VIA ECF

October 28, 2025

Hon. Ona T. Wang
Southern District of New York

In re OpenAI, Inc., *Copyright Infringement Litigation*, 25-md-3143 (SHS) (OTW)
This Document Relates To: All Actions

Dear Magistrate Judge Wang:

We write on behalf of News Plaintiffs and OpenAI in response to the Court's sealing order (the "Order") entered earlier today at Dkt. 708. As requested by the Court, the parties have met and conferred to discuss whether the issue set forth in the Order should be discussed at the Wednesday, October 29 discovery status conference or at the Friday, October 31 confidential settlement conference.

News Plaintiffs' position is that the issues set forth in the Order should be addressed at the Wednesday, October 29 discovery conference. OpenAI is happy to discuss the Rule 408 issue during tomorrow's conference if that is the Court's preference, but would also welcome the opportunity to defer discussion on this issue until the confidential settlement conference scheduled for Friday, October 31.

Respectfully,

/s/ Ian Crosby
Ian Crosby
Susman Godfrey LLP
Counsel for The New York Times

/s/ Edward Bayley
Edward Bayley
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Counsel for OpenAI

cc: All Counsel of Record (via ECF)