AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

AESTAS, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Print Save As... Reset

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

AESTAS MANAGEMENT COMPANY, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Print Save As... Reset

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

SAMUEL ALTMAN
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
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wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

GREGORY BROCKMAN
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
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wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OAI CORPORATION, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
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wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI GLOBAL, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
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wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Print Save As... Reset

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI GP, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Print Save As... Reset

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI HOLDINGS, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Print Save As... Reset

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI, INC.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI, L.P.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
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Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI OPCO, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
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(212) 403-1000
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Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND GP I, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
Address

wdsavitt@wlrk.com
E-mail address

(212) 403-1000
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND I, L.P.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND MANAGEMENT, LLC
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
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(212) 403-1000
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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV GP I, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

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(212) 403-1000
Telephone number

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV GP II, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV GP III, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV GP IV, L.L.C.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
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Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV I, L.P.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
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wdsavitt@wlrk.com
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Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV II, L.P.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV III, L.P.
Printed name of party waiving service of summons

William Savitt
Printed name

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

ELON MUSK
Plaintiff
v.
SAMUEL ALTMAN, et al.
Defendant

Civil Action No. 3:24-cv-04722-YGR

WAIVER OF THE SERVICE OF SUMMONS

To: Marc Toberoff, Toberoff & Associates, P.C.
(Name of the plaintiff's attorney or unrepresented plaintiff)

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 5, 2024, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/21/2024

Signature of the attorney or unrepresented party

OPENAI STARTUP FUND SPV IV, L.P.
Printed name of party waiving service of summons

William Savitt
Printed name

Wachtell, Lipton, Rosen & Katz
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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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