**UNITED STATES JUDICIAL PANEL**
**on**
**MULTIDISTRICT LITIGATION**

**IN RE: SNOWFLAKE, INC., DATA SECURITY BREACH LITIGATION** MDL No. 3126

**TRANSFER ORDER**

**Before the Panel:**[*] *Pro se* plaintiff in the action listed on Schedule A (*Hoskins*) moves under Panel Rule 7.1 to vacate the order conditionally transferring the action to MDL No. 3126. Defendants AT&T Inc. and AT&T Mobility LLC (together, AT&T) oppose the motion and support transfer. Defendant Credence Resource Management LLC did not respond to the motion.

After considering the parties' arguments, we find that the action involves common questions of fact with the actions transferred to MDL No. 3126, and that transfer under 28 U.S.C. § 1407 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. The actions in MDL No. 3126 involve common factual questions concerning a cluster of data breaches that occurred on the Snowflake cloud platform from approximately April through June 2024, when a threat actor allegedly exfiltrated the personal information of over 500 million consumers and employees, including AT&T cellular customers. *See In re AT&T Inc. Cellular Customer Data Sec. Breach Litig.*, 753 F. Supp. 3d 1368, 1371 (J.P.M.L. 2024). The *Hoskins* action involves the same factual issues concerning the breach of AT&T data on the Snowflake platform. Plaintiff does not dispute this common factual core.

In opposition to transfer, plaintiff argues that: (1) his action involves unique injuries – specifically, the risk of harm to his security clearance, which impacts his livelihood; (2) his action involves a case-specific debt collection claim against a non-common defendant; (3) transfer to the MDL will delay resolution of his case, causing prejudice; and (4) his chosen venue in Texas can manage his case more efficiently than the transferee court. These objections are unpersuasive.

First, the involvement of plaintiff-specific injuries in *Hoskins* is not an impediment to transfer. Plaintiff alleges in his complaint that his injuries arise from the data breach announced by AT&T in July 2024, which is one of the breaches at issue in the MDL.[1] Section 1407 does not

[*] Judge David C. Norton did not participate in the decision of this matter.

[1] *See* Compl. at 1, *Hoskins v. AT&T Inc.*, No. 25-00804 (S.D. Tex. Feb. 18, 2025).

require a complete identity of common factual issues or parties when, as here, the actions arise from a common factual core. *See In re Valsartan Prods. Liab. Litig.*, 433 F. Supp. 3d 1349, 1352 (J.P.M.L. 2019).

Second, plaintiff's claim against non-common defendant Credence Resource Management (CRM) overlaps significantly with his data breach claim. The *Hoskins* complaint alleges that CRM violated federal law by "attempting to collect a debt without proper verification of its validity *given the known security breach of AT&T's systems*."[2] Plaintiff's assertion of a case-specific legal claim against a defendant not currently involved in the MDL is no obstacle to transfer. The presence of additional facts, theories, and parties is not significant when the actions arise from a common factual core, as they clearly do here. *See In re Auto Body Shop Antitrust Litig.*, 37 F. Supp. 3d 1388, 1390 (J.P.M.L. 2014). Additionally, plaintiff may raise any case-specific discovery concerns to the transferee judge, who has "broad discretion to employ any number of pretrial techniques – such as establishing separate discovery and/or motion tracks – to address any differences among the cases and efficiently manage the various aspects of th[e] litigation." *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010*, 731 F. Supp. 2d 1352, 1355 (J.P.M.L. 2010).

Third, plaintiff's concerns about transfer to the MDL being inefficient and delaying resolution of his action are insufficient to defeat transfer. These are essentially case management concerns that are appropriate to raise with the transferee judge. *See, e.g., In re Ford Motor Co. DPS6 PowerShift Transmission Prods. Liab. Litig.*, 289 F. Supp. 3d 1350, 1352 (J.P.M.L. 2018) (observing that concerns about "litigation delays" in the MDL were essentially case management concerns and "[i]t is incumbent upon the parties to bring their concerns to the attention of the transferee court and to propose ways to resolve them").

We are sympathetic to plaintiff's concerns about the potential difficulty of litigating his action in the transferee court as a *pro se* plaintiff. However, the Panel looks to "the overall convenience of the parties and witnesses in the litigation as a whole, not just those of a single plaintiff or defendant in isolation." *See In re Watson Fentanyl Patch Prods. Liab. Litig.*, 883 F. Supp. 2d 1350, 1351-52 (J.P.M.L. 2012). We regularly transfer actions brought by *pro se* plaintiffs to MDLs. Such plaintiffs generally benefit from the efforts of lead counsel to advance the litigation and the extensive common pretrial proceedings. Additionally, we note that, because transfer is for pretrial proceedings only, there likely will be no need for plaintiff to travel to the transferee forum.[3]

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[2] *See Hoskins* Compl. at 3 (emphasis added).

[3] We also note that the transferee court has utilized videoconferencing for remote hearings in this litigation, and that witness depositions typically are held where the witness resides.

Finally, we must raise an additional issue, given our serious concerns about the integrity of the record in this matter. In reviewing plaintiffs' filings, we came across purported quotations from seven Panel decisions that, in fact, did not appear in those decisions or in legal databases such as Westlaw.[4] Additionally, two of the citations in plaintiffs' briefs appear to be fabricated – that is, certain Westlaw citations described as Panel decisions turned out to be various administrative agency orders.[5] The nature and number of the misrepresentations strongly suggest that plaintiff used generative artificial intelligence (AI) to draft his briefs without checking the accuracy of the information produced,[6] though it also is possible he used some other unreliable source. Regardless, plaintiff improperly submitted briefs with false legal representations. We admonish plaintiff for wrongly including such flagrantly incorrect citations in his submissions. This is an abuse of the judicial process, and one which we do not take lightly. Although *pro se* filings are held to less stringent standards than formal pleadings drafted by lawyers, all litigants (whether represented by counsel or not) are subject to an affirmative duty to conduct a reasonable inquiry into the substance of a filing before they present it to a court. This duty includes ensuring that citations and quotations are, in fact, real.[7] Any further non-compliant submissions from plaintiff may be stricken or result in additional appropriate corrective action.

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[4] The fabricated quotations, which appear in plaintiff's reply and supplemental reply (ECF Nos. 337 and 339), purport to be from the following: *In re: Fluoroquinolone Prods. Liab. Litig.*, MDL No. 2642, 2016 WL 5848086, at *1 (J.P.M.L. Sept. 30, 2016); *In re: Ambulatory Pain Pump Chondrolysis Prods. Liab. Litig.*, 709 F. Supp. 2d 1375 (J.P.M.L. 2010); *In re: Capacitors Antitrust Litig. (No. II)*, MDL No. 2801, 2017 WL 3267617, at*2 (J.P.M.L. Aug. 1, 2017); *In re Louisiana-Pacific Corp. Trimboard Siding Mktg., Sales Practices & Prods. Liab. Litig.*, 867 F. Supp. 2d 1346, 1347 (J.P.M.L. 2012); *In re: Select Retrieval LLC ('196) Patent Litig.*, 858 F. Supp. 2d 1379 (J.P.M.L. 2012); *In re: Uber Techs., Inc. Data Sec. Breach Litig.*, 304 F. Supp. 3d 1351 (J.P.M.L. 2018); and *In re: Gerber Probiotic Prods. Mktg. & Sales Practices Litig.*, 899 F. Supp. 2d 1378 (J.P.M.L. 2012).

[5] For the fabricated citations, *see* Pl.'s Reply, ECF No. 337, at 2 (J.P.M.L. May 13, 2025) (citing "*In re: Fluoroquinolone Prods. Liab. Litig.*, MDL 2642, 2016 WL 5848086, at *1 (J.P.M.L. Sept. 30, 2016)") and Pl.'s Suppl. Reply, ECF No. 339, at 1 (J.P.M.L. May 20, 2025) (citing "*In re: Capacitors Antitrust Litig. (No. II)*, MDL No. 2801, 2017 WL 3267617, at*2 (J.P.M.L. Aug. 1, 2017")).

[6] *See Reilly v. Connecticut Interlocal Risk Mgmt. Agency,* No. 25-630, 2025 WL 1726366, at *2-3 (D. Conn. June 20, 2025) ("Artificial intelligence is known to result in . . . fictional or hallucinatory citations . . . . [B]ecause artificial intelligence synthesizes many sources with varying degrees of trustworthiness, reliance on artificial intelligence without independent verification renders litigants unable to represent to the Court that the information in their filings is truthful.") (internal quotation marks and citation omitted).

[7] *See Rubio v. District of Columbia*, No. 23-0719, 2024 WL 4957373, at *4 (D.D.C. Dec. 3, 2024).

IT IS THEREFORE ORDERED that the action listed on Schedule A is transferred to the District of Montana and, with the consent of that court, assigned to the Honorable Brian Morris for coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION

Karen K. Caldwell
Chair

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**IN RE: SNOWFLAKE, INC., DATA SECURITY BREACH LITIGATION**

MDL No. 3126

**SCHEDULE A**

Southern District of Texas

HOSKINS JR. v. AT&T, INC., ET AL., C.A. No. 4:25−00804