

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

THE CENTER FOR INVESTIGATIVE
REPORTING, INC.,

Plaintiff,

v.

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

Defendants.

Case No. 1:24-cv-04872-SHS-OTW

**NOTICE OF MOTION AND
MOTION TO DISMISS FIRST
AMENDED COMPLAINT**

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 Rules of Civil Procedure 12(b)(1) and 12(b)(6) dismissing Counts III, VI, and VII of Plaintiff's First Amended Complaint.

Dated: San Francisco, California
October 15, 2024

Respectfully submitted,

By: /s/ Annette L. Hurst

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