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(*additional counsel on signature page*)

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

DEFENDANT MICROSOFT CORPORATION'S TEMPORARY SEALING MOTION

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

Pursuant to Civil Local Rule 79-5 and the Court's Standing Order In Civil Cases ("Standing Order") Paragraph 12, Defendant Microsoft Corporation respectfully submits this Temporary Sealing Motion. Microsoft will seek to seal certain exhibits to the Declaration of Russell Cohen in Support of Microsoft's Motion for Summary Judgment and limited portions of its Motion for Summary Judgment and Statement of Material Facts, as identified in the chart below:

ECF No.	Document Description	Party Designating Confidential Information
Dkt 330-1	Microsoft's Motion for Summary Judgment (Redacted)	Microsoft
Dkt 330-2	Statement of Material Facts (Redacted)	Microsoft
Dkt 330-6	Exhibit 2 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-8	Exhibit 3 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-10	Exhibit 4 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-12	Exhibit 5 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-14	Exhibit 6 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-16	Exhibit 7 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-18	Exhibit 8 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-21	Exhibit 10 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-23	Exhibit 11 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Ilya Sutskever, OpenAI Defendants, Microsoft
Dkt 330-25	Exhibit 12 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants, Microsoft

Dkt 330-27	Exhibit 13 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants, Microsoft
Dkt 330-29	Exhibit 14 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-34	Exhibit 18 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-36	Exhibit 19 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	SpaceX
Dkt 330-38	Exhibit 20 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-40	Exhibit 21 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-42	Exhibit 22 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-45	Exhibit 24 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-47	Exhibit 25 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-49	Exhibit 26 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-51	Exhibit 27 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-54	Exhibit 29 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-56	Exhibit 30 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-58	Exhibit 31 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-60	Exhibit 32 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-62	Exhibit 33 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary	Microsoft

	Judgment (Sealed)	
Dkt 330-64	Exhibit 34 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-66	Exhibit 35 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Microsoft
Dkt 330-68	Exhibit 36 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-70	Exhibit 37 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff
Dkt 330-72	Exhibit 38 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	OpenAI Defendants
Dkt 330-75	Exhibit 40 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Helen Toner, OpenAI Defendants, Microsoft
Dkt 330-77	Exhibit 41 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Tasha McCauley, OpenAI Defendants, Microsoft
Dkt 330-81	Exhibit 44 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Samuel Teller, OpenAI Defendants, Microsoft
Dkt 330-83	Exhibit 45 to Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Plaintiff

In accordance with Standing Order Paragraph 12(c)(i), Microsoft will serve all documents to be sealed upon Plaintiffs, the OpenAI Defendants, and any designating third party whose confidential information is included. Pursuant to Standing Order Paragraph 12(b)(i)(1), the reasons for sealing will be addressed in a forthcoming omnibus motion to be filed after the conclusion of briefing on Microsoft's Motion for Summary Judgment.

DATED: October 17, 2025

Respectfully Submitted,

DECHERT LLP

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CERTIFICATE OF SERVICE

The undersigned, counsel of record for Microsoft Corporation, certifies that on October 17, 2025, a copy of the foregoing document(s) was electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel of record.

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