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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ELON MUSK, et al.,

Plaintiffs,

v.

SAMUEL ALTMAN, et al.,

Defendants.

Case No. 4:24-cv-04722-YGR

OPENAI DEFENDANTS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED

Pursuant to Civil Local Rule 7-11 and 79-5(f), the OpenAI Defendants hereby move to file under seal portions of the Joint Discovery Letter ("Letter") filed concurrently with this administrative motion and Exhibits 1.1 and 2 attached thereto.

The highlighted portions of the Letter, and Exhibits 1.1 and 2 thereto, reflect information that Plaintiff Elon Musk ("Plaintiff") has designated as "CONFIDENTIAL" pursuant to the Stipulated Protective Orders entered in this case (Dkts. 171, 270). Pursuant to Civ. L.R. 79-5(f)(3), Plaintiff bears the burden of establishing that his designated materials are sealable, so he must "file a statement and/or declaration as described in subsection (c)(1)" of Civil Local Rule 79-5 within seven days should he wish to keep any portion of the Letter or Exhibits 1.1 or 2 under seal. *Id.*

Accordingly, the OpenAI Defendants have provisionally filed under seal the documents listed below:

Document and/or Portion of Document	**Designating Party/Non-Party**
Oct. 6 Joint Discovery Letter, highlighted portions	Plaintiff
Exhibit 1.1	Plaintiff
Exhibit 2	Plaintiff

Date: October 6, 2025

MORRISON & FOERSTER LLP

/s/ Jordan Eth

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