KEKER VAN NEST & PETERS LATHAM & WATKINS LLP MORRISON FOERSTER

January 23, 2026

VIA ECF

Hon. Ona T. Wang
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Cc: *All Counsel of Record (via ECF)*

Re: ***OpenAI's Response to January 23, 2026 Order (Dkt. 1181)***,
In re OpenAI, Inc. Copyright Infringement Litigation, No. 1:25-md-03143
This Document Relates To: All Actions

Dear Judge Wang:

In light of the Court's comments at the January 15 Discovery Conference, OpenAI will facilitate production of, on an Attorneys' Eyes Only basis, the two memoranda drafted by Mr. Sutskever and his deposition transcript from the *Musk* case. Counsel for OpenAI in this action is working diligently with counsel in the *Musk* case to facilitate production of those materials, which were subject to confidentiality restrictions in that case. OpenAI is proceeding expeditiously but respectfully requests a deadline of 6:00 p.m. ET on Tuesday, January 27 to facilitate production of these materials. Should OpenAI be able to facilitate production of the materials sooner, it will do so.

Sincerely,

KEKER, VAN NEST & PETERS LLP[1]	LATHAM & WATKINS LLP	MORRISON & FOERSTER LLP
/s/ Andrew Dawson	*/s/ Elana Nightingale Dawson*	*/s/ Rose S. Lee*
Andrew Dawson	Elana Nightingale Dawson	Rose S. Lee

[1] All parties whose electronic signatures are included herein have consented to the filing of this document.