UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: OpenAI, Inc. Copyright Infringement Litigation This Document Relates To: No. 1:23-cv-11195 No. 1:24-cv-03285 No. 1:24-cv-04872	Case No. 1:25-md-3143 (SHS) (OTW) ORAL ARGUMENT REQUESTED

DEFENDANT MICROSOFT CORPORATION'S
NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT
IN NEWS PLAINTIFFS' CONSOLIDATED CASES

PLEASE TAKE NOTICE that upon (1) Defendant Microsoft Corporation's Memorandum of Law In Support Of Its Motion For Summary Judgment In News Plaintiffs' Consolidated Cases, (2) Defendant Microsoft Corporation's Rule 56.1 Statement Of Undisputed Material Facts In Support of Microsoft's Motion for Summary Judgment In News Plaintiffs' Consolidated Cases, (3) the Declaration of Annette L. Hurst In Support of Microsoft's Motions for Summary Judgment and the exhibits attached thereto, (4) the Declaration of John D. Lafferty, Ph.D. in Support of Microsoft's Motions for Summary Judgment, (5) the Declaration of Catherine Tucker, Ph.D. in Support of Motion for Summary Judgment in News Plaintiffs' Consolidated Cases, (6) the Declaration of Christopher A. Bail, Ph.D. in Support of Microsoft's Motions for Summary Judgment, (7) the Declaration of On Amir, Ph.D. in Support of Microsoft's Motions for Summary Judgment, (8) the Declaration of Padma Gaggara in Support of Microsoft Corporation's Motion for Summary Judgment, (9) the Declaration of Jordan Usdan in Support of Microsoft Corporation's Motion for Summary Judgment, (10) the

Declaration of Sarah Bird in Support of Microsoft Corporation's Motion for Summary Judgment, (11) the Declaration of Elbio Abib in Support of Microsoft Corporation's Motion for Summary Judgment, (12) the Declaration of Fabrice Canel in Support of Microsoft Corporation's Motion for Summary Judgment, and (13) the Declaration of Kate Cook in Support of Microsoft Corporation's Motion for Summary Judgment, the undersigned will, and hereby does, move this Court on behalf of Microsoft, before the Honorable Sydney H. Stein in Courtroom 23A of the United States District Court for the Southern District of New York, Daniel Patrick Moyniham Courthouse, 500 Pearl Street, New York, New York, 10007, on a date and at a time to be set by the Court, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Civil Rules 7.1 and 56.1 granting summary judgment in favor of Microsoft and against News Plaintiffs on all claims asserted against Microsoft in Dkt. 1677 (No. 1:25-md-03143), The New York Times Company's Third Amended Complaint, and Dkt. 777 (No. 1:24-cv-3285), the Daily News Plaintiffs' First Amended Complaint, and to grant such other relief as the Court deems just and proper.

Dated: September 4, 2026

Respectfully submitted,

/s/ Annette L. Hurst

ORRICK, HERRINGTON & SUTCLIFFE LLP
Annette L. Hurst (admitted pro hac vice)
Daniel Justice (admitted pro hac vice)
Robert Scott Shwarts
Catherine Lui (admitted pro hac vice)
Amanda H. Schwartz (admitted pro hac vice)
Ana Mendez-Villamil (admitted pro-hac vice)
The Orrick Building
405 Howard Street
San Francisco, CA 94105-2669
Telephone: (415) 773-5700
Facsimile: (415) 773-5759
ahurst@orrick.com
djustice@orrick.com
aschwartz@orrick.com
amendez-villamil@orrick.com

Christopher J. Cariello
Lisa T. Simpson
Marc Shapiro
Vanessa Sorrentino
Hilda Obeng
51 West 52nd Street
New York, NY 10019
Telephone: (212) 506-3778
Facsimile: (212) 506-5151
ccariello@orrick.com
lsimpson@orrick.com
mrshapiro@orrick.com
vsorrentino@orrick.com
hobeng@orrick.com

Sheryl Koval Garko (admitted pro hac vice)
Laura Brooks Najemy (admitted pro hac vice)
222 Berkley Street
Boston, MA 02116
Telephone: (617) 880-1800
Facsimile: (617) 880-1801
sgarko@orrick.com
lnajemy@orrick.com

Isaac Sawlih Behnawa (admitted pro hac vice)
Johnathan Vaknin (admitted pro hac vice)
355 S. Grand Ave. Suite 2700
Los Angeles, CA 90071
Telephone: (213) 612-2179
Facsimile: (213) 612-2499
ibehnawa@orrick.com
jvaknin@orrick.com

Monica Svetoslavov (admitted pro hac vice)
Louis Andrew Schreiber
2100 Pennsylvania Avenue NW
Washington, DC 20037
Telephone: (202) 339-8400
Facsimile: (202) 339-8500
msvetoslavov@orrick.com
aschreiber@orrick.com

FAEGRE DRINKER BIDDLE & REATH LLP
Jeffrey S. Jacobson
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 248-3191
jeffrey.jacobson@faegredrinker.com

Jared B. Briant (admitted pro hac vice)
Kirstin L. Stoll-DeBell (admitted pro hac vice)
Timothy Scull (admitted pro hac vice)
Shelby Pickar-Dennis (admitted pro hac vice)
1144 15th Street, Suite 3400
Denver, Colorado 80202
Telephone: (303) 607-3588
jared.briant@faegredrinker.com
kirstin.stolldebell@faegredrinker.com
timothy.scull@faegredrinker.com
shelby.pickar-dennis@faegredrinker.com

Lora A. Brzezynski (admitted pro hac vice)
Brianna Lynn Silverstein (admitted pro hac vice)
Faith Maggard (admitted pro hac vice)
1500 K Street NW, Suite 1100
Washington, DC 20005
Telephone: (202) 230-5000
Facsimile: (202) 842-8465
lora.brzezynski@faegredrinker.com

brianna.silverstein@faegredrinker.com
faith.maggard@faegredrinker.com

Carrie A. Beyer (admitted pro hac vice)
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Facsimile: (312) 569-3000
carrie.beyer@faegredrinker.com

Elizabeth M.C. Scheibel (admitted pro hac vice)
2200 Wells Fargo Center, 90 S. 7th Street
Minneapolis, MN 55402
Telephone: (612) 766-7000
Facsimile: (612) 766-1600
elizabeth.scheibel@faegredrinker.com

Andrew Lawrence Van Houter
600 Campus Drive
Florham Park, NJ 07932
Telephone: (973) 549-7018
Facsimile: (973) 360-9831
Andrew.vanhouter@faegredrinker.com

Attorneys for Defendant Microsoft Corporation