

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID MILLETTE, et al.,
Plaintiffs,
v.
OPENAI, INC., et al.,
Defendants.

Case No. [5:24-cv-04710-EJD](#)


**ORDER GRANTING MOTION TO
DISMISS**

Re: ECF No. 55

After Plaintiffs David Millette and Ruslana Petryazhna filed their First Amended Complaint, ECF No. 47, Defendants OpenAI, Inc. and OpenAI OpCo, L.L.C. moved to dismiss their state-law claims (Counts I–III). ECF No. 55. Plaintiffs indicated that they do not oppose dismissal of their state-law claims. ECF No. 63. Therefore, the Court **GRANTS** the motion to dismiss and dismisses Counts I–III with prejudice. This case shall proceed on Count IV (direct copyright infringement).

IT IS SO ORDERED.

Dated: March 24, 2025


EDWARD J. DAVILA
United States District Judge