

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE INTERCEPT MEDIA, INC.,

Plaintiff,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI,  
LLC, OPENAI OPCO LLC, OPENAI GLOBAL  
LLC, OAI CORPORATION, LLC, OPENAI  
HOLDINGS, LLC, and MICROSOFT  
CORPORATION,

Defendants.

Case No. 1:24-cv-01515-JSR

**NOTICE OF MOTION AND  
MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of Defendant Microsoft Corporation, before the Honorable Jed S. Rakoff in Courtroom 14B of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) for an order dismissing the Complaint.

In accordance with the schedule set by the Court on April 4, 2024, Microsoft's memorandum of law in support of its motion will be filed and served by April 15, 2024; The Intercept's memorandum of law in opposition to the motion will be filed and served by May 6, 2024; and Microsoft's reply in support of the motion will be filed and served by May 16, 2024. Oral argument is set for May 24, 2024, at 10 a.m.

Dated: April 15, 2024

San Francisco, California

Respectfully submitted,

By: s/ Annette L. Hurst

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