UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	
	:	
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 is in receipt of the parties' status letters at ECF Nos. 1165, 1176, and 1196. All motions described herein that require supplemental briefing or a subsequent status letter will not be heard at the February 11, 2026 conference. All supplemental briefs are limited to five pages.

I. Class Plaintiffs

a. Microsoft Office Financials and the "January 2025 public document" (ECF 1000)

The parties are directed to meet and confer in accordance with the Sedona Principles' recommendations to work cooperatively and clearly specify the ESI being sought. *The Sedona Principles, Third Edition: Best Practices, Recommendations & Principles for Addressing Electronic Document Production*, 19 SEDONA CONF. J. 1 (2018). Specifically, the Court expects counsel to discuss whether Class Plaintiffs seek additional discovery in light of the "January 2025 public document" (ECF 1176-1), what form that discovery might take, whether the discovery sought is relevant and proportional under Rule 26(b), and whether, even if the discovery is relevant and proportional, the parties can reach a compromise that does not necessitate the filing of a

motion to compel. IF further motion practice is necessary, the motions shall be filed on **February 13, 2026**, and **February 16, 2026.**

b. Plaintiffs' motion to compel OpenAI to log outside counsel communications related to the deletion of Books 1 and Books 2 (ECF 1030)

This motion is **DENIED** as moot in light of the parties' representation that they agree to await Judge Stein's ruling on the Rule 72 objection. (ECF 1176 at 4(a)).

c. OpenAI's motion for a protective order regarding the scope of the "LibGen test file" deposition (ECF 1038)

This motion is **GRANTED** without prejudice to further discovery regarding the acquisition of LibGen books or other pirated or torrented. The deposition referenced at ECF 1038 will be limited to the "nearly 100,000 LibGen books" that "were downloaded in September 2019." Dkt. 659 at 1–2.

d. Plaintiffs' motion to compel OpenAI to produce documents and data related to regurgitation (ECF 1055)

This motion is **DENIED** as moot, in light of the parties' resolution of the dispute. (ECF 1176 at 1(a)).

e. Plaintiffs' motion to compel OpenAI to produce documents regarding the Disney-OpenAI agreement. (ECF 1077)

Plaintiffs may file a motion to compel after meeting and conferring with OpenAI and considering the following issues: relevance with respect to the fair use factors, willfulness, burden, the existence of any protective orders, and the exhibits referenced in ECF 1080. If the parties are not able to resolve their dispute, they may file a new motion to compel on the following schedule: Plaintiffs' brief is due Friday, **February 13, 2026** and Defendant's response is due **February 20, 2026**. There shall be no replies.

II. News Plaintiffs

a. The three additional implementations identified in the News Plaintiffs' motion for Microsoft GPT-4o discovery (ECF 1081)

The parties are directed to submit supplemental briefing explaining: (1) any proposed or agreed-upon limitations on the discovery sought concerning the "three implementations"; (2) how the discovery sought satisfies the requirements of relevance and proportionality under Federal Rule of Civil Procedure Rule 26b; and (3) a description of the parties' meet and confer efforts.

III. Ziff Davis

a. Status of Ziff Davis's Requests

Ziff Davis and OpenAI are directed to file a status letter on **February 13, 2026** informing the Court as to what issues remain. If reproduction of the data using "databricks/snowflake" remains an issue, after a good faith, cooperative meet and confer, the parties shall file their motion on the following schedule: Plaintiffs' brief is due **February 17, 2026** and Defendant's response is due **February 20, 2026**. There shall be no replies. Briefs are limited to five pages.

The Clerk of Court is respectfully directed to close the following ECF Nos. in **Case No. 25-MD-3143**: 1030, 1038, and 1055.

SO ORDERED.

s/ Ona T. Wang

Dated: February 6, 2026
New York, New York

Ona T. Wang
United States Magistrate Judge