RUSSELL P. COHEN (SBN 213105)
Russ.cohen@dechert.com
HOWARD M. ULLMAN (SBN 206760)
Howard.ullman@dechert.com
DECHERT LLP
45 Fremont Street, 26th Floor
San Francisco, CA 94105
Telephone: (415) 262-4500
Facsimile: (415) 262-45555

NISHA PATEL (SBN 281628)
Nisha.patelgupta@dechert.com
DECHERT LLP
633 West 5th Street, Suite 4900
Los Angeles, CA 90071
Telephone: (213) 808-5700
Facsimile: (213) 808-5760

Attorneys for Defendant Microsoft Corporation

ANDREW J. LEVANDER (admitted *pro hac vice*)
Andrew.levander@dechert.com
DECHERT LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Telephone: (212) 698-3500
Facsimile: (212) 698-3599

JOHN (JAY) JURATA, JR. (admitted *pro hac vice*)
Jay.jurata@dechert.com
DECHERT LLP
1900 K Street, N.W.
Washington, DC 20006
Telephone: (202) 261-3300
Facsimile: (202) 261-3333

(*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

TEMPORARY SEALING MOTION RE: DEFENDANT MICROSOFT CORPORATION'S REPLY ISO MOTION FOR SUMMARY JUDGMENT

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 Supplemental Declaration of Russell Cohen in Support of Microsoft's Motion for Summary Judgment and limited portions of its Reply in Support of its Motion for Summary Judgment ("Reply ISO Motion for Summary Judgment") and Reply to Plaintiff's Responsive Statement of Undisputed Material Facts. The sealing status of items associated with Microsoft's Reply ISO Motion for Summary Judgment is identified in the chart below:

ECF No.	Document Description	Sealing Status	Party Designating Confidential Information
Dkt 358-1	Microsoft's Reply ISO Motion for Summary Judgment (Sealed)	Provisionally Under Seal	OpenAI
Dkt 358-2	Microsoft's Reply to Plaintiff's Responsive Statement of Undisputed Material Facts (Sealed)	Provisionally Under Seal	All Parties and Non-Parties Ilya Sutskever and Ermira Murati
Dkt 358-3	Microsoft's Reply to Plaintiff's Responsive Statement of Undisputed Material Facts (Redacted)	Provisionally Redacted / Public	All Parties and Non-Parties Ilya Sutskever and Ermira Murati
Dkt 358-4	Supplemental Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment	Public	N/A
Dkt 358-5	Exhibit 46 to Supplemental Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Provisionally Under Seal	Microsoft, OpenAI, Non-Party Ermira Murati
Dkt 358-6	Exhibit 47 to Supplemental Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment	Public	N/A
Dkt 358-7	Exhibit 48 to Supplemental Declaration of Russell Cohen ISO Microsoft's Motion for Summary Judgment (Sealed)	Provisionally Under Seal	Microsoft, OpenAI

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: November 21, 2025

Respectfully Submitted,

DECHERT LLP

By: */s/ Russell P. Cohen*

Russell P. Cohen (SBN 213105)
Russ.cohen@dechert.com
Howard M. Ullman (SBN 206760)
Howard.ullman@dechert.com
45 Fremont Street, 26th Floor
San Francisco, CA 94105
Telephone: (415) 262-4500
Facsimile: (415) 262-45555

Nisha Patel (SBN 281628)
Nisha.patelgupta@dechert.com
DECHERT LLP
633 West 5th Street, Suite 4900
Los Angeles, CA 90071
Telephone: (213) 808-5700
Facsimile: (213) 808-5760

Andrew J. Levander (admitted *pro hac vice*)
Andrew.levander@dechert.com
DECHERT LLP
Three Bryant Park
1095 Avenue of the Americas
New York, NY 10036
Telephone: (212) 698-3500
Facsimile: (212) 698-3599

John (Jay) Jurata, Jr. (admitted *pro hac vice*)
Jay.jurata@dechert.com
DECHERT LLP
1900 K Street, N.W.
Washington, DC 20006
Telephone: (202) 261-3300
Facsimile: (202) 261-3333

Elisa Beneze (admitted *pro hac vice*)
Elisa.beneze@dechert.com
DECHERT LLP
2929 Arch Street

Philadelphia, PA 19104
Telephone: (215) 994-2315

Attorneys for Defendant Microsoft Corporation

CERTIFICATE OF SERVICE

The undersigned, counsel of record for Microsoft Corporation, certifies that on November 21, 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.

/s/ Russell P. Cohen
Russell P. Cohen (SBN 213105)
DECHERT LLP
45 Fremont Street, 26th Floor
San Francisco, CA 94105
Tel.: (415) 262-4500
Fax: (415) 262-45555
Russell.Cohen@dechert.com

Attorney for Defendant Microsoft Corporation