UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OPENAI, INC., COPYRIGHT INFRINGEMENT LITIGATION This Document Relates To: No. 1:23-cv-11195 (SHS) (OTW)	25-md-3143 (SHS) (OTW)

DECLARATION OF JENNIFER B. MAISEL

I, Jennifer B. Maisel, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney at Rothwell, Figg, Ernst & Manbeck, P.C., which represents Plaintiffs The New York Times Company and Daily News, LP et al. in this MDL. I submit this declaration in support of News Plaintiffs' Memorandum of Law in Opposition to OpenAI's Rule 72(a) Objections to Magistrate Judge Wang's Orders Compelling Production of ChatGPT Conversation Logs.[1] I have personal knowledge of the facts set forth in this declaration. If called as a witness, I could and would competently testify as to these facts under oath.

2. In the few days that News Plaintiffs have had to search OpenAI's consumer ChatGPT logs first made available on Monday December 15, News Plaintiffs have already found (in the small sample that OpenAI has produced) references to News Plaintiffs' content and substitutive uses of News Plaintiffs' content—notwithstanding OpenAI's extensive and inappropriate redactions applied to the data.

[1] The memorandum is filed on behalf of News Plaintiffs, which include The New York Times, the *Daily News* Plaintiffs, the Center for Investigative Reporting, The Intercept, and the *Ziff Davis* Plaintiffs.

3. Attached as Exhibit A is a true and correct copy of the ECF notice I received on November 10, 2025, regarding Magistrate Judge Wang's Order (ECF 736) granting News Plaintiffs' motion to compel production of the 20 million de-identified Consumer ChatGPT Logs.

4. Attached as Exhibit B is a true and correct copy of a December 5, 2025, email from me to outside counsel for OpenAI.

5. Attached as Exhibit C is a true and correct copy of a Joint Dispute Statement Regarding Claude Sample Issues entered as Docket No. 399 in *Concord Music Group, Inc. et al. v. Anthropic PBC*, Case No. 5:24-cv-03811-EKL-SVK (N.D. Cal. Aug. 6, 2025).

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

Executed on December 19, 2025.

/s/ Jennifer Maisel
Jennifer B. Maisel