UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	
	:	
OPENAI, INC.,	:	25-md-3143 (SHS) (OTW)
COPYRIGHT INFRINGEMENT LITIGATION,	:	
	:	
	:	**ORDER**
This Document Relates To:	:	
All Actions	:	
	:	

ONA T. WANG, **United States Magistrate Judge**:

The Court held a discovery status conference for all actions in this matter on Wednesday, October 29, 2025. As **ORDERED** at the October 29 Conference:

I. NEWS CASES

For the reasons discussed on the record:

1) Regarding the parties' dispute as to the production of the 20 million retained logs, (*see* ECF Nos. 656, 679), the parties are directed to file letter briefs **not to exceed 5 pages by 5:00 p.m. on Thursday, October 30, 2025,** articulating the nature of the dispute and how it relates to the News Plaintiffs' prior concerns regarding spoliation and the materiality of deleted consumer ChatGPT logs, as well as what any "agreements" regarding production that News Plaintiffs allege OpenAI has "reneged" on.

2) OpenAI's motion at ECF 635 is **DENIED.** The parties are directed to meet and confer on this issue to discuss the actual information sought by OpenAI and whether additional production or representations from NYT are needed.

3) On the parties' representation that the dispute at ECF 653 has been resolved and that the parties will continue to meet and confer on this issue, (*see* ECF 710), ECF 653 is **DENIED as moot.**

4) NYT's motion at ECF 657 is **DENIED,** and the parties are directed to continue meeting and conferring, and OpenAI is directed to identify the relevant public statements, documents, and other materials before the upcoming deposition, as directed at the October 29 conference. Such identification or disclosure shall occur sufficiently in advance to allow NYT to reasonable prepare their deponent(s).

5) NYT's motion at ECF 658 for an order limiting the scheduling of NYT 30(b)(6) depositions is **DENIED.** The parties are directed to meet and confer on this issue by **Friday, October 31, 2025.**

6) NYT's motion at ECF 648 regarding Microsoft's production of agreements related to its express license defense is **DENIED as premature.** The parties are directed to conduct the already-planned 30(b)(6) deposition within which this dispute is a noticed topic, and then meet and confer on whether additional discovery may be necessary after that deposition.

II. CLASS ACTION CASES

For the reasons discussed on the record:

1) Class Plaintiffs' motion at ECF 662/663 is **DENIED as moot**. (*See* ECF 713). The parties are further directed to continue meeting and conferring on OpenAI's rolling privilege re-review in light of my October 1 Opinion & Order, *see In re: OpenAI, Inc. Copyright Infringement Litigation*, --- F. Supp. 3d ---, 2025 WL

2799890 (S.D.N.Y. 2025); (ECF 618), and to discuss prioritization of OpenAI's privilege re-review.

2) Regarding Class Plaintiffs' motion at ECF 546/547 seeking to compel Microsoft to produce the Bing Index for inspection, the parties are directed to continue meeting and conferring on this issue, particularly with respect to the technological burdens of review and/or production on Microsoft, as well as ways to alleviate such burdens. The parties are further directed to file a joint letter on the docket by **November 7, 2025,** apprising the Court on whether the parties have resolved the dispute and, if they have not resolved the dispute, proposing a briefing schedule on the proportionality concerns articulated by the Court at ECF 712.

III. ALL ACTIONS

For the reasons discussed on the record:

1) Regarding OpenAI's motion at ECF 654, the parties are directed to meet and confer on the 10 remaining disputed deposition topics and, if this issue cannot be resolved, file a letter by **November 5, 2025,** that shows the disputed topics with color-coded highlighting to show the specific disputes and agreements to language in the topics.

2) The parties are directed to include in their letter (or email) due by **5:00 p.m. on October 30, 2025**, whether or not the parties anticipate proceeding with the confidential settlement conference scheduled for Friday, October 31, 2025, at 10:30 a.m. If so, the parties should include in their letter (or email) a proposed agenda for the conference.

3) The parties are directed to continue meeting and conferring on the impact of Judge Stein's recent Opinion & Orders (*see* ECF Nos. 701, 707) on the scope of discovery in these cases, and file a joint letter on the docket by **November 11, 2025,** indicating whether a separate, expedited briefing schedule is necessary for this particular issue. If so, the parties should propose a briefing schedule.

4) The Court will hold a discovery status conference on **January 15, 2026, at 9:30 a.m. in Courtroom 20D, 500 Pearl Street, New York, NY 10007.** The parties may submit discovery motions for any ripe disputes for this conference between **January 2, 2026**, and **January 7, 2026.** The parties' joint dispute charts for this conference are due by **January 8, 2026.**

5) The Court will hold a discovery status conference on **February 11, 2026, at 9:30 a.m. in Courtroom 20D, 500 Pearl Street, New York, NY 10007.** The parties may submit discovery motions for any ripe disputes for this conference between **January 29, 2026,** and **February 3, 2026.** The parties' joint dispute charts for this conference are due by **February 4, 2026.**

The Clerk of Court is respectfully directed to close the following ECF Nos. in **Case No. 25-MD-3143**: 635, 648, 653, 657, 658, 662, 663.

SO ORDERED.

s/ Ona T. Wang

Dated: October 30, 2025
New York, New York

Ona T. Wang
United States Magistrate Judge