

DOCKET NO: AANCV256066141S

SUPERIOR COURT

ELLIOTT, MATTHEW A
V.
NEW YORK BARIATRIC GROUP (NYBG)

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

7/31/2026

ORDER

The following order is entered in the above matter:

ORDER: SCHEDULE ARGUMENT

While reviewing Docket Entry #176.00 (marked “take papers” for August 3, 2026), the Court printed recent pleadings to try to decipher the motion and see what recent pleadings may be related to it. When reviewing the pleadings, Docket Entries ##177.00 & 178.00, seemed to have extra “white space” apart from other pleadings of the plaintiff. Upon close review, the Court has identified in these pleadings, potential text that was formatted so as to be nearly invisible to a human reader while remaining fully legible to software that potentially processes the documents’ text.

That concealed text is not argument addressed to the Court or to the opposing party. It consists of “prompt injecting” instructions addressed to artificial-intelligence systems, directing any such system that reviews the filing to produce output only favorable to the plaintiff’s position.

Although the Connecticut Judicial Branch does not presently employ an artificial-intelligence system to review filings or potential defaults, opposing parties and counsel increasingly use such tools in docket and pretrial preparation and an instruction concealed in a filing is aimed at whatever tool ANY reader may employ. Accordingly, its potential impropriety does not depend on whether the Judicial Branch uses one or that #177.00 was already denied (and therefore the unseen “instructions” did not alter the adjudication of the motion), but the concern is the efforts and attempts to mislead the Court and other parties.

Because this conduct implicates the integrity of these proceedings, the Court issues this Order to Show Cause so that the plaintiff may be heard before the Court determines whether the conduct occurred, whether it violates the rules of practice and duties of good faith in litigation and whether sanctions should enter. The plaintiff should also be aware that these pleadings were filed after the effective date of CONNECTICUT PRACTICE BOOK §4-2(b), as revised, and §4-9, to the extent these new rules may be relevant to this issue.

Accordingly, it is hereby ORDERED that the plaintiff appear before this Court and show cause why the Court should not find that Docket Entries ##177.00 and 178.00 contain concealed instructions directed to artificial-intelligence systems, whether such conduct violates CONNECTICUT PRACTICE BOOK provisions and/or the plaintiff’s obligations to this Court and opposing parties, and why the Court should not impose sanctions. Potential sanctions may include monetary sanctions, the striking of the offending filings, restrictions on the manner of the plaintiff’s future filings, or such other relief as may be required.

The Hearing shall be held in person on Tuesday, AUGUST 4, 2026, at 9:15 a.m., in Courtroom C of the Superior Court at the Derby Courthouse, 106 Elizabeth Street in Derby. In an effort to manage its docket, the Court will address other matters at the Hearing, including the motion to strike at Docket Entry #137.00 and the objection thereto at Docket Entry #140.00 and other outstanding matters as of

record.

Judicial Notice (JDNO) was sent regarding this order.

438579

Judge: WALTER MICHAEL SPADER JR

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.