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October 6, 2026

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VIA ECF

MEMO ENDORSED

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *In re OpenAI, Inc. Copyright Infringement Litigation*, No. 25-md-03143 (SHS) (OTW)
This Document Relates To: All Cases

Dear Judge Stein:

On behalf of Defendants Microsoft Corporation and OpenAI (together, "Defendants"), we respectfully write to request leave to deviate from the format specified in Local Civil Rule 56.1 for Defendants' responses to Plaintiffs' Local Civil Rule 56.1 statements in the News Cases and the Books Cases. Given the vast number of facts at issue, we believe Defendants' proposed format is easier to read and that it will facilitate the Court's review and ability to reference the facts and responses, as it considers the parties' motions.

Specifically, Local Civil Rule 56.1(e) requires that "the counterstatement required by this rule must include each entry in the moving parties' statement and set out the opposing party's response directly beneath it." Defendants seek to deviate from this format by presenting the facts and counterstatements in a dual-column table format (and thus the response will not be "directly beneath" opposing parties' fact but instead next to it). Defendants do not seek any modification of the contents required by the Rule. A sample of the proposed format is attached as Exhibit A.

Defendants respectfully request that the Court permit them to file their Rule 56.1 counterstatements in the dual-column format reflected in the attached Exhibit A. We thank the Court for its consideration of this request.

Oct 7, 2026
Request granted.
So Ordered.
Sidney H. Stein
U.S.D.J.

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Respectfully submitted,[1]

/s/ Annette L. Hurst

Annette L. Hurst
Attorney for Defendant Microsoft Corporation

/s/ Allison Blanco

Allison Blanco
Attorney for Defendant OpenAI

cc: All counsel of record (via ECF)

[1] All parties whose electronic signatures are included in this filing have provided consent in accordance with Rule 8.5(b) of the Court's ECF Rules and Instructions.