UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OpenAI, Inc., COPYRIGHT INFRINGEMENT LITIGATION This Document Relates To: 1:23-cv-11195-SHS-OTW 1:24-cv-01515-SHS-OTW 1:24-cv-03285-SHS-OTW 1:24-cv-04872-SHS-OTW 1:25-cv-04315-SHS-OTW	25-md-3143 (SHS) (OTW)

MEMORANDUM OF LAW OF PROFESSOR JOSEPH STIGLITZ IN SUPPORT OF MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE IN SUPPORT OF PLAINTIFFS

Pursuant to the Court's inherent authority and its Order of August 7, 2026 (Dkt. No. 1663), as modified by Dkt. No. 2049, Professor Jospeh Stiglitz moves for leave to file the accompanying brief in support of the News Plaintiffs.

Interests of Proposed Amicus. Professor Joseph Stiglitz ("Stiglitz") is a University Professor at Columbia University with joint appointments in the Faculty of Arts and Sciences (Department of Economics), the Graduate School of Business, and the School of International and Public Affairs.[1] Prior to assuming this position, Stiglitz held professorships at Stanford University, Yale University, Princeton University, the Massachusetts Institute of Technology, and the University of Oxford, where he taught a wide variety of graduate and undergraduate courses in economics and finance.

[1] Stiglitz's CV and biography can be found at https://business.columbia.edu/stiglitz/about. Additional information regarding Stiglitz's background and work in this area is set forth in his proposed Amicus Curiae Brief. *See* [Proposed] Brief of Professor Joseph Stiglitz as Amicus Curiae in Support of Plaintiffs.

Stiglitz has received numerous fellowships and honors over his career. In 2001, Stiglitz was awarded the Nobel Memorial Prize in Economics for his work on Information Economics. This work includes the study of how information asymmetries affect economic behavior, the determination of the conditions under which efficient sharing of risk occurs, the economics of financial markets, and the production of knowledge. His particular concern in his proposed amicus curiae brief is how alternative legal frameworks, including the application of the fair use doctrine, affect the information ecosystem. He also has a particular lifelong concern on issues of equity, and this brief reflects some of his work and that of his colleagues on the equity implications of legal frameworks.

Stiglitz has written on the effects AI may have on the information ecosystem. *See* Joseph E. Stiglitz & Maxim Ventura-Bolet, The Impact of AI and Digital Platforms on the Information Ecosystem (Nat'l Bureau of Econ. Research, Working Paper No. 34318, 2025) (just published in The Economics of Transformative AI (eds. Ajay Agrawal, Erik Brunjolfsson and Anton Korinek, University of Chicago Press)).

Proposed Amicus Offers the Court a Unique Perspective. This Court has explained that an "amicus brief should normally be allowed when . . . the amicus has unique information or perspective that can help the court beyond the help that lawyers for the parties are able to provide." Order, ECF 440 (Aug. 7, 2025) (quoting *In re Terrorist Attacks on Sept. 11, 2001*, No. 03-md-1570, 2022 WL 17326181, at *2 (S.D.N.Y. Nov. 29, 2022)). As described below and in his proposed amicus brief, Professor Stiglitz has a unique perspective that can help the Court beyond what counsel for the parties are able to provide.

As set forth in the proposed amicus brief, Stiglitz has long studied Information Economics and indeed won the Nobel Memorial Prize in Economics in 2001 for his work in that field. Stiglitz brings an economics perspective to the issues presently before the Court in this litigation. Stiglitz describes a model regarding the impact of AI on the information ecosystem. In summary, his model shows that when AI intermediaries absorb the attention and revenue that once flowed to producers of reliable information, the incentive to produce that reliable information erodes, and

the stock of accurate information available to society may shrink over time, even if the technology of processing and transmitting information improves. Stiglitz applies lessons from that model to the fair use analysis in which this Court will engage, focusing on the first and fourth fair use factors, while also addressing the public interest implications of Defendants' use of Plaintiffs' content and considering fairness implications.

Professor Stiglitz's proposed brief complies with the Court's prior orders regarding amicus briefs. No party's counsel authored Professor Stiglitz's brief in whole or in part. No party or party's counsel contributed money intended to fund the preparation or submission of his brief. No person other than Professor Stiglitz and his counsel contributed money intended to fund the amicus brief's preparation or submission.

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Professor Stiglitz respectfully requests that the Court grant his motion for leave to file the proposed amicus brief.

DATED: October 30, 2026.

Respectfully submitted,

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