UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: **OPENAI, INC., COPYRIGHT INFRINGEMENT LITIGATION** This Document Relates To: Case No. 1:23-cv-08292-SHS-OTW Case No. 1:23-cv-11195-SHS-OTW	**ECF CASE** 1:25-md-03143-SHS/OTW

PLAINTIFFS THE NEW YORK TIMES COMPANY AND AUTHORS GUILD'S MOTION TO SEAL

Under paragraph 34 of the Stipulated Protective Order in this case (MDL Dkt. 367), Plaintiff The New York Times Company ("The Times") and Plaintiffs Authors Guild, Inc,, et al. ("Authors Guild") (collectively, "Plaintiffs") respectfully seek to provisionally file under seal portions of its letter motion to compel. The letter motion seeks a conference to discuss a discovery dispute—specifically, The Times's request to compel OpenAI to cure production deficiencies with its text and social media messages and provide answers to Plaintiffs' questions regarding the same. Plaintiffs seek to file portions of this letter motion and its exhibits under seal because portions of the motion and its exhibits include and discuss documents that Defendants have designated as Protected Discovery Material under the Protective Order. Dkt. 367 ¶ 34. Plaintiffs do not affirmatively seek to seal any material.

Exhibit 4 to Plaintiffs' letter motion is a copy of Interrogatory responses OpenAI served on The Times on March 10, 2025. This entire document was marked "HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY" by OpenAI, which includes responses identifying which OpenAI custodians use various messaging platforms to communicate about issues related to this lawsuit. Exhibit 1 is discovery correspondence between Plaintiffs' counsel and OpenAI's counsel that cites OpenAI's interrogatory responses from Exhibit 4. Plaintiffs do not expect that OpenAI can meet the standard of articulating "specific and substantial reasons for sealing" this material. *See Brown v. Maxwell*, 929 F.3d 41, 50 (2d Cir. 2019). Plaintiffs take no position on the other material.

Under the Protective Order, Defendants have five business days to file a statement of reasons for why the material should be sealed. *Id.* Plaintiffs will review Defendants' filings, and if necessary, confer about any disagreement.

Dated: July 30, 2025

/s/ Davida Brook
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CERTIFICATE OF SERVICE

I hereby certify this 30 day of July 2025, I caused a true and correct copy of the foregoing to be electronically filed with the Clerk of the court using the CM/ECF system which will send notification to the attorneys of record and is available for viewing and downloading.

/s/ Davida Brook
(Signature)