EXHIBIT A

Outlook

RE: [Ziff Davis v. OpenAI] Cross-Reference Chart of RFP Responses

From Daniel T. Nguyen <DNguyen@keker.com>
Date Thu 9/25/2025 5:55 PM
To Matthew Leish <matthew.leish@klarislaw.com>; Klaris Law Ziff Davis <ziffdavis@klarislaw.com>
Cc ZD-AICopyright@ruttenbergiplaw.com <ZD-AICopyright@ruttenbergiplaw.com>; openaicopyrightlitigation.lwteam@lw.com <openaicopyrightlitigation.lwteam@lw.com>; openaicopyright@mofo.com <openaicopyright@mofo.com>; KVP-OAI <KVPOAI@keker.com>

Matt:

The chart was provided to streamline meet and confer discussions, which necessarily involves evaluating the proper scope of the requests and Ziff Davis's objections to the requests. The fact that other news plaintiffs have agreed to produce documents responsive to substantively identical RFPs underscores that the requests seek relevant information, and reflects that any boilerplate objections cannot reasonably be maintained absent unique circumstances to Ziff Davis. If such unique circumstances apply to the RFPs in the chart, please let us know. That we have prioritized some RFPs in subsequent correspondence does not make *these* RFPs any less relevant or reduce Ziff Davis's obligation to produce responsive documents.

RFPs 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 18, 21, 24, 59, 83, 84, 85, 106, 107, 111, 112, 113, 115, 116, 120, 152, 153, 165, 166, 167, 168 are directly relevant, *inter alia*, to Ziff Davis's copyright claims and rebutting Ziff Davis's allegations relating to "verbatim copies, close paraphrases, and substantiated derivatives of Ziff Davis Works" as well as to OpenAI's overall fair use defense, including the public availability of and the alleged market for the asserted works. *See* ECF No. 105 ¶ 165. RFP 118 is relevant because organizational charts are likely to lead to identifying individuals with discoverable information.

To the extent you still believe these RFPs are overbroad or unduly burdensome, please suggest a narrowed request that Ziff Davis would be willing to produce documents to. To the extent you believe these RFPs are still vague and ambiguous, please let us know so we can clarify. To the extent you claim each of these RFPs calls for privileged information, please let us know how these documents are privileged so we can assess your privilege contentions.

As such, we again ask that you confirm by **October 1** that Ziff Davis will agree to produce documents responsive to the RFPs identified in the chart provided yesterday.

Daniel

Daniel T. Nguyen

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Pronouns: he/him/his

From: Matthew Leish <matthew.leish@klarislaw.com>
Sent: Thursday, September 25, 2025 8:04 AM
To: Daniel T. Nguyen <DNguyen@keker.com>; Klaris Law Ziff Davis <ziffdavis@klarislaw.com>
Cc: ZD-AICopyright@ruttenbergiplaw.com; openaicopyrightlitigation.lwteam@lw.com; openaicopyright@mofo.com; KVP-OAI <KVPOAI@keker.com>
Subject: Re: [Ziff Davis v. OpenAI] Cross-Reference Chart of RFP Responses

[EXTERNAL]

Daniel: This is the first time that you, or anyone else on your team, has asked Ziff Davis to change its position regarding the 32 RFPs on this chart. Kelly Hernandez originally sent a chart containing 55 RFPs on August 25 with a note that said the purpose of the chart was "to assist in streamlining our meet-and-confer discussions going forward." There was no indication that she was asking Ziff Davis to respond as to each of the 55 RFPs, and she has never suggested otherwise. Kelly subsequently sent an email on August 29 listing 19 RFPs from the chart as to which OAI was asking Ziff to reconsider its position, and we have responded as to each of those RFPs. You then sent another email on 9/17 raising 8 more RFPs — some of which were contained on the chart and some of which were not — and we are reviewing our position as to those RFPs. The remaining 32 RFPs on the chart have never been mentioned in any of our meet and confer discussions, as your email below acknowledges.

Are you now asking Ziff Davis to reconsider its responses to the 32 remaining RFPs on this chart? If so, what is the basis for this request as to each of these 32 RFPs? While the fact that one (though, significantly, not all) of the other news plaintiffs may have agreed to respond to a particular request is a factor for us to consider, nothing obligates Ziff Davis to take the same position. Thus, if you have any substantive reasons you believe Ziff Davis' position should be reconsidered for any of these 32 requests, please let us know. As always, we are available to meet and confer.

Thanks
Matt

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Matthew Leish
Partner (917) 952-2891

From: Daniel T. Nguyen <DNguyen@keker.com>
Sent: Wednesday, September 24, 2025 6:58 PM
To: Matthew Leish <matthew.leish@klarislaw.com>; Klaris Law Ziff Davis <ziffdavis@klarislaw.com>
Cc: ZD-AICopyright@ruttenbergiplaw.com <ZD-AICopyright@ruttenbergiplaw.com>; openaicopyrightlitigation.lwteam@lw.com <openaicopyrightlitigation.lwteam@lw.com>; openaicopyright@mofo.com <openaicopyright@mofo.com>; KVP-OAI <KVPOAI@keker.com>
Subject: [Ziff Davis v. OpenAI] Cross-Reference Chart of RFP Responses

Counsel:

I write regarding Ziff Davis's responses to OpenAI's RFPs, particularly those listed in the "Cross-Reference Chart of RFP Responses" that Ms. Hernandez sent on August 25. I am attaching an updated version of the chart that omits RFPs that have been the subject of the parties' meet and confer discussions following August 25.

As you know, this chart identifies RFPs for which Ziff Davis has refused to produce responsive documents despite the fact that other news plaintiffs have agreed to produce documents in response to substantively identical requests. You have now had a month to review this spreadsheet and the other plaintiffs' agreements to produce documents.

Please confirm by **October 1** that Ziff Davis will agree to produce documents responsive to the RFPs identified in the attached chart.

Regards,
Daniel

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