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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

JOINT STATEMENT CONFIRMING COMPLIANCE WITH PRETRIAL ORDER

Date: March 13, 2026
Time: 9:00 AM
Courtroom: 1 – 4th Floor
Judge: Hon. Yvonne Gonzalez Rogers

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Attorneys for Defendant Microsoft Corporation

Pursuant to Section 2 of the Court's Standing Order re: Pretrial Instructions in Civil Cases ("Standing Order") and Scheduling Order (Dkt. 278), Plaintiff Elon Musk; Defendants Samuel Altman, Gregory Brockman, OpenAI, Inc., OpenAI L.P., OpenAI, L.L.C., OpenAI GP, L.L.C., OpenAI OpCo, LLC, OpenAI Global, LLC, OAI Corporation, LLC, OpenAI Holdings, LLC, OpenAI Startup Fund Management, LLC, OpenAI Startup Fund GP I, L.L.C., OpenAI Startup Fund I, L.P., OpenAI Startup Fund SPV GP I, L.L.C., OpenAI Startup Fund SPV GP II, L.L.C., OpenAI Startup Fund SPV GP III, L.L.C., OpenAI Startup Fund SPV GP IV, L.L.C., OpenAI Startup Fund SPV I, L.P., OpenAI Startup Fund SPV II, L.P., OpenAI Startup Fund SPV III, L.P., OpenAI Startup Fund SPV IV, L.P., Aestas Management Company, LLC, and Aestas LLC (collectively, the "OpenAI Defendants"); and Defendant Microsoft Corporation (together with Plaintiff Elon Musk and the OpenAI Defendants, the "Parties") hereby confirm that they have met and conferred in a timely manner on January 20, January 26, February 5, February 6, and February 12, 2026. The Parties have read the Court's Standing Order, are in compliance with it, and do not have any questions or disputes concerning the Court's Standing Order that require the Court's attention at this time. The Parties submit that there is good cause to vacate the Compliance Hearing currently set for February 20, 2026. Dkt. 278.

Dated: February 13, 2026

MOLOLAMKEN LLP

By: */s/ Robert K. Kry*
Robert K. Kry (*pro hac vice*)

Attorneys for Plaintiffs Elon Musk and X.AI Corp.

Dated: February 13, 2026

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Dated: February 13, 2026

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By: */s/ Russell P. Cohen*
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Attorneys for Defendant Microsoft Corporation

SIGNATURE ATTESTATION

Pursuant to Civil L.R. 5-1, I hereby attest that the signatories listed above, on whose behalf this Joint Compliance Statement is submitted, concur in the filing's content and have authorized the filing.

Dated: February 13, 2026

/s/ Robert K. Kry
Robert K. Kry (*pro hac vice*)