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 held a discovery status conference for all actions in this matter on Wednesday, February 11, 2026. As **ORDERED** at the February 11 Conference:

I. ALL ACTIONS

1. **Plaintiffs' motion to compel OpenAI to produce discovery into Project Giraffe and additional deposition time of Mr. Monaco (ECF 1220)**

Plaintiffs were directed to email Chambers by **Friday, February 13, 2026** to request the credentials to a secure site to upload the video footage of Mr. Monaco's 30(b)(1) and 30(b)(6) depositions.

Defendants were directed to file under seal responses to Plaintiffs' questions regarding Project Giraffe by **11:59 PM on February 12, 2026.** After reviewing Defendant's answers, Plaintiffs may file a new motion to compel by **February 13, 2026, at 11:59 PM** addressing any remaining document requests.

The issue of Monaco's deposition will be resolved separately.

2. **Class Plaintiffs' motion seeking *in camera* review of the two clawed back and four redacted documents (ECF 1205).**

Plaintiffs' motion seeking in camera review is **GRANTED**. Microsoft has uploaded the documents for *in camera* review via the secure link from Chambers.

3. **Plaintiffs' motion for additional deposition time (exclusive of Monaco's deposition) (ECF 1216)**

The parties are directed to file a joint stipulation on their agreement on additional or reallocated deposition time by Friday, **February 13, 2026,** based on their representations in Court.

4. **Plaintiffs' motion seeking in camera review of OpenAI's privilege assertions over three categories of documents (ECF 1214)**

This motion is **GRANTED.** OpenAI is directed to file documents with accompanying summaries for *in camera* review by **Tuesday, February 17, 2026.** Plaintiffs' response is due **Thursday, February 19, 2026.** Parties are encouraged to meet and confer in advance of their filings to discuss any further downgrades of redactions.

5. **The parties' briefing for the March 10, 2026, case management conference is as follows:**
   a. Initial briefs are due by **March 3, 2026;**
   b. Responsive briefs are due by **March 5, 2026**; and
   c. The parties are encouraged to work together, and may file a joint case management discovery report by **March 5, 2026** in lieu of the briefs at (a) and (b).
   d. Defendants' briefs are limited to five pages each, and Plaintiffs' joint brief is limited to 10 pages total.

II. CLASS ACTION CASES

1. **Plaintiffs' motion for additional OpenAI discovery relating to "access settings" and "additional copies of pirated material" (ECF Nos. 869, 875, 946, 949, 993)**

The parties represented that the "access settings" dispute has been resolved. (Feb. 11, 2026 Hrg. Tr. at 79:11-15; ECF 1274-2 at 11-13).

Plaintiffs identified a remaining dispute concerning the use of pirated material outside of training datasets, (Feb. 11, 2026 Hrg. Tr. at 79:18-19), while OpenAI said there is "no dispute" as to the materials from the "training data project," because they already agreed to produce

any material from that project." *Id.* at 81:21-25. Plaintiffs claimed to have direct messages that supported discovery into OpenAI employees "going to shadow libraries to access material, we think if OpenAI employees are downloading it as part of their work, again, I don't think [OpenAI] contests that this was not as part of creating a training dataset." *Id.* at 82:12-15. OpenAI claimed that the briefing at ECF 869, "the original motion that began this whole process," was limited by its terms to "copyrighted books datasets." *Id.* at 84:1-4.

The parties are directed to meet and confer regarding Plaintiffs' requests as articulated on pages 82-83 of the hearing transcript, and whether OpenAI will produce the requested discovery. If motion practice is necessary, Plaintiff must file a NEW motion to compel, designated as such, by **February 18, 2026**. Defendant's opposition is due **February 20, 2026.** The Court will consider apportioning costs under Rule 37(a)(5) if a motion to compel is necessary.

III. NEWS CASES

1. Plaintiffs' motion for custom GPT metrics data on custom GPTs (ECF 1206); Plaintiffs' motion for Microsoft to produce output logs (ECF 1195); and OpenAI's motion for Tollbit data (ECF 1121)

These motions are resolved for reasons stated on the record.

The Clerk of Court is respectfully directed to close the following ECF Nos. in **Case No. 25-MD-3143**: 1205, 1206, 1214, 1195, 1121, 1220.

SO ORDERED.

s/ Ona T. Wang

Dated: February 13, 2026
New York, New York

Ona T. Wang
United States Magistrate Judge