UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE OPENAI, INC. COPYRIGHT INFRINGEMENT LITIGATION This Document Relates To: All Actions	:	No. 1:25-md-03143-SHS-OTW

JOINT STIPULATION AND [PROPOSED] ORDER ON TAKING CERTAIN DEPOSITIONS AFTER THE FEBRUARY 27, 2026 FACT DISCOVERY DEADLINE

Class Plaintiffs and News Plaintiffs (collectively "Plaintiffs"), OpenAI, and Microsoft submit the following stipulation and agreement with respect to the scheduling of depositions after the February 27, 2026 fact discovery deadline, as to which the parties agree there is good cause:

1. **Dario Amodei:** Mr. Amodei is the former Vice President of Research at OpenAI. Mr. Amodei is not represented by counsel for any of the parties in this case. Mr. Amodei's deposition was originally scheduled for February 27, 2026, but had to be moved to after the fact discovery deadline. All parties have consented to taking Mr. Amodei's deposition on March 27, 2026.
2. **Mike Trinh:** Mr. Trinh is the Associate General Counsel of OpenAI and OpenAI's Rule 30(b)(6) designee on Class Plaintiffs' Topic 13/News Plaintiffs' Topic 14 ("The storage, organization, preservation, and/or deletion of data or content used for any stage of training and/or developing Your Text Generative AI Models and Generative AI Products and Services. This Topic includes where and how You stored the data or content, any modifications to the data or content and the individuals involved in storing the data or content."). Mr. Trinh is also OpenAI's Rule 30(b)(6) designee on the "LibGen Test File" deposition under the Court's Orders at Dkts. 709 and 1279. Mr. Trinh is represented by

OpenAI's counsel in this case. The parties were not able to schedule Mr. Trinh's deposition until after the fact discovery deadline. All parties have consented to taking Mr. Trinh's deposition on March 3, 2026.

3. **Simone Procas:** Ms. Procas is the Vice President and Assistant General Counsel of Plaintiff The New York Times Company ("The New York Times"). Ms. Procas is represented by The New York Times's counsel in this case. Ms. Procas's deposition was originally scheduled for February 26, 2026, but had to be moved to after the fact discovery deadline.[1] All parties have consented to taking Ms. Procas's deposition on March 4, 2026.

4. **Mira Murati:** Ms. Murati is the former Chief Technology Officer of OpenAI. Ms. Murati is not represented by counsel for any of the parties in this case. Ms. Murati's deposition was originally scheduled for February 27, 2026, but had to be moved to after the fact discovery deadline. All parties have consented to taking Ms. Murati's deposition on March 5, 2026.

5. **Barret Zoph:** Mr. Zoph was OpenAI's Vice President of Research for Post-Training until he left OpenAI in 2024. In January 2026, Mr. Zoph rejoined OpenAI. Mr. Zoph is represented by OpenAI's counsel in this case. Mr. Zoph's deposition was originally scheduled for February 13, 2026, but had to be moved to after the fact discovery deadline.[2] All parties have consented to taking Mr. Zoph's deposition on March 6, 2026.

6. **Boston Consulting Group:** On January 9, 2026, OpenAI noticed the deposition of third-party Boston Consulting Group for February 6, 2026. Boston Consulting Group is not represented by counsel for any of the parties in this case. The parties were not able to schedule Boston Consulting Group's deposition until after the fact discovery deadline. All parties have

[1] Ms. Procas is only being deposed as The New York Times's designee on certain topics under Rule 30(b)(6).

[2] Mr. Zoph is being deposed in both his Rule 30(b)(1) capacity and as OpenAI's designee on certain topics under Rule 30(b)(6).

consented to taking Boston Consulting Group's deposition on March 6, 2026.

7. **Ilya Sutskever:** Mr. Sutskever was OpenAI's Chief Scientist until he left OpenAI in 2024. Mr. Sutskever is not represented by counsel for any of the parties in this case. Mr. Sutskever's deposition was originally scheduled for February 24, 2026, but had to be moved to after the fact discovery deadline. All parties have consented to taking Mr. Sutskever's deposition on March 17, 2026.
8. **Plaintiff John Grisham:** Mr. Grisham's deposition was originally scheduled for February 23, 2026, but had to be moved to after the fact discovery deadline. All parties have consented to taking Mr. Grisham's deposition on March 23, 2026.
9. **Mike Buckley, CEO of BeMyEyes:** Plaintiffs withdraw their request for the deposition of Mike Buckley unless and until he provides a declaration prior to trial or appears on a trial witness list, in which case Plaintiffs will depose him after the February 27, 2026 fact discovery deadline. All parties and Mr. Buckley have consented to deferring Mr. Buckley's deposition unless and until he provides a declaration prior to trial or appears on a trial witness list.

The parties are also discussing March deposition dates for some additional deponents and potential deponents. The parties will submit a further stipulation with any other agreed March deposition dates.

IT IS SO STIPULATED.

Dated: February 27, 2026

/s/ *Justin A. Nelson*
Justin A. Nelson
Counsel for Class Plaintiffs

/s/ *Margaret Graham*
Margaret Graham
Counsel for OpenAI

/s/ *Davida Brook*
Davida Brook
Counsel for News Plaintiffs

/s/ *Laura B. Najemy*
Laura B. Najemy
Counsel for Microsoft

IT IS ORDERED that the foregoing agreement is approved.

Dated: _____

_____

Hon. Ona T. Wang
United States Magistrate Judge

_____

Hon. Sydney H. Stein
United States District Judge