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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

October 6, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Julien Xavier Neals
U.S. District Court for the District of New Jersey
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets Room 1050
Camden, NJ 08101

Dear Judge Neals:

Recent reports indicate that you withdrew a June 30, 2025 Opinion and Order in *In re CorMedix Inc. Securities Litigation*, Case No. 2:21-cv-14020,¹ after defendants' counsel submitted a July 22, 2025 letter to the Court identifying instances where the Court: (1) attributed quotes to the defendants that they allege they never made; (2) relied on quotations "mistakenly attributed to decisions that do not contain such quotes"; and (3) misstated the outcomes of cited cases—indicating that motions to dismiss were denied when they had, in fact, been granted.²

Public reporting attributes these types of substantive errors as hallmarks of generative artificial intelligence ("AI") "hallucinations"³—a term used to describe instances where AI systems produce fabricated quotations or mischaracterize legal authorities, despite warnings that

¹ See, e.g., Debra Cassens Weiss, *Federal Judge Withdraws Opinion After Lawyer Points Out Fake Quotes, Misstated Case Outcomes*, ABA J. (July 24, 2025), <https://www.abajournal.com/news/article/federal-judge-withdraws-opinion-after-lawyer-points-out-fake-quotes-and-misstated-case-outcomes>; Hailey Konnath, *NJ Judge Files Corrected Version of Error-Filled Opinion*, LAW360 (Aug. 20, 2025), <https://www.law360.com/articles/2378964/nj-judge-files-corrected-version-of-error-filled-opinion>; Mike Scarcella, *Two U.S. Judges Withdraw Rulings After Attorneys Question Accuracy*, REUTERS (July 29, 2025), <https://www.reuters.com/legal/government/two-us-judges-withdraw-rulings-after-attorneys-question-accuracy-2025-07-29/>; Joe Patrice, *Federal Judge Pulls Opinion With Fake Quotes And YOU KNOW WHAT THAT MEANS!*, ABOVE THE L. (July 24, 2025), <https://abovethelaw.com/2025/07/federal-judge-pulls-opinion-with-fake-quotes-and-you-know-what-that-means/>; Clare Roubion, *Federal Judge Withdraws Opinion Following Identification of Factual and Citation Errors*, LA. LEGAL ETHICS (July 31, 2025), <https://lalegaletics.org/federal-judge-withdraws-opinion-following-identification-of-factual-and-citation-errors/>.

² Letter from Andrew Litchman, Willkie Farr & Gallagher LLP, on behalf of Defs., to the Hon. Julien X. Neals, ECF No. 123, at 1, *In re CorMedix Sec. Litig.*, No. 21-cv-14020 (D.N.J. July 22, 2025) (transmitted via ECF filing).

³ See, e.g., Justin Henry, *Judge Scraps Opinion After Lawyer Flags Made-Up Quotes (Correct)*, BLOOMBERG (July 23, 2025), <https://news.bloomberglaw.com/business-and-practice/judge-withdraws-pharma-opinion-after-lawyer-flags-made-up-quotes>.

AI systems can generate errors and should be independently verified by careful human review.⁴ Recent reports note that “a person familiar with the matter” explained “that a temporary assistant” in your court “used an artificial intelligence platform” in contributing to the Court’s original decision, and “that the opinion was inadvertently issued before a review process was able to catch errors introduced by AI.”⁵

In the *In re CorMedix Inc. Securities Litigation* case,⁶ the defendants attached the Court’s June 30, 2025 Opinion and Order as Exhibit 1 to their letter.⁷ Most concerning, defendants explained that the Court’s original opinion “attribute[d] two quotes to Defendants that they are not alleged to have made.”⁸ Specifically, the Court’s original opinion stated that: (1) “Todisco publicly stated that CorMedix . . . had ‘resolved all issues related to manufacturing’”; and (2) “CorMedix issued statements in October 2019 . . . that the company had ‘all necessary controls and processes in . . . place for approval.’”⁹ However, defendants’ counsel explained that the sources your June 30, 2025 opinion cited for those quotations do not, in fact, contain any such statements from the defendants.¹⁰

The following day, on July 23, 2025, you issued a text order in the case, which noted that the Court was “in receipt of Defendants [sic] counsel’s letter,” explained that the Court’s June 30, 2025 “Opinion and Order were entered in error,” and directed “the Clerk of Court to remove the Opinion and Order . . . from the docket.”¹¹ You also advised that “[a] subsequent Opinion and Order will follow.”¹² Since then, your June 30, 2025 Opinion and Order is no longer accessible on the docket, and has instead been replaced with the general direction: “See Text Order.”¹³ On August 19, 2025, you issued an Opinion and Order denying the defendants’ motion to dismiss, but

⁴ See, e.g., Sara Merken, *Judge Disqualifies Three Butler Snow Attorneys from Case Over AI Citations*, REUTERS (July 24, 2025), <https://www.reuters.com/legal/government/judge-disqualifies-three-butler-snow-attorneys-case-over-ai-citations-2025-07-24/>.

⁵ Mike Scarcella, *US Judge Says He Won’t Explain Error-Ridden Ruling in Mississippi Civil Rights Case*, REUTERS (Aug. 4, 2025), <https://www.reuters.com/legal/government/us-judge-says-he-wont-explain-error-ridden-ruling-mississippi-civil-rights-case-2025-08-04/>; see also Mike Scarcella, *Two U.S. Judges Withdraw Rulings After Attorneys Question Accuracy*, REUTERS (July 29, 2025), <https://www.reuters.com/legal/government/two-us-judges-withdraw-rulings-after-attorneys-question-accuracy-2025-07-29/>.

⁶ See generally *In re CorMedix Sec. Litig.*, Case No. 21-cv-14020 (D.N.J.) (Wingate, J.).

⁷ Letter from Andrew Litchman, Willkie Farr & Gallagher LLP, on behalf of Defs., to the Hon. Julien X. Neals, ECF No. 123, Ex. 1, *In re CorMedix Sec. Litig.*, Case No. 21-cv-14020 (D.N.J. July 22, 2025) (transmitted via ECF filing).

⁸ *Id.* at 2.

⁹ *Id.* at 2–3.

¹⁰ *Id.*

¹¹ July 23, 2025 Text Order, ECF No. 126, *In re CorMedix Inc. Sec. Litig.*, Case No. 21-cv-14020 (D.N.J. July 23, 2025).

¹² *Id.*

¹³ June 30, 2025 Opinion & Order, ECF Nos. 114–15, *In re CorMedix Inc. Sec. Litig.*, Case No. 21-cv-14020 (D.N.J. Aug. 19, 2025) (referring to the text orders at docket entries 125–26).

it made no mention of the earlier withdrawn decision, the identified errors, the removal of the earlier decision from the docket, or any steps taken to remedy those errors.¹⁴

No less than the attorneys who appear before them, judges must be held to the highest standards of integrity, candor, and factual accuracy. Indeed, Article III judges should be held to a higher standard, given the binding force of their rulings on the rights and obligations of litigants before them. I am particularly concerned by the allegation that your decision misattributed quotations to litigants—statements they maintain they never made and that are not supported by the record.

As Chairman of the Senate Judiciary Committee, I am committed to safeguarding litigants' rights and ensuring that every party in federal court receives fair treatment and careful review by the Article III judges confirmed by the Senate. This is particularly true given the judiciary's recent scrutiny of similar errors in litigant filings—resulting in monetary sanctions and even the removal of attorneys from cases.¹⁵

The United States Senate Committee on the Judiciary has broad oversight and legislative jurisdiction regarding civil and criminal judicial proceedings, the federal courts, federal judges, and other related matters. To aid the Committee in obtaining information related to the exercise of these duties, I request your prompt and complete written answers to the following questions no later than **October 13, 2025**:

1. Did you, your law clerks, or any court staff use any generative AI or automated drafting/research tool in preparing any version of the Court's June 30, 2025 Opinion and Order or the subsequent August 19, 2025 Opinion and Order? If so, please identify each tool, its version (if known), and precisely how it was used.
2. Did you, your law clerks, or any court staff at any time enter sealed, privileged, confidential, or otherwise non-public case information into any generative AI or automated

¹⁴ Aug. 19, 2025 Opinion & Order, ECF Nos. 130–31, *In re CorMedix Inc. Sec. Litig.*, Case No. 21-cv-14020 (D.N.J. Aug. 19, 2025).

¹⁵ See, e.g., Merken, *supra* note 4 (reprimanding three attorneys for making false statements to the court after filing briefs containing AI-generated caselaw citations); Weiss, *supra* note 1, (sanctioning attorney \$5,000 for filing a motion with 8 citations to nonexistent cases); Andrew R. Lee, *Court Slams Lawyers for AI-Generated Fake Citations*, JONES WALKER (Apr. 25, 2025), <https://www.joneswalker.com/en/insights/blogs/perspectives/court-slams-lawyers-for-ai-generated-fake-citations.html?id=102k9h3> (identifying “nearly thirty defective citations” including citations to cases that “do not exist” and misquotes or actual legal authority); Pamela Langham, *Massachusetts Lawyer Sanctioned for AI-Generated Fictitious Case Citations*, MD. STATE BAR ASSOC. (Mar. 4, 2025), https://www.msba.org/site/site/content/News-and-Publications/News/General-News/Massachusetts_Lawyer-Sanctioned_for_AI_Generated-Fictitious_Cases.aspx (sanctioning attorney \$2,000 for citing fictitious cases in court pleadings); July 23, 2025 Text Order, ECF No. 19, *Terrance Hills v. Bob Evans, et al.*, Case No. 3:25-cv-00110-LPR (E.D.A.R.) (Rudofsky, J.) (ordering counsel to respond via an “Affidavit or Declaration (signed under penalty of perjury)” detailing the extent to which AI tools were used in drafting the brief).

drafting/research tool in preparing any version of the Court’s June 30, 2025 Opinion and Order or the subsequent August 19, 2025 Opinion and Order?

3. Please describe the human drafting and review performed in preparing the Court’s June 30 Opinion and Order before issuance—by you, by chamber staff, court staff, and any “temporary assistants”—including cite-checking, verification of quoted caselaw and party arguments, and validation that every cited case exists and stands for the proposition stated.
4. For each misstatement identified in defendants’ counsel’s July 22, 2025 letter to the Court—whether incorrect quotations or misstated case outcomes—please explain the cause of the error and what internal review processes failed to identify and correct each error before issuance.
5. Please explain why the Court’s original June 30, 2025 Opinion and Order were removed from the public record and whether you will re-docket the Opinion and Order to preserve a transparent history of the Court’s actions in this matter.
6. Please explain why the Court’s corrected August 19, 2025 Opinion and Order omits any reference to the withdrawn June 30, 2025 Opinion and Order, excludes that decision from the procedural history, and does not include a “CORRECTED” notation at the top of the document to indicate that the decision was substantively altered.
7. Please detail all corrective measures you have implemented in your chambers since June 30, 2025 to prevent recurrence of substantive citation and quotation errors in future opinions and orders, including proper record preservation.
8. Do you allow litigants in your court to use any AI tools in drafting their filings?

I appreciate your attention to this important matter and look forward to your timely response.

Sincerely,



CHARLES E. GRASSLEY
Chairman
Committee on the Judiciary