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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

COMPETING VERDICT FORMS

Judge: Hon. Yvonne Gonzalez Rogers

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Pursuant to the Court's Standing Order re: Pretrial Instructions in Civil Cases (last updated March 17, 2025), and in advance of the Pretrial Conference set for March 13, 2026, Plaintiff Elon Musk and 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 Microsoft Corporation ("Microsoft," together with the OpenAI Defendants, "Defendants," and collectively with Plaintiff, the "Parties") hereby submit their proposed verdict forms for the trial set to begin on April 27, 2026. The Parties met and conferred but were unable to reach agreement on a verdict form. Plaintiff's proposed verdict form is attached as Exhibit A, and Defendants' proposed verdict form is attached as Exhibit B.

DATED: February 26, 2026

WACHTELL, LIPTON, ROSEN & KATZ

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Attorneys for Defendant Microsoft Corporation

DATED: February 26, 2026

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ECF ATTESTATION

I, William Frentzen, am the ECF User whose ID and password are being used to file these COMPETING VERDICT FORMS. In accordance with Civil Local Rule 5-1, concurrence in the filing of this document has been obtained from each of the other signatories, and I shall maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

Date: February 26, 2026

/s/ William Frentzen
William Frentzen