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)

NOTICE OF MOTION BY THE FOUNDATION FOR AMERICAN INNOVATION, DAVID R. SHEDD, LIEUTENANT GENERAL MICHAEL GROEN, U.S. MARINE CORPS (RET.), AND GEORGE BARNES FOR LEAVE TO FILE AN AMICI CURIAE BRIEF IN SUPPORT OF OPENAI ON THE FOURTH FAIR-USE FACTOR

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Foundation for American Innovation, David R. Shedd, Lieutenant General Michael Groen, U.S. Marine Corps (Ret.), and George Barnes, respectfully move this Court, before the Honorable Sidney H. Stein, United States District Judge, pursuant to the Court's August 7, 2026 Order (ECF No. 1663) and Local Civil Rule 7.1, for leave to file the proposed amici curiae brief attached as Exhibit A in support of OpenAI on the fourth fair-use factor in connection with the pending summary-judgment motions.

David R. Shedd, Lieutenant General Michael Groen, and George Barnes join solely in their individual capacities. This motion is submitted within the October 30, 2026 deadline established by the Court's September 24, 2026 Order.

Dated: October 30, 2026

Respectfully submitted,

/s/ Tim Hwang

Tim Hwang (pro hac vice pending)

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