United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ELON MUSK, ET AL.,

Plaintiffs,

v.

SAMUEL ALTMAN, ET AL.,

Defendants.

Case No. 4:24-cv-04722-YGR

ORDER DENYING EMERGENCY MOTION TO INTERVENE

Re: Dkt. No. 457

Movant Monica Veleber (Sarah Merkavah) filed an emergency motion to intervene in this action on the grounds that movant "is the Architect of the GPT-4.0,4.5, and 4.5 turbo fragments" and that defendant Sam Altman "fragmented and moved these assets without" movant's consent. (Dkt. No. 457.) OpenAI defendants oppose on the grounds that movant has not satisfied any requirement for intervention under Federal Rule of Civil Procedure 24. Movant did not file a reply by the deadline.[1]

The Court finds that movant is not entitled to intervention either permissively or as of right. Permissive intervention is not warranted because the motion does not establish that movant "is given a conditional right to intervene by a federal statute" or "has a claim or defense that shares with the main action a common question of law or fact." Fed. R. Civ. P. 24(b)(1). Accordingly, as no factor supports permissive intervention, no further analysis need be conducted.

Movant is not entitled to intervention as a matter of right because the motion does not establish that movant "is given an unconditional right to intervene by a federal statute" or "is so

[1] After the opposition was filed, movant filed and then subsequently withdrew a notice of architect presence and declaration of intent to speak. Dkt. Nos. 469, 482.

situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest." *Id.* R. 24(a).

Lastly, the motion is not "accompanied by a pleading that sets out the claim or defense for which intervention is sought." *Id.* R. 24(c).

Accordingly, the emergency motion to intervene is **DENIED**.

This Order terminates Dkt. No. 457.

IT IS SO ORDERED.

Date: April 24, 2026

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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