UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OPENAI, INC., COPYRIGHT INFRINGEMENT LITIGATION This Document Relates To: All Actions	25-md-3143 (SHS) (OTW) Hon. Sidney H. Stein Hon. Ona T. Wang

STIPULATION REGARDING DEPOSITION TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Class Plaintiffs[1], News Plaintiffs[2], and Defendant OpenAI (collectively, the "Parties"), in each case by and through their respective attorneys, as follows:

1. Plaintiffs may reallocate thirty-five (35) hours from their third-party deposition time caps to be used for depositions of OpenAI's current and former employees.

2. Of the thirty-five (35) reallocated hours described in Paragraph 1, Plaintiffs may use up to fifteen (15) hours for Rule 30(b)(6) depositions of OpenAI witnesses. For clarification purposes, the Parties agree that as of February 13, 2026, Plaintiffs had 15 total Rule 30(b)(6) hours remaining with OpenAI witnesses.

3. OpenAI and Microsoft may reallocate up to thirty-five (35) hours from their third-

[1] "Class Plaintiffs" refers to the plaintiffs in the following actions coordinated in the MDL: *Tremblay v. OpenAI, Inc.* (No. 3:23−03223), *Silverman v. OpenAI, Inc.* (No. 3:23−03416), *Chabon v. OpenAI, Inc.* (No. 3:23−04625), *Authors Guild v. OpenAI Inc.* (No. 1:23-cv-08292), *Alter v. OpenAI Inc.* (No. 1:23-cv-10211), which have been consolidated in the superseding operative complaint titled *Baldacci et al. v. OpenAI, Inc. et al.*, (No. 25-md-3143).

[2] "News Plaintiffs" refers to the plaintiffs in the following actions coordinated in the MDL: The New York Times Company v. Microsoft Corp. (No. 1: 23-cv-11195); Daily News, LP et al. v. Microsoft Corp. (No. 1:24-cv-3285); The Intercept Media, Inc. v. OpenAI, Inc. (No. 1:24-cv 01515); The Center for Investigative Reporting, Inc. v. OpenAI, Inc. (No. 1:24-cv-04872); Ziff Davis, Inc., v. OpenAI Inc. (25-cv-0501) (D. Del.).

party deposition time caps to be used for depositions of News Plaintiffs' current and former employee witnesses. Of the thirty-five (35) reallocated hours, OpenAI and Microsoft may use up to twenty (20) hours for Rule 30(b)(6) depositions of News Plaintiffs' witnesses.

4. OpenAI may reallocate an additional fifteen (15) hours of Rule 30(b)(1) time for use as Rule 30(b)(6) hours across all News Plaintiffs. This fifteen (15) hour reallocation is in addition to any prior agreements with individual News Plaintiffs regarding reallocation of Rule 30(b)(1) to Rule 30(b)(6) time. With respect to any particular News Plaintiff (or News Plaintiff group), any 30(b)(1) time that is reallocated must remain available for depositions of that Plaintiff or Plaintiff group. For example, only remaining New York Times 30(b)(1) hours can be reallocated to New York Times 30(b)(6) hours, and so forth.

5. The parties agree these new hours will not be used as a basis to seek additional witnesses. All Parties reserve their rights to seek new witnesses through separate meet-and-confer processes.

IT IS SO STIPULATED.

Dated: February 18, 2026

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IT IS ORDERED that the foregoing Agreement is approved.

Dated: March 7, 2026

HONORABLE ONA T. WANG
United States Magistrate Judge