GIBSON DUNN

Gibson Dunn Is Litigator of the Week Runner-Up for Complete Victory in AI Defamation Case

Accolades | May 23, 2025

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For the third consecutive week, a team of Gibson Dunn lawyers has been recognized by *Litigation Daily*'s Litigator of the Week Runners-Up and Shout-Outs. Our lawyers were runners-up for their complete victory in defending our client OpenAI against a defamation claim based on "hallucinated" generative AI output. In what may be the first-ever case against an artificial intelligence developer by a plaintiff claiming that he had been defamed in this manner, plaintiff Mark Walters, a prominent Second Amendment-rights advocate, radio host, and commentator, sued OpenAI in state court in Gwinnett County, Georgia, alleging he was defamed when ChatGPT incorrectly said that Walters had been sued over allegations of embezzlement. While the case (*Walters v. OpenAI*) involved a new, complex technology, Gibson Dunn successfully grounded the dispute in basic principles of tort and defamation law, demonstrating that the plaintiff could not recover any damages, could not establish "defamatory meaning," and could not prove any level of fault — not "actual malice," and not even negligence. On May 19, 2025, Judge Tracie Cason granted summary judgment in favor of OpenAI in full, adopting all Gibson Dunn's arguments. The decision will play a role in future litigation involving similar claims arising from generative AI output. Our winning team was led by partners Ted Boutrous, who successfully argued the summary judgment motion, Orin Snyder, and Connor Sullivan and included associates Zachary C. Freund, Chase Weidner, Doran Satanove, and Cate Harding. Read more (subscription required): https://www.law.com/litigationdaily/2025/05/23/litigator-of-the-week-runners-up-and-shout-outs/

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