

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

STEPHANIE WADSWORTH,
individually and as parent and legal
guardian of W.W., K.W., G.W., and L.W.,
minor children, and MATTHEW
WADSWORTH,

Plaintiffs,

v.

Case No. 2:23-CV-118-KHR

JURY TRIAL DEMANDED

WALMART INC. and JETSON
ELECTRIC BIKES, LLC,

Defendants.

DECLARATION OF RUDWIN AYALA, ESQ.

I, Rudwin Ayala, hereby state that the following is true and correct to the best of my knowledge:

1. I am over eighteen years of age, a resident of Florida, and I make this declaration based upon personal knowledge.
2. I am currently licensed to practice law in the States of Florida and Texas, and in good standing.
3. I have been practicing law in Florida since 2010, and have been employed by Morgan and Morgan since November 2023.
4. I have never been subject to reprimand, sanction, discipline, or investigation by any Court of law.
5. Over the course of my career, I have been involved with leading multiple voluntary bar associations, including the Broward County Hispanic Bar Association; Puerto Rican Bar Association of Florida, and; Hispanic National Bar Association Young Lawyers Division for Region VIII. I have served as a mentor for various students,

volunteered at local law schools, and been an active member of my community and church.

6. I have served on the Professionalism Committee of the Palm Beach County Bar Association, as well as on the Florida Bar Grievance Committee for the 17th Judicial Circuit.
7. For fourteen years I have focused on practicing law with integrity and representing individuals and families in litigating cases involving tragedies they have suffered due to the negligence of others. As a result, I have been nominated by my peers and selected as a Rising Star by Super Lawyers since 2015, recognized by Best Lawyers since 2019, and hold an AV Preeminent peer review rating from Martindale-Hubbell since 2017.
8. Despite my background, reputation, and character, on January 22, 2025, I was involved in preparing Plaintiffs' Motions in Limine (Doc. # 141). I was tasked with completing this assignment by my superior, Mike Morgan.
9. Aside from a brief discussion advising of one topic area to cover in the Motions related to use of the term "smoking shed", Mr. Morgan had no involvement with preparation or review of said Motions in Limine either before, during, or immediately following filing.
10. Additionally, local counsel Taly Goody, had absolutely no involvement with the preparation or review of said Motions in Limine at any time.
11. Part of my preparation of said Motions in Limine included use of an internal AI tool for purposes of providing additional case support for the arguments I set forth in the Motions. After uploading my draft of the Motion to the system's AI tool, the relevant queries I made with the tool included "add to this Motion in Limine Federal Case law from Wyoming setting forth requirements for motions in limine", with an additional query of "add more case law regarding motions in limine". Another query made was "Add a paragraph to this motion in limine that evidence or commentary regarding an improperly discarded cigarette starting the fire must be precluded because there is no actual evidence of this, and that amounts to an impermissible stacking of inferences and pure speculation. Include case law from federal court in Wyoming to support exclusion of this type of evidence." There were a few other inquiries made requesting the addition of case law to support exclusion of evidence, all similar in nature. This was the first time in my career that I ever used AI for queries of this nature.

12. Although I do not specifically recall any specifics on use of the internal AI tool, I am aware that training was provided by my employer which included instructions on use of said tool.
13. Following the results of my query, I included information relayed by the AI tool regarding specific case citations in said Motions in Limine. I relied upon the results of my specific query for accuracy and intended the case citations to bolster my arguments and provide additional corroboration to the already cited federal rules of evidence. However, I now know that the citations resulted from said query were non-existent cases.
14. Immediately upon being advised by Mr. Morgan that the Court entered the underlying Show Cause Order, which was the first time I learned of the status of the cases in question, the Motions in Limine were withdrawn in order to prevent any additional harm or misrepresentation to this Court.
15. My reliance on the query results was misplaced, and I failed to verify that the case citations resulted were in fact accurate as I expected them to be.
16. As a result, I have come to learn the term “AI hallucinations” and take full and sole responsibility for the resulting misinformation to this Court, as unintentional as it was. I have never before, and even in this instance have not, intended to mislead the Court or members of the Bar in any way. However, I appreciate my duty to the Court and the public, and admit I have fallen short of the high standard that I set for myself and what is expected of me as a practitioner.
17. With a repentant heart, I sincerely apologize to this Court, to my firm, and colleagues representing Defendants for this mistake and any embarrassment I may have caused. The last week has been very humbling for me professionally, and personally, one that I can guarantee shall not ever repeat itself.
18. I would respectfully request that if this Court is determined to administer any sanction, that any such action be borne by me, and me alone. Just as I have taught my children, and mentees over the years, no one else should be made to answer for my mistakes. I intend to live by my word.
19. I pursued this profession following the example set forth by my grandfather when I was a child, who would serve and fight for anyone who entered his small office in Puerto Rico often times with no means to pay for his services. That righteous example is one that I have carried with me for 32 years, and that I will continue to strive to replicate for the remainder of my career.
20. Everything that I attest to in this declaration is true and made voluntarily.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: February 13, 2025

By: *Rudwin Ayala*
RUDWIN AYALA