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LEONI & ELLIOTT LLP

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## PRESS RELEASE OF RICE PARSONS LEONI & ELLIOTT RE LITIGATING TUMBLER RIDGE CIVIL CLAIMS AGAINST OPENAI IN CALIFORNIA, USA

On February 10, 2026 in Tumbler Ridge, British Columbia, 18 -year-old Jesse Van Rootselaar (the “Shooter”) committed one of the worst mass shootings in Canadian history. Eight people died that day, five of whom were children at the Tumbler Ridge Secondary School: Ezekiel Schofield (12), Abel Mwansa Jr. (12), Kylie Smith (12), Ticaria Lampert (12), and Zoey Benoit (12) (the “Tumbler Ridge Mass Shooting”). Maya Gebala (12) was shot three times at close range and remains fighting for her life at BC Children’s Hospital. Educator Shannda Aviugana-Durand (39) was murdered in front of her daughter, a student in her class.

In June 2025, about eight months before the Tumbler Ridge Mass Shooting, OpenAI, a company headquartered and doing business in San Francisco, California with a valuation approaching \$1 trillion USD, flagged and banned the Shooter’s ChatGPT account for “disturbing content” which allegedly included the discussion and planning of violent scenarios. However, despite some 12 different OpenAI employees imploring the company to notify Canadian law enforcement about the Shooter’s plans, nothing else was done. OpenAI has also disclosed that the Shooter had opened a second ChatGPT account which was active at the time of the Tumbler Ridge Mass Shooting.

Litigating these cases in Canada poses challenges. Damages for pain and suffering are capped at approximately \$470,000 CAD. The largest punitive damages award ever made in Canadian history is \$1.5 million CAD. With respect to the murdered children, their estates are *not* permitted to bring claims in British Columbia for damages against OpenAI, and in most cases the loved ones of wrongfully killed children are unable to recover any recompence under British Columbia’s *Family Compensation Act*.

These cases are about holding OpenAI accountable for its wanton disregard for public safety and cavalier attitude towards the lives of our children and loved ones. Said John Rice, lead Canadian counsel for the victims:

*All Canadians are sickened and horrified by the Tumbler Ridge Mass Shooting. We cherish our schools as places of safety, learning, sports, nurturing and friendship. Based on what we understand the Shooter to have discussed with ChatGPT, this murderous rampage was specific, predictable, and preventable – and OpenAI had the chance to stop it. What the families of those murdered have lost and what these kids and teachers witnessed is unacceptable. It is the type of point-blank gun murder rarely seen anywhere, even in a theatre of war. Nothing will ever restore what these families have lost but they have together come as a community from a small, humble, hardworking mining town in the*

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*Canadian north. These families have faith in our friends and neighbors in the United States of America, they seek justice, and they want OpenAI's conduct assessed in the same jurisdiction it calls home – the Northern District of California. What do the victims of the Tumbler Ridge Mass Shooting want? Never again should another AI-predicted and facilitated mass-shooting occur. Full stop.*

To that end, our clients have retained Jay Edelson and his formidable team at Edelson PC to prosecute cases against OpenAI in California, and to pursue landmark damage awards. Maya Gebala's lawsuit in British Columbia has been discontinued, and over the coming days and weeks lawsuits on behalf of all our clients will be filed in California federal court.

For any further inquiries about the California lawsuits filed against OpenAI arising out of the Tumbler Ridge Mass Shooting, please contact Rice Parsons Leoni & Elliot LLP ([jrice@rplelaw.com](mailto:jrice@rplelaw.com) or [mhogan@rplelaw.com](mailto:mhogan@rplelaw.com)) or Edelson PC ([kmccann@edelson.com](mailto:kmccann@edelson.com)).