**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

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| IN RE: | : | |
| OPEN AI, INC.,<br>COPYRIGHT INFRINGEMENT LITIGATION | : | No. 25-md-3143 (SHS) (OTW) |
| This Document Relates To: | : | |
| *The New York Times Co. v. Microsoft Corp., et al.*,<br>No. 23-cv-11195 | : | |

**DECLARATION OF MAILE YEATS-ROWE IN SUPPORT OF OPENAI'S LETTER MOTION TO SEAL**

I, Maile Yeats-Rowe, hereby declare as follows:

1. I am Senior Litigation Counsel at OpenAI. I submit this declaration in support of OpenAI's letter motion to seal, filed concurrently herewith. I have personal knowledge of the facts set forth below and if called as a witness, could testify competently thereto.

2. I have been informed and understand that OpenAI moved to redact portions of Plaintiffs' Declaration of Tom Goldstein in support of the parties' September 19, 2025 Preserved Data Joint Letter. I submit this declaration in support of redacting the Declaration according to the green highlighting in the attached Exhibit.

3. Based on my review, the information OpenAI seeks to redact comprises confidential internal and proprietary descriptions of the contents of OpenAI's ChatGPT conversation classifiers as well as underlying user data, hit reports, and statistics, all of which could be unfairly used by its competitors if made public.

4. OpenAI seeks to redact the portions of the Goldstein Declaration tables that contain OpenAI's proprietary ChatGPT conversation classifiers and specific hit report and statistical data that relate to that data. As used here, a "classifier" refers to how OpenAI

categorizes (or "classifies") user prompts and outputs. That classification system is based on proprietary insights and technical methodologies that are not obvious on reviewing prompts or outputs. Public disclosure of such information would unfairly advantage OpenAI's competitors, by giving them insight into OpenAI's products, how OpenAI's customers use those products, and the technical methods by which OpenAI tracks and analyzes that use. The redacted hit counts and statistics disclosed in the Goldstein Declaration are based on non-public, internal information that could be exploited by OpenAI's competitors in developing and marketing competing products.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 26th day of September 2025, in San Francisco, California.

Maile Yeats-Rowe
Senior Litigation Counsel
OpenAI