EXHIBIT B

From: Davida Brook
Sent: Friday, September 18, 2026 5:08 PM
To: Justin A. Nelson; Hurst, Annette L.
Cc: rvannest@keker.com
Subject: Re: MDL--Plaintiffs' Summary Judgment Motions

[EXTERNAL]

Per (2) below, I assume Defendants' opposition briefs themselves would likewise not complain about the issues Annette raised in her email below. If these clarifications are good with both MS and OAI please let me know at which point I will take it to my client.

Thank you,
Davida

Get Outlook for Mac

From: Justin A. Nelson <jnelson@SusmanGodfrey.com>
Date: Friday, September 18, 2026 at 2:32 PM
To: Hurst, Annette L. <ahurst@orrick.com>; Davida Brook <DBrook@susmangodfrey.com>
Cc: rvannest@keker.com <rvannest@keker.com>
Subject: RE: MDL--Plaintiffs' Summary Judgment Motions

Annette –

Speaking for Class Plaintiffs, we can agree to the extension with the following three clarifications, all of which hopefully should be non-controversial. (1) The extensions are mutual; i.e., all oppositions and replies are due on those dates and not just Defendants'. (2) The motion does not mention prejudice and is neutral as to the reason. If we want to provide a reason, we can say that it is due to the volume of material filed. (3) I think we would also have to push back the amicus deadline by the equivalent amount (to October 30). Assuming we are on the same page on those clarifications, we are in agreement on the Class side.

Best Regards,

Justin

From: Hurst, Annette L. <ahurst@orrick.com>
Sent: Friday, September 18, 2026 1:01 PM
To: Davida Brook <DBrook@susmangodfrey.com>; Justin A. Nelson <jnelson@SusmanGodfrey.com>
Cc: rvannest@keker.com
Subject: MDL--Plaintiffs' Summary Judgment Motions

EXTERNAL Email

Davida & Justin:

From the errata served by News Plaintiffs and Books Plaintiffs in the past couple of days, it appears to us that Defendants have a substantial argument that Plaintiffs failed to comply with Local Rule 56.1 when filing their summary judgment motions. We doubt very much that Plaintiffs could demonstrate the requisite good cause for failing to file and serve a proper Rule 56.1 statement with accurate citations and accompanying evidence. The error rate in the citations and exhibits in Plaintiffs' respective Rule 56.1 statements is astounding.

Nevertheless, it is clear to us that Judge Stein wants all of these papers in by Thanksgiving. I therefore write on behalf of all Defendants to request an extension of time of two weeks to serve Defendants' oppositions to Plaintiffs' summary judgment motions. Instead of filing our oppositions on October 9, we would file them on October 23. The deadline for Plaintiffs' replies would move from November 6 to November 20.

Please advise as soon as possible whether you agree so we know whether we will need to approach the Court for relief.

Sincerely,
Annette Hurst

Annette L. Hurst
Partner
Global AI Practice Leader
Pronouns: she/hers

Orrick
San Francisco
T +1-415-773-4585
M +1-415-713-3273
https://www.linkedin.com/pub/annette-hurst/10/2b7/407
@divaesq
ahurst@orrick.com

NOTICE TO RECIPIENT | This e-mail is meant for only the intended recipient of the transmission, and may be a communication privileged by law. If you received this e-mail in error, any review, use, dissemination, distribution, or copying of this e-mail is strictly prohibited. Please notify us immediately of the error by return e-mail and please delete this message from your system. Thank you in advance for your cooperation.

In the course of our business relationship, we may collect, store and transfer information about you. Please see our privacy policy at https://www.orrick.com/Privacy-Policy to learn about how we use this information.