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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,

Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

No. 3:23-cv-03417-VC

Related Cases:
No. 3:25-cv-09579-VC
No. 3:26-cv-02333-VC
No. 3:26-cv-03725-VC
No. 3:26-cv-04053-VC
No. 3:26-cv-06793-VC

ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED

Judge: Hon. Vince Chhabria

I. INTRODUCTION

In accordance with Civil Local Rule 3-12(b), Plaintiffs in *Elsevier v. Meta Platforms, Inc.*, No. 4:26-cv-11415-HSG (the "*Elsevier* Plaintiffs") file this Administrative Motion to Consider Whether Cases Should be Related. Defendants in *Elsevier* agree that *Elsevier* is related to this action under Civil Local Rule 3-12(a). *See* Decl. of Benjamin Gould in Supp. of Admin. Mot. to Consider Whether Cases Should Be Related ¶ 2 (filed herewith).

II. ARGUMENT

When a party "knows or learns that an action" filed in this District is or may be "related" to another action pending in the District, "the party must promptly file" a motion like this one. Civil L.R. 3-12(b). An action is "related" to another one when (1) both actions "concern substantially the same parties, property, transaction, or event"; and (2) "[i]t appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges." *Id.* R. 3-12(a). Both conditions are satisfied here.

This action arises from Meta's development "of a series of LLMs named 'Llama.'" *Kadrey v. Meta Platforms, Inc.*, 788 F. Supp. 3d 1026, 1039 (N.D. 2025). Along with other text, Meta trained its models on downloaded pirated materials containing copyrighted books and journal articles. *See id.* at 1040–42. Meta used torrenting, a filesharing technique, to "download these large datasets." *Id.* at 1041. Over the course of their action, the *Kadrey* Plaintiffs have asserted several claims, including copyright infringement based on Meta's reproduction of copyrighted works and on its distribution of the works via torrenting. *See id.* at 1042. They have asserted these claims on behalf of a proposed class of "all owners of copyrighted works used as training data for Llama." *Id.*

Like the *Kadrey* action, *Elsevier* concerns Meta's development of Llama. *See generally* Compl. ¶¶ 1–18, *Elsevier*, No. 4:26-cv-11415-HSG (Dkt. No. 1). And akin to the *Kadrey* Plaintiffs, the *Elsevier* Plaintiffs allege that Meta trained Llama on massive amounts of copyrighted material by

scraping the web, *id.* ¶¶ 71–81, and by copying repositories of pirated books and articles, *id.* ¶¶ 82–83, 88–89, 91–92, 96–98. Meta downloaded material from these repositories—and, the *Elsevier* Plaintiffs allege, also distributed it—via torrenting. *E.g.*, *id.* ¶¶ 84–87. Meta has also made numerous unauthorized copies of the works. *See id.* ¶¶ 108–114. Based on these allegations, the *Elsevier* Plaintiffs assert six claims, including claims for copyright infringement by reproduction and distribution. *E.g.*, *id.* ¶¶ 176–184, 194–211. The proposed class in *Elsevier* encompasses legal and beneficial owners of registered copyrights for books and journal articles that Meta infringed. *See id.* ¶ 167.

While this summary by no means exhausts the *Elsevier* Plaintiffs' allegations and claims, it shows that *Elsevier* and *Kadrey* overlap enough to satisfy the first prong of this District's relatedness test. *See* Civil L.R. 3-12(a)(1). Given that overlap, relating *Elsevier* to this action will allow this Court, which has already familiarized itself with many of the underlying facts and the novel legal issues they raise, to efficiently manage *Elsevier* without risk of conflicting results. The second prong of the relatedness test is thus also met. *See* Civil L.R. 3-12(a)(2).

III. CONCLUSION

The *Elsevier* Plaintiffs respectfully ask that the Clerk be ordered to reassign *Elsevier* to this Court in accordance with Civil Local Rule 3-12(f)(3).

DATED this 14th day of October, 2026.

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