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Counsel for Plaintiffs and the Proposed Classes

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARILYN COUSART; NICHOLAS GUILAK;
PAUL MARTIN; BREONNA ROBERTS;
CAROLINA BARCOS; JAIR PAZ; ALESSANDRO
DE LA TORRE; VLADISLAV VASSILEV; SEAN
ALEXANDER JOHNSON; JENISE MCNEAL; N.B,
a minor; LORENA MARTINEZ; JOHN HAGAN,
individually, and on behalf of all others similarly
situated,

Plaintiffs,

vs.

OPENAI LP; OPENAI INCORPORATED;
OPENAI GP, LLC; OPENAI STARTUP FUND I,
LP; OPENAI STARTUP FUND GP I, LLC;
OPENAI STARTUP FUND MANAGEMENT LLC;
MICROSOFT CORPORATION and DOES 1
through 20, inclusive,

Defendants.

Case No. 3:23-cv-04557-VC

**PLAINTIFFS' NOTICE OF
INTENT NOT TO AMEND FIRST
AMENDED COMPLAINT**

Hon. Vince Chhabria

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs Marilyn Cousart; Nicholas Guilak, Paul Martin, Breonna Roberts, Carolina Barcos, Jair Paz, Alessandro De La Torre, Vladisslav Vassilev, Sean Alexander Johnson, Jenise Mcneal, N.B, a minor, Lorena Martinez, and John Hagan (“**Plaintiffs**”) do not intend to amend their complaint in this action (“**Notice**”).

On May 24, 2024, the Court entered an Order (ECF No. 78) granting Defendants’ OpenAI LP, OpenAI Incorporated, OpenAI GP, LLC, OpenAI Startup Fund I, LP, OpenAI Startup Fund GP I, LLC, OpenAI Startup Fund Management LLC, and Microsoft Corporation (“**Defendants**”) Motions to Dismiss (ECF Nos. 50 and 53). In the Order, the Court provided Plaintiffs with leave to amend their complaint no later than June 14, 2024.

Plaintiffs submit this Notice of their intent not to file a second amended complaint, and respectfully request the Court to close this matter.

DATED: June 14, 2024

CLARKSON LAW FIRM, P.C.

/s/ Yana Hart

Yana Hart, Esq.

Counsel for Plaintiffs