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UNITED STATES DISTRICT COURT
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.

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

JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER FOR DOCUMENT PRESERVATION AND FORENSIC INSPECTION

Plaintiff Apple Inc. ("Apple") and Defendants Chang Liu ("Liu"), Tang Tan ("Tan"), and OpenAI, Inc., OpenAI Group PBC, and io Products, Inc. (collectively, "OpenAI") (Liu, Tan, and OpenAI together, "Defendants") hereby stipulate as follows:

STIPULATION

WHEREAS, Apple commenced this action against Defendants on July 10, 2026;

WHEREAS, Apple filed its Motion for Preliminary Injunction on August 3, 2026 (Dkt. 38);

NOW, THEREFORE, in resolution of Apple's Motion for Preliminary Injunction, the parties hereby stipulate and agree, and respectfully request the Court to order, the following:

1. Defendants shall not access, acquire, use, or disclose Apple confidential or trade secret information in any manner, including in commercial activities;

2. Defendants shall not solicit or otherwise encourage the unauthorized acquisition, use, or disclosure of Apple confidential or trade secret information;

3. Defendants shall not destroy, delete, or conceal evidence that is relevant to claims or defenses in this action, including electronically stored information and any work or personal devices or accounts used to access, acquire, use, review, disclose, solicit, or communicate about any Apple confidential or trade secret information;

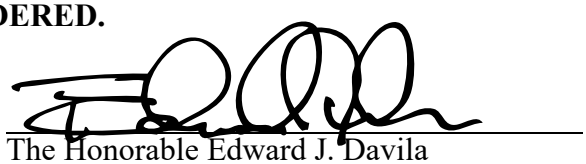
4. Defendants shall collect, prepare full forensic images of, and submit to forensic inspection (by Apple's forensic expert under the forensic protocol outlined at Dkt. 161 at 3) all devices and other repositories, e.g., cloud-based storage repositories, email mailboxes, messaging/collaboration platforms (e.g. Slack, Teams, or the equivalent), and any additional electronic applications, accounts, or repositories, of Defendants' employees in Defendants' possession, custody, or control that Defendants are aware or become aware contain, or previously contained, any Apple confidential or trade secret information. Defendants shall submit such images within 14 days of the date of this Order or within 14 days of becoming aware of such Apple confidential or trade secret information, whichever is later. Images for repositories (as opposed to devices) shall be limited to the communications or documents that contain the Apple confidential or trade secret information.

5. Before Apple's forensic expert provides any documents from forensic images to Apple's counsel pursuant to Paragraph 4, Defendants shall have 72 hours or two business days, whichever is greater, to review those documents for potential privilege, privacy, or Defendant-trade-secret information. If Defendants raise any such objections to Apple's counsel receiving the documents, the parties shall meet and confer in good faith to resolve any objections within two business days of Defendants raising such objections. If the parties are unable to resolve any objections, Defendants shall raise any disputes for Court resolution within three business days of meeting and conferring with Apple, or Defendants' objections to Apple receiving such information shall be deemed waived; and

6. Apple's Motion for Preliminary Injunction (Dkt. 38) shall be deemed moot.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 16, 2026



The Honorable Edward J. Davila
United States District Judge

Dated: October 15, 2026

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