

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

DAILY NEWS, LP; CHICAGO TRIBUNE COMPANY, LLC; ORLANDO SENTINEL COMMUNICATIONS COMPANY, LLC; SUN-SENTINEL COMPANY, LLC; SAN JOSE MERCURY-NEWS, LLC; DP MEDIA NETWORK, LLC; ORB PUBLISHING, LLC; and NORTHWEST PUBLICATIONS, LLC,

Plaintiffs,

v.

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

Defendants.

Case No. 1:24-cv-03285-SHS

**NOTICE OF MOTION AND
MOTION TO DISMISS**

ORAL ARGUMENT REQUESTED

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 Sidney H. Stein in Courtroom 23A 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, for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing Counts IV, V, VI, and VIII for failure to state a claim upon which relief can be granted.

Dated: New York, New York
June 11, 2024

Respectfully submitted,

By: /s/ Annette L. Hurst

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