UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	
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OPENAI, INC.,	:	25-md-3143 (SHS) (OTW)
COPYRIGHT INFRINGEMENT LITIGATION,	:	
	:	
	:	**ORDER**
This Document Relates To:	:	
All Actions	:	
	:	

ONA T. WANG, **United States Magistrate Judge**:

The Court held a discovery status conference for all actions in this matter on Thursday, January 15, 2026. As **ORDERED** at the January 15 Conference:

I. NEWS CASES

For the reasons discussed on the record:

1. News Plaintiffs' motion to compel Microsoft's production of output log data (ECF 1014) is **DENIED as premature.** The parties are directed to continue meeting and conferring and to provide an update in the January 22, 2026, joint status letter.
2. OpenAI's motion for the Times's profit-and-loss statements (ECF Nos. 1028, 1032) is **DENIED.**
3. News Plaintiffs' motion to compel OpenAI's production of output log data (ECF 1061) is **GRANTED** in part. OpenAI is directed to amend their PII redactions and re-produce the sample by January 22, 2026.
4. OpenAI's motion for a protective order regarding Greg Brockman's deposition is **DENIED**. (ECF 1041). The deposition will be capped at 11 hours, however, Mr.

Brockman may elect whether his deposition will occur over a one- or two-day period.

5. Defendants' motion to compel a list of asserted works from Daily News Plaintiffs and for four additional 30(b)(6) deposition hours (ECF Nos. 1059, 1065) is **GRANTED** in part. Daily News Plaintiffs are directed to provide an updated list to Defendants, as discussed at the conference.

6. Ziff Davis's motion to compel OpenAI to produce code and training data print outs, run URL and n-gram searches, and make training data available via alternative technical methods, is **DENIED.** (ECF 1052). Parties are to continue meeting and conferring and provide a status update no later than January 29, 2026.

7. Microsoft's motion to compel the Times's production of active user data (ECF Nos. 1058, 1063) is **DENIED as moot** given the parties' representation that this issue has been resolved. (*See* ECF 1149).

8. News Plaintiffs' motion to compel discovery into GPT-4o is **GRANTED** in part, as follows (ECF 1081):

    a. Revised searches into the custodial documents of Ribas and Suleyman is **GRANTED**. No additional custodian will be added at this time.

9. OpenAI's motion to compel the Times to produce underlying survey data (ECF 1023, 1025) is **DENIED as moot**, considering the Parties' representation that they made considerable progress on the issue and are discussing production of the five remaining surveys at issue.

10. News Plaintiffs' motion to compel a search of the Bing Index (ECF 1054) is **DENIED as premature**, given News Plaintiffs' representation that they will look into alternative means to access the information.
11. News Plaintiffs' motion to compel OpenAI to search the Azure containers (ECF 1066) is **DENIED as premature**. The parties are directed to continue meeting and conferring in an attempt to narrow false positives.
12. Plaintiffs' motion to compel production of deposition transcripts and memos from *Musk v. Altman*, No. 4:24-cv-04722-YGR (N.D. Cal.) ("*Musk*") (ECF 1043) is **DENIED** for the following reasons:
    a. The production of capitalization tables is **DENIED as moot**, given the Parties' representation that is it resolved.
    b. The production of transcripts and memos is **DENIED as premature**, given the recent release of public materials in *Musk*.
13. News Plaintiffs' motion to compel production of OpenAI's user engagement metrics (ECF 1034) is **DENIED as moot**, given the parties' representation that the motion has been resolved.

II. CLASS ACTION CASES

1. OpenAI's motion to compel the Author's Guild to produce five clawed back documents (ECF 1037, 1062) is **DENIED without prejudice** given the parties representation that OpenAI withdraws this motion without prejudice. (*See* ECF 1149).

2. Class Plaintiffs' motion to limit improper speaking objections (ECF 1053, 1056) is **DENIED as moot**, given the parties' representation in court.
3. Class Plaintiffs are directed to file a status letter by **January 22, 2026**, updating the Court on the issues raised in ECF Nos. 869, 1000, 1030, 1038, 1055, and 1077.

III. ALL ACTIONS

For the reasons discussed on the record:

1. Plaintiffs' motion to compel Microsoft to produce documents withheld as privileged (ECF Nos. 1050, 1064) is **GRANTED** in part. Parties are directed to meet and confer by January 22, 2026 and determine which documents should be produced, or redactions narrowed.
2. Plaintiffs' motion to compel Microsoft and OpenAI to produce documents withheld due to the application of waiver and crime-fraud exception (ECF Nos. 1051, 1082, 1057, 1081) is hereby **STAYED** pending Judge Stein's ruling on OpenAI's Rule 72(a) objection.
3. Plaintiffs' motion on the application to produce documents regarding shadow libraries, documents perceived to be business or technical in nature, policy documents, and technical datasets is **DENIED as premature.** (ECF Nos. 1070, 1074). Parties are directed to meet and confer on a document by document basis. No *in camera* review will be conducted at this time. Additionally, Plaintiff is directed to file, under seal, the slides shared with the Court at the conference.
4. Plaintiffs' motion requesting additional 30(b)(6) and 30(b)(1) deposition hours (ECF 1073) is **GRANTED in part**, as follows:

i. There will be a reallocation of 30 hours of Plaintiffs' deposition time to conduct additional 30(b)(6) depositions.

ii. Plaintiffs' motion is **DENIED without prejudice** as to the request for additional 30(b)(1) hours.

5. The parties' briefing schedule for the February 11, 2026, discovery status conference is as follows:

i. Opening briefs are due by **Friday, January 30, 2026**;

ii. Opposing briefs are due by **Wednesday, February 4, 2026**; and

iii. The parties' joint dispute chart is due by **Thursday, February 5, 2026.**

The Clerk of Court is respectfully directed to close the following ECF Nos. in **Case No. 25-MD-3143**: 1014, 1023, 1028, 1034, 1037, 1041, 1043, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1061, 1066, 1070, 1073, 1074.

SO ORDERED.

s/ Ona T. Wang

Dated: January 16, 2026
New York, New York

Ona T. Wang
United States Magistrate Judge