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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

Apple Inc.,

Plaintiff,

v.

CHANG LIU, TANG YEW TAN, OPENAI
 FOUNDATION f/k/a OPENAI, INC.,
 OPENAI GROUP PBC, and IO PRODUCTS,
 LLC, f/k/a IO PRODUCTS, INC.,

Defendants.

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Case No. 5:26-cv-07078-EJD

**Plaintiff Apple Inc.'s Response to
 Defendant's Supplement to October 1,
 2026 Joint Case Management Statement**

Trial Date: None Set

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2 Apple makes this filing in response to Docket No. 176, which Defendants (“OpenAI”) filed
3 without any notice to Apple, and which is unrelated to the claims in this case. Specifically, on
4 Friday October 9, 2026, at 2pm, OpenAI notified Apple that it had reason to believe an employee
5 who had left Apple for OpenAI and subsequently decided to return to Apple had retained
6 confidential information upon his departure from OpenAI. (Exhibit 1). Apple took this allegation
7 seriously and that same afternoon, Apple responded and began an investigation. On Monday,
8 October 12, 2026, Apple wrote OpenAI to inform it that it had been unable to locate any OpenAI
9 confidential information. (Exhibit 2) Apple requested more specific information so that it could
10 perform alternative searches. OpenAI did not respond, and instead filed Docket No. 176 with the
11 Court. Apple will continue to work with Open AI to investigate its allegations.

12 None of this relates to the present lawsuit, however, which concerns OpenAI’s misuse of
13 Apple’s confidential information.
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2 Dated: October 14, 2026

Respectfully submitted,

3 WEIL, GOTSHAL & MANGES LLP

4 /s/ Gabriel S. Gross

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