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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 their Opposition to Plaintiff's Motion *in Limine* No. 4 filed concurrently with this administrative motion.

Plaintiff moved to file much of his Motion *in Limine* No. 4 under seal (Dkt. 405). The OpenAI Defendants do not believe that any of the information in Plaintiff's Motion *in Limine* No. 4 is sealable under the applicable standards. However, because the OpenAI Defendants' Opposition to Plaintiff's Motion *in Limine* No. 4 and Exhibits B and C thereto reflect information that Plaintiff has moved to seal, the OpenAI Defendants are filing these documents under seal in an abundance of caution. Pursuant to Civ. L.R. 79-5(f)(3), Plaintiff bears the burden of establishing that his 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 Opposition under seal. *Id.*

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

Document and/or Portion of Document	**Designating Party**
Defendants' Opposition to Plaintiff's Motion *in Limine* No. 4	Plaintiff
Exhibit B to the Declaration of David J. Wiener in Support of Defendants' Opposition to Plaintiff's Motion *in Limine* No. 4	Plaintiff
Exhibit C to the Declaration of David J. Wiener in Support of Defendants' Opposition to Plaintiff's Motion *in Limine* No. 4	Plaintiff

Date: February 25, 2026

MORRISON & FOERSTER LLP

/s/ Jordan Eth

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