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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 STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE FOR PLAINTIFFS' REMAINING CLAIMS

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Plaintiffs Elon Musk and X.AI Corp. ("Plaintiffs"), 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 (the "OpenAI Defendants"), and Defendant Microsoft Corporation ("Microsoft," and collectively with Plaintiffs and the OpenAI Defendants, the "Parties"), hereby stipulate as follows:

WHEREAS, on June 10, 2026, the Court entered its Order for Joint Briefing Schedule Re: Remaining Claims (Dkt. 602), directing the Parties to meet and confer regarding a briefing schedule for Plaintiffs' remaining claims and to submit the proposed schedule within fourteen days;

WHEREAS, the Parties have met and conferred and agreed upon the following schedule;

NOW, THEREFORE, subject to the Court's approval, the Parties stipulate and agree that:

1. The OpenAI Defendants and Microsoft shall each file a supplemental opening brief addressing Plaintiffs' remaining claims by August 10, 2026.
2. Plaintiffs shall file supplemental opposition briefs, or a combined brief, responding to each supplemental opening brief by September 24, 2026.
3. The OpenAI Defendants and Microsoft shall each file a supplemental reply brief by October 26, 2026.

Dated: June 24, 2026

WACHTELL, LIPTON, ROSEN & KATZ

By: */s/ William Savitt*
William Savitt (*pro hac vice*)

MORRISON & FOERSTER LLP

By: */s/ Jordan Eth*
Jordan Eth (CA SBN 121617)

Attorneys for the OpenAI Defendants

Dated: June 24, 2026

DECHERT LLP

By: */s/ Russell P. Cohen*
Russell P. Cohen (CA SBN 213105)

Attorneys for Defendant Microsoft Corporation

Dated: June 24, 2026

MOLOLAMKEN LLP

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

Attorneys for Plaintiffs Elon Musk and X.AI Corp.

SIGNATURE ATTESTATION

I hereby attest that the signatories listed above, on whose behalf this stipulation is submitted, concur in the filing's content and have authorized the filing.

Dated: June 24, 2026

/s/ Jordan Eth
Jordan Eth

[PROPOSED] ORDER

GOOD CAUSE APPEARING, the Court hereby approves the foregoing stipulation and ORDERS that:

1. The OpenAI Defendants and Microsoft shall each file a supplemental opening brief concerning Plaintiffs' remaining claims by August 10, 2026.
2. Plaintiffs shall file supplemental opposition briefs, or a combined brief, responding to each supplemental opening brief by September 24, 2026.
3. The OpenAI Defendants and Microsoft shall each file a supplemental reply brief by October 26, 2026.

Dated: _____

_____
The Hon. Yvonne Gonzalez Rogers