VIA CM/ECF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELON MUSK et al.,

Plaintiffs,

vs.

SAMUEL ALTMAN et al.,

Defendants.

Case No. 24-cv-04722-YGR

RESPONSE TO THIRD-PARTY PROCEDURAL OBJECTION (Dkt. 302)

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Thomas S. Hixson

Date Action Filed: August 5, 2024
Trial Date: March 30, 2026

October 9, 2025

The Honorable Thomas S. Hixson
San Francisco Courthouse
Courtroom E, 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Dear Magistrate Judge Hixson:

We write in response to the Procedural Objection filed by counsel for third-party Ilya Sutskever earlier today. Dkt. 302. As we noted in our prior filing (Dkt. 301), Plaintiffs filed their discovery motion yesterday to comply with the seven-day deadline set forth in Civil Local Rule 37-3. Accordingly, Plaintiffs do not oppose Mr. Sutskever's proposal that Plaintiffs and Mr. Sutskever continue to meet and confer and that the Court set an October 16, 2025, deadline for Plaintiffs and Mr. Sutskever to file a joint supplemental statement reporting on the status of the dispute and, if necessary, setting out their respective positions.

Plaintiffs also write to clarify the circumstances of the filing of their motion. Plaintiffs began filing the motion before the midnight deadline but encountered unexpected technical issues. Plaintiffs ultimately filed the sealed version of the motion at 12:08 a.m. PT and the public version at 12:20 a.m. PT. Plaintiffs' counsel alerted Your Honor's courtroom deputy to the technical issues at 12:19 a.m. PT, copying Mr. Sutskever's counsel. Ex. 1.

/s/ Steven F. Molo
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