

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

ALYSSA MERCANTE,

Plaintiff

v.

JEFF TARZIA,

Defendants.

24-cv-8471

**REPLY DECLARATION OF
J. REMY GREEN**

I, Remy Green, being duly sworn, depose and say:

1. I am a partner at Cohen&Green P.L.L.C., co-counsel for Plaintiff in the case above.

2. I make this declaration in support of Plaintiff's objections and/or appeal regarding the careless use of artificial intelligence in this case to place certain materials in the record.

3. Attached as **Exhibit 1** is a true copy of a set of emails with Mr. Coleman.

4. Attached as **Exhibit 2** is a true copy of a Westlaw AI report, for a query I ran that I assumed was something similar to what Mr. Coleman ran.

5. The screenshot of the hover-state over a case name in the accompanying memorandum of law (reproduced here) is true and accurate, and reflects my interaction with the report:



Likewise, the other screenshots in the memorandum of law are true and accurate reflections of the browser-native (as opposed to saved-to-pdf) Westlaw AI report I generated for illustration purposes.

6. Attached as **Exhibit 3** is a true copy of the “Sources” tab Westlaw’s AI report.

7. Attached as **Exhibit 4** is a true copy of the warning text that accompanies use of Westlaw’s AI reports. As reflected in the exhibit, it warns: The AI-generated response can be extraordinarily useful for getting an overview of the issues and citations to authority, but it should *never* be used to advise a client, write a brief or motion for a court, or otherwise be relied on without doing further research,” with the emphasis on “*never*” in the original. Using a tool like this can only be done reasonably with knowledge of the manufacturer’s warnings and cautions, and — at least as far as my understanding of my own obligations to the Court — using a tool ignoring those warnings would be frivolous and if I ignored similar warnings in my own conduct, I would very much expect sanctions and quite possibly a referral to the Bar.

I declare, under penalty of perjury, that the statements above are true and correct.

Executed On: June 16, 2026

/s/

J. Remy Green