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 has reviewed the parties' joint chart at ECF 1274. All motions described herein that require supplemental briefing will not be heard at the February 11, 2026 conference. All supplemental briefs are limited to five pages.

I. Class Plaintiffs' motion to compel OpenAI to produce documents and data related to Project Giraffe and "regurgitation"-related discovery (ECF 1055)

On January 22, the parties represented that the Class Plaintiffs' motions at ECF 1055 and 1132 were "resolved." Yet two weeks later, the issue resurfaced in the joint chart (ECF 1274-2 at 6), where the parties seem to be arguing about document production related to Project Giraffe. There shall be no new litigation in the joint chart. The parties are directed to continue meeting and conferring on the NEW dispute and, if they cannot resolve the issue, they will file a NEW motion to compel on this specific issue that explains to the Court: what the parties previously agreed to; what "Project Giraffe" and "Okapi-related data" mean (and whether the Court should become familiar with other African mammals referenced in the production); and what discovery the parties seek or have agreed to (or dispute) about any production that Class (and/or News) Plaintiffs continue to seek. The motion is to be filed according to 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.

The Court will consider the motion for additional deposition time for Mr. Monaco to be fully briefed and may ask questions at the February 11th conference, but does not expect to rule from the bench on this issue. (ECF 1220).

II. Plaintiffs' motion for additional deposition time (ECF 1216)

This motion for total additional deposition time is **DENIED.** The Court will consider, however, requests for additional time beyond the parties' deposition protocol on a deposition-by-deposition basis, after a showing that such time is necessary. If Plaintiffs seek to make any such motions under Fed. R. Civ. P. 26 and 30, whether for additional deposition time for a witness already deposed, or for more time for a prospective witness, they must file a letter motion after a robust meet and confer. Each such motion must also include a chart that lists all the witnesses who have been deposed, the date(s) they were deposed, and the time spent for each deposition, as well as witnesses who have yet to be deposed, the number of hours currently allocated to each such witness, and the time remaining for each category and/or witness in light of the reallocation of time done in January.

III. Plaintiffs' motion for Brockman's journal and depositions from *Musk v. Altman* (ECF 1200)

The parties are directed to submit supplemental briefing addressing at least the following issues: (1) for Plaintiffs, whether compelling the production of Brockman's journal is relevant and proportional to the needs of this case; and (2) for Defendants, any Second Circuit case law that weighs privacy protections for personal journals with the Federal Rules of Civil Procedure. Parties are directed to meet and confer to discuss whether the depositions

from *Musk v. Altman* are a more expedient way to get certain relevant information, and/or whether Plaintiff would be entitled to them anyway by way of Fed. R. Civ. P. 30(b)(6).

Plaintiffs' motion to compel is due Friday, **February 13, 2026** and Defendant's response is due **February 20, 2026**. There shall be no replies.

SO ORDERED.

s/ Ona T. Wang

Dated: February 10, 2026
New York, New York

Ona T. Wang
United States Magistrate Judge