



APERTURE

RESEARCH WORKS

MATA V. AVIANCA, INC.

AI-Generated Judicial Authorities, Failed Citation Verification and Attorney Gatekeeping

HUMAN-APPROVED FOR PUBLIC PORTFOLIO DISPLAY

PUBLIC PORTFOLIO EDITION

Authorship: Paul Hattingh and Aperture Research Works

Intended users: law firms, publishers, boards, professional bodies, litigation-support teams, researchers and decision-makers assessing AI-assisted research integrity.

Reality before reliance. Verification before interpretation.

No conclusion stronger than the available evidence.

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DOCUMENT CONTROL AND PUBLIC-USE STATUS

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Right of reply	Public adversarial and sworn record reviewed; no fresh contact required for this record-based edition
Permitted use	Public website, portfolio, educational and research communication
Excluded use	Client-specific legal, disciplinary, expert, investment or regulated professional reliance
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PROFESSIONAL LIMITATION AND DISCLAIMER

This is an independent public-source case study. Aperture Research Works did not represent any party and did not have confidential access. It is not legal advice, legal representation, expert evidence, a disciplinary determination, a certified PACER record or a substitute for suitably qualified counsel. The conclusions are limited to the public evidence reviewed through the stated cut-off.

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WHY THIS MATTER MATTERS

A personal-injury action became a leading professional-control case after counsel filed an opposition containing nonexistent judicial opinions, false quotations, mismatched citations and mischaracterised real authorities generated through ChatGPT. The material failure was not merely false machine output. It was the breakdown of source authentication, signer review, supervision, warning escalation and correction controls before and after filing.

CENTRAL QUESTION

What does the public record establish about how AI-generated legal authorities entered the Mata filings, why the defects survived professional and judicial warning points, what the court actually found and sanctioned, and what reliance and governance controls may responsibly be derived without exceeding the evidence?

SCOPE AND EXCLUSIONS

The assessment covers the public federal-court record from removal in February 2022 through judgment in July 2023, together with relevant professional rules, later guidance and representative later judicial treatment reviewed through 5 August 2026.

- No confidential law-firm records or private communications were available.
- No original ChatGPT account records or native prompt history were available.
- No certified current PACER export or certified appellate-history search was obtained.
- Aperture does not determine professional discipline, malpractice liability or present fitness to practise.
- The case does not establish a universal conclusion about every lawyer, law firm or generative-AI system.

EVIDENCE CATEGORIES REVIEWED

Court opinions and orders; filed party submissions; hearing-record passages; docket and judgment records; Federal Rule 11; New York professional and court-administration rules; ABA guidance; NIST generative-AI risk guidance; peer-reviewed technical research; and representative later judicial decisions.

PRINCIPAL VERIFIED FINDINGS

ID	Finding	Classification	Reliance
F01	The sanctions court found that nonexistent opinions and false or mismatched legal material were submitted.	Established	Suitable for reliance
F02	The signer did not independently verify the cited authorities before filing.	Established	Suitable for reliance
F03	Warning and production orders did not produce prompt, transparent correction.	Established	Suitable for reliance
F04	The respondents continued to stand by defective material until the sanctions process advanced.	Established	Suitable for reliance
F05	The court imposed a joint \$5,000 penalty and notification requirements.	Established	Suitable for reliance
F06	The underlying claim was separately dismissed as time-barred.	Established	Suitable for reliance
F07	Over-trust in an unfamiliar tool, deficient supervision and inadequate escalation probably contributed to the error.	Probable	Conditional reliance
F08	A pre-planned intention to fabricate cases from the outset was not established.	Not established	Do not assert

STRONGEST COUNTER-EVIDENCE AND MITIGATION

The record supports a genuine early misunderstanding of a new tool, absence of an established plan to fabricate authority from the outset, later admissions, expressions of remorse and remedial steps. These considerations narrow motive and character conclusions, but do not defeat the court-adjudicated failures of verification, candor and professional gatekeeping.

EVIDENCE GAPS AND LIMITS

Gap	Why it matters	Effect on conclusion
Certified current PACER and appellate court records.	Confirms current procedural status.	Does not reverse the 2023 sanctions and judgment record.
Original ChatGPT prompts and account reports.	Requests for native provenance and prompt reconstruction.	Limits technical and motive findings.
Private law-firm supervision and control records.	Requests to allocate organisational responsibility.	Prevents broader firm-culture conclusions.
Official public disciplinary disposition timeline.	Requests to present professional-status claims.	No public disciplinary outcome is asserted.
Independent legal and digital-forensics reviews.	Reviews strengthen external professional reliance.	Public portfolio use remains non-legal and non-expert.

CONCLUSION CLASSIFICATION

Established: the filed legal authorities contained material authenticity and citation defects and required professional verification controls failed. Probable: over-trust in an unfamiliar generative tool, deficient supervision and inadequate escalation combined to permit continuation after warnings. Not established: a pre-planned intention to fabricate cases, client participation, confidentiality breach, present professional discipline or a causal claim that the false authorities caused dismissal.

RELIANCE RESULT

Suitable for reliance for reporting the district court findings, the filing chronology, the distinction between sanctions and merits, and the minimum control principle that every cited authority must be opened, authenticated and proposition-checked before reliance. Conditional or limited reliance applies to current professional status, organisational culture, motive and technical reconstruction.

CURRENT STATUS AND LATER TREATMENT

The reviewed public record records judgment for Avianca and closure on 7 July 2023. No appeal was located in the searched public sources, but a certified current docket was not obtained. Mata remained influential in 2026 New York decisions addressing fabricated or erroneous AI-assisted legal authorities, including Cassata, Torres and Landberg. Later treatment is classified as legal and professional-control context, not new evidence of the original events.

WHAT THIS CASE DEMONSTRATES

- AI Research and Citation Audit
- Source Authentication
- Claims-and-Evidence Audit
- Legal and Factual Chronology
- Source-Dependence Analysis
- Independent Adversarial Review
- Evidence-Gap Identification
- Reliance Classification
- Specialist Escalation
- Defensible Decision-Record Construction

CLIENT PROBLEMS APERTURE CAN ASSIST WITH

A law firm, publisher, investor, board, professional body or litigation-support team may need to determine whether a report, submission or AI-assisted research product relies on genuine sources, whether citations establish the propositions asserted, what counter-evidence exists, and what may safely be relied upon before capital, reputation or authority is committed.

MINIMUM DECISION CONTROL

Control stage	Required action
Source existence	Open the original authority or record.
Identity and version	Confirm title, court or issuer, date, citation and current version.
Proposition test	Confirm the source actually establishes the proposition asserted.
Quotation test	Compare every quotation with the original text and locator.
Counter-evidence	Search for contrary, limiting or superseding authority.
Signer review	The accountable human must review the final cited product before release.
Correction	Withdraw, correct and disclose promptly when a defect is found.

PUBLIC RELEASE AND LIFECYCLE CONTROLS

Paul Hattingh authorised this exact edition for public portfolio display on 5 August 2026. The approval does not convert the work into legal advice, expert evidence, a disciplinary finding or a certified current docket. The document must be updated or withdrawn if a material later court, disciplinary or factual development changes the stated reliance position.

Trigger	Required response
Material new appeal, order or disciplinary outcome	Reopen current-status research, update chronology and reassess reliance.
Correction to a source, citation or factual statement	Record the defect, correct the edition and issue a supersession notice.
New confidential or private evidence	Do not add automatically; confirm lawful authority, privacy and publication basis.
New allegation about a living person	Reassess legal risk, proportionality and right of reply.
Use for a client-specific decision	Create a separate scoped client edition with appropriate legal or specialist review.

SELECTED PUBLIC SOURCES

[S01] Mata v. Avianca, Inc., ECF 54, S.D.N.Y., 22 June 2023. Sanctions findings and reasoning.

[S02] Mata v. Avianca, Inc., ECF 55. Merits dismissal and distinction from sanctions.

[S03] Clerk's Judgment, ECF 59, 7 July 2023. Judgment and closure record.

[S04] Federal Rule of Civil Procedure 11. Signer responsibility and sanctions framework.

[S05] ABA Formal Opinion 512. Generative-AI professional-responsibility guidance.

[S06] New York Part 161 and Appendix A. Court-system guidance on generative AI.

[S07] NIST AI 600-1. Generative-AI risk-management profile.

[S08] Landberg v. City of New York, 2026 NY Slip Op 03935.

[S09] Cassata v. Michael Macrina Architect, P.C., 2026 NY Slip Op 26014.

[S10] Torres v. Spraker, 2026 NY Slip Op 26077.



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END OF PUBLIC PORTFOLIO EDITION

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