

CALIFORNIA COURT OF APPEAL, SECOND APPELLATE DISTRICT,
DIVISION ONE

Shayan v. Shakib

Shayan · No. B337559, B339376 · Decided December 1, 2025

SUMMARY

The California Court of Appeal, Second Appellate District, Division One, addresses fabricated quotations and inaccurate citations in an appellate brief. The court strikes the appellant’s opening brief, permits a corrected brief, imposes a \$7,500 sanction payable to the court against the signing attorney, and directs that the order be sent to the State Bar. The court declines to dismiss the consolidated appeal.

CASE DETAILS

COURT	California Court of Appeal, Second Appellate District, Division One
WRITING FOR THE COURT	Rothschild, P. J.; Bendix, J.; Weingart, J.
JURISDICTION	California Court of Appeal, Second Appellate District, Division One
DECIDED	December 1, 2025
DOCKET	B337559, B339376
DISPOSITION	other
PROCEDURAL POSTURE	In consolidated appeals, respondent moved to strike appellant's opening brief and dismiss the appeal as a sanction for fabricated quotations and misrepresentations of legal authority. The Court of Appeal denied dismissal, granted the motion to strike the opening brief, imposed monetary sanctions on appellant's attorney, and permitted appellant to file a corrected brief.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Peiman Shayan v. Ebby Shakib

TOPICS

- sanctions
- appellate procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- legal ethics
- sanctions
- civil procedure

QUESTIONS PRESENTED

1. Whether an attorney may be sanctioned for filing a brief containing fabricated quotations and inaccurate representations of legal authority, regardless of whether the inaccuracies resulted from artificial intelligence or another drafting process.
2. Whether dismissal of the consolidated appeal was an appropriate sanction for the attorney's conduct.
3. Whether striking the opening brief, requiring a corrected brief, imposing monetary sanctions, and referring the matter to the State Bar were appropriate corrective and deterrent measures.

HOLDINGS

1. An attorney who signs and files a brief is responsible for ensuring that its representations of law are accurate and truthful. Filing fabricated quotations or otherwise misrepresenting the substance of legal authorities is an unreasonable violation of the rules governing appellate briefs and supports sanctions, regardless of whether the inaccuracies resulted from artificial intelligence, staff assistance, or another drafting process.
2. Dismissal of the appeal was not appropriate because the conduct, although sanctionable, could be adequately addressed through lesser sanctions.
3. The appropriate sanctions were a \$7,500 payment by attorney Fahim Farivar to the clerk of the Court of Appeal, striking appellant's opening brief, permitting appellant to file a corrected opening brief, and referral of the order to the State Bar.

KEY QUOTATIONS

“Regardless of whether inaccuracies in a brief are the result of using artificial intelligence (AI) tools or some other drafting process, as Farivar and appellant argue occurred here, the signatory attorney is responsible for the content of the brief and subject to sanctions for inaccuracies it contains.” (at 1)

“By any measure, all three types of fabricated quotations are more than mere “clerical citation errors.”” (at 5)

“Regardless of whether Farivar read the cases cited and/or personally checked the accuracy of all citations in the brief, the rules of this court require him to present accurate, truthful representations of the facts and law to this court.” (at 7)

“Our inherent authority to impose this sanction “should be exercised only in extreme situations, such as where the conduct was clear and deliberate and no lesser sanction would remedy the situation.”” (at 8)

FACTUAL BACKGROUND

Appellant's opening brief contained numerous fabricated quotations falsely attributed to published decisions, including quotations assembled from words appearing in an authority but not in the cited decision, paraphrases presented as quotations, and language unsupported by the cited authority. The brief also quoted a hearing transcript from a different case while omitting portions that would have revealed the discrepancy. Appellant characterized the errors as clerical citation mistakes arising from a drafting process involving staff and denied that artificial intelligence caused them.

PROCEDURAL HISTORY

Peiman Shayan appealed in consolidated matters B337559 and B339376 from proceedings in the Los Angeles County Superior Court, case No. 23STCV03714. Respondent moved to strike the opening brief and dismiss the consolidated appeal based on fabricated quotations, including a quotation taken from a transcript in a different case. The Court of Appeal previously denied dismissal as a sanction, then granted respondent's motion to strike, imposed sanctions on counsel, authorized a corrected opening brief, and directed that the order be sent to the State Bar.

DISPOSITION

other

REMAND INSTRUCTIONS

Appellant may file and serve a corrected opening brief within 10 days of issuance of the order. The corrected brief may differ from the original only to the extent necessary to correct or omit fabricated citations and quotations, and appellant must file both a final version and a redline version. Farivar must pay \$7,500 to the clerk of the Court of Appeal within 30 days after the remittitur is filed. The clerk must serve a copy of the order on the State Bar.

CASES CITED

- People v. Alvarez (2025) 114 Cal.App.5th 1115
- Noland v. Land of the Free, L.P. (2025) 114 Cal.App.5th 426
- Berman v. Bromberg (1997) 56 Cal.App.4th 936, 946-947
- Gogri v. Jack in the Box Inc. (2008) 166 Cal.App.4th 255, 269-270
- Crawford v. JPMorgan Chase Bank, N.A. (2015) 242 Cal.App.4th 1265, 1271