

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

ZIFF DAVIS, INC., ZIFF DAVIS, LLC, IGN
ENTERTAINMENT, INC., EVERYDAY
HEALTH MEDIA, LLC, MASHABLE, INC.,
and CNET MEDIA, INC.,

Plaintiffs,

v.

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

Defendants.

No. 25-cv-04315-SHS-OTW

**NOTICE OF MOTION AND
MOTION FOR LEAVE TO FILE
SECOND AMENDED
COMPLAINT**

Please take notice that upon the accompanying Memorandum of Law and Declaration of Lacy H. Koonce, III (the “Declaration”), the undersigned hereby moves this Court on behalf of Plaintiffs Ziff Davis, Inc., Ziff Davis, LLC, IGN Entertainment, Inc., Everyday Health Media, LLC, Mashable, Inc., and CNET Media, Inc. (together, “Ziff Davis” or “Plaintiffs”), 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 15(a)(2) granting Ziff Davis leave to file a Second Amended Complaint (“SAC”). In accordance with Local Civil Rule 15.1(a), a clean copy of Ziff Davis’s proposed SAC (“PSAC”) is attached to the Declaration as Exhibit A, and a redline comparing the proposed SAC to Ziff Davis’s First Amended Complaint is attached as Exhibit B.

DATED: November 17, 2025

Respectfully submitted,

/s/ Lacy H. Koonce, III

Lacy H. (“Lance”) Koonce, III
Matthew A. Leish
Gili Karev
Mariella Salazar
Clara Cassan
KLARIS LAW PLLC
161 Water Street
New York, NY 10038
Telephone: (646) 779-4882
lance.koonce@klarislaw.com
matthew.leish@klarislaw.com
gili.karev@klarislaw.com
mariella.salazar@klarislaw.com
clara.cassan@klarislaw.com

Guy Ruttenberg
Ruttenberg IP Law, A Professional
Corporation
1801 Century Park East
Suite 1920
Los Angeles, CA 90067
Telephone: (310) 627-2270
ZD-AICopyright@ruttenbergiplaw.com

***Attorneys for Plaintiffs Ziff Davis,
Inc., Ziff Davis, LLC, IGN
Entertainment, Inc., Everyday Health
Media, LLC, Mashable, Inc., and
CNET Media, Inc.***

To:

LATHAM & WATKINS LLP

Andrew M. Gass (pro hac vice)
andrew.gass@lw.com
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: 415.391.0600

Sarang V. Damle
sy.damle@lw.com
Elana Nightingale Dawson (pro hac vice)
elana.nightingaledawson@lw.com
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004
Telephone: 202.637.2200

Rachel R. Blitzer
rachel.blitzer@lw.com
Herman H. Yue
herman.yue@lw.com
Luke A. Budiardjo
luke.budiardjo@lw.com
1271 Avenue of the Americas
New York, NY 10020
Telephone: 212.906.1200

Allison S. Blanco (pro hac vice)
allison.blanco@lw.com
650 Town Center Drive 20th Floor
Costa Mesa, CA 92626
Telephone: 714.540.1235
Attorneys for OpenAI

MORRISON & FOERSTER LLP

Joseph C. Gratz (pro hac vice)*
jgratz@mofo.com
425 Market Street
San Francisco, CA 94105
Telephone: 415.268.7000

Rose S. Lee (pro hac vice)
roselee@mofo.com
707 Wilshire Boulevard, Suite 6000
Los Angeles, CA 90017
Telephone: 213.892.5200

Carolyn M. Homer (pro hac vice)
cmhomer@mofo.com
2100 L Street, NW, Suite 900
Washington, DC 20037
Telephone: 202.650.4597

Jocelyn E. Greer
jgreer@mofo.com
Emily C. Wood
ewood@mofo.com
Eric K. Nikolaidis
enikolaidis@mofo.com
250 West 55th Street
New York, NY 10019
Telephone: 212.468.8000

KEKER, VAN NEST & PETERS LLP

Robert A. Van Nest (pro hac vice)
rvannest@keker.com
Paven Malhotra
pmalhotra@keker.com
Michelle S. Ybarra (pro hac vice)
mybarra@keker.com
Nicholas S. Goldberg (pro hac vice)
ngoldberg@keker.com
Thomas E. Gorman (pro hac vice)
tgorman@keker.com
Katie Lynn Joyce (pro hac vice)
kjoyce@keker.com
Sarah Salomon (pro hac vice)
ssalomon@keker.com
R. James Slaughter (pro hac vice)*
rslaughter@keker.com
Christopher S. Sun (pro hac vice)
csun@keker.com
Andrew F. Dawson (pro hac vice)
adawson@keker.com
Andrew S. Bruns (pro hac vice)
abrun@keker.com
Edward A. Bayley (pro hac vice)
ebayley@keker.com
Ryan K. Wong (pro hac vice)
rwong@keker.com
Spencer McManus (pro hac vice pending)
smcmanus@keker.com
Olivia C. Malone (pro hac vice pending)

omalone@keker.com

Bilal A. Malik (pro hac vice pending)

bmalik@keker.com

633 Battery St.

San Francisco, CA 94111

Telephone: 415.391.5400

*Attorneys for Defendants OpenAI, Inc.,
OpenAI LP, Openai GP, LLC, OpenAI, LLC,
OpenAI Opco LLC, OpenAI Global LLC,
OpenAI Corporation, LLC, and OpenAI Holdings, LLC*