of  
5 record. *Id.* at \*10. The court also directed the clerk of the court to serve a copy of the sanctions  
6 order on the Washington State Bar Association, of which the attorney was a member. *Id.*

7 Here, Attorney Ardestani’s conduct is egregious. Attorney Ardestani submitted Plaintiff’s  
8 motion for reconsideration filled with erroneous citations, including fabricated citations to cases  
9 that do not exist. “Many harms flow from the submission of fake opinions.” *Mata*, 678 F. Supp.  
10 3d at 448–49. Specifically,

11 [t]he opposing party wastes time and money in exposing the  
12 deception. The [c]ourt’s time is taken from other important  
13 endeavors. The client may be deprived of arguments based on  
14 authentic judicial precedents. There is potential harm to the  
15 reputation of judges and courts whose names are falsely invoked as  
16 authors of the bogus opinions and to the reputation of a party  
attributed with fictional conduct. It promotes cynicism about the  
legal profession and the American judicial system. And a future  
litigant may be tempted to defy a judicial ruling by  
disingenuously claiming doubt about its authenticity.

17 *Id.* The harm to this court is particularly noteworthy. “The Eastern District of California carries  
18 one of the largest and most heavily weighted caseloads in the nation.” *Williams v. Unknown*  
19 *Parties*, No. 1:25-cv-00799-JLT-GSA, 2025 WL 2345104, at \*2 n.1 (E.D. Cal. Aug. 13, 2025)  
20 (citation omitted). Attorney Ardestani’s conduct has led to a waste of limited time and judicial  
21 resources in a district that has labored under a long-standing caseload crisis. “The seriousness of  
22 filing fictitious case citations—and the corresponding waste of judicial and party resources—  
23 warrants a penalty sufficient to deter future violations like [Attorney Ardestani’s] which courts  
24 have unfortunately ‘seen a rash of’ in recent years.” *See Elizondo v. City of Laredo*, No. 5:25-cv-  
25 00050, 2025 WL 2071072, at \*3 (S.D. Tex. July 23, 2025) (citation omitted).

26 Further, Attorney Ardestani failed to satisfy her ethical duties as an officer of this court.  
27 “An attorney’s failure to review for accuracy a document that he or she signs and submits to a  
28 court, and resulting submission of false information, very clearly implicates several of the

1 attorney’s ethical obligations.” *Dehghani*, 2025 WL 1361765, at \*5. When an attorney appears  
2 before the court, the “attorney does not simply act as an advocate for [her] client; [she] is also an  
3 officer of the court. As such, an attorney has a duty of good faith and candor in dealing with the  
4 judiciary.” *Pac. Harbor Capital*, 210 F.3d at 1119 (citation omitted). Attorney Ardestani’s failure  
5 to be forthcoming regarding her nonexistent and erroneous citations supports the court’s  
6 imposition of a serious sanction, including reporting of Attorney Ardestani’s conduct to the State  
7 Bar of California. *See Dehghani*, 2025 WL 1361765, at \*5 (noting that “[r]eport[ing] to  
8 disciplinary authorities is not an uncommon sanction for an attorney’s making misrepresentations  
9 to the court in violation of [FRCP]11(b)” and collecting cases); *cf. Benjamin*, 779 F. Supp. 3d at  
10 351 (“The [c]ourt’s sanction is lower than in many other similar cases in part because of  
11 [attorney’s] candor and sincere regret.”); *Crespo v. Tesla, Inc.*, No. 25-cv-80129, 2025 WL  
12 1799411 (S.D. Fla. June 30, 2025), *aff’d*, No. 9:25-cv-80129, 2025 WL 2326039, at \*2 (S.D. Fla.  
13 Aug. 12, 2025) (“The [c]ourt notes that had [p]laintiff engaged in a lack of candor regarding the  
14 fake citations, the sanctions considered in this case would be much more serious.”).

15 Finally, the court is mindful that Attorney Ardestani was facing difficult personal  
16 circumstances at the time she submitted Plaintiff’s motion for reconsideration. (*See* Doc. No. 49  
17 at 2.) However, Attorney Ardestani is not Plaintiff’s only counsel of record. If Attorney Ardestani  
18 was unable to focus on Plaintiff’s motion for reconsideration, she could have obtained assistance  
19 from her co-counsel. To the extent Attorney Ardestani suggests time constraints led to the  
20 erroneous citations in Plaintiff’s motion for reconsideration, the court notes there was no deadline  
21 set by the court for the filing of Plaintiff’s motion. Attorney Ardestani could have filed the motion  
22 on behalf of Plaintiff at any time. Indeed, nearly three months had already passed since the  
23 court’s order compelling arbitration before Attorney Ardestani filed Plaintiff’s motion for  
24 reconsideration of that order.

25 Having carefully considered Attorney Ardestani’s conduct, as well as sanctions imposed  
26 by other courts for similar conduct, the court concludes that the following sanctions are  
27 appropriate: (1) a \$1,500 monetary sanction against Attorney Ardestani personally, payable to the  
28 court; (2) a requirement that Attorney Ardestani serve a copy of this order on her client; and (3) a

1 directive to the Clerk of the Court to serve a copy of this order on the State Bar of California, of  
2 which Attorney Ardestani is a member.<sup>4</sup> The court finds that these sanctions are proportionate to  
3 Attorney Ardestani's conduct and will serve as an effective deterrent to Attorney Ardestani and  
4 other members of the bar.

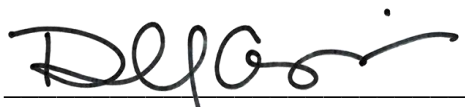
5 **CONCLUSION**

6 For the reasons stated above, the court orders the following sanctions for violations of  
7 Federal Rule of Civil Procedure 11(b) and Local Rule 180(e):

- 8 1. Attorney Sepideh Ardestani is personally sanctioned in the amount of \$1,500.  
9 Within 10 days of the date of this order, Attorney Ardestani shall pay these  
10 sanctions to the Clerk of the Court. The case number and a copy of this order  
11 should be included with payment.
- 12 2. Within 7 days of the date of this order, Attorney Ardestani shall serve a copy of  
13 this order on Plaintiff.
- 14 3. The court orders the Clerk of the Court to serve a copy of this order on the State  
15 Bar of California, of which Attorney Ardestani is a member.
- 16 4. The order to show cause issued on June 16, 2025 (Doc. No. 48) is hereby  
17 discharged.

18 IT IS SO ORDERED.

19  
20 Dated: September 8, 2025

21   
22 \_\_\_\_\_  
23 Dena Coggins  
24 United States District Judge  
25  
26  
27

28 <sup>4</sup> Because the court *sua sponte* imposes sanctions, and not on any parties' motion, the monetary sanction must be paid to the court. *See* Fed. R. Civ. P. 11(c)(4).