OpenAI agrees not to use Apple secrets and to hand over devices for inspection

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1 Plaintiff Apple Inc. (“Apple”) and Defendants Chang Liu (“Liu”), Tang Tan (“Tan”), and 2 OpenAI, Inc., OpenAI Group PBC, and io Products, Inc. (collectively, “OpenAI”) (Liu, Tan, and 3 OpenAI together, “Defendants”) hereby stipulate as follows: 4 STIPULATION 5 WHEREAS, Apple commenced this action against Defendants on July 10, 2026; 6 WHEREAS, Apple filed its Motion for Preliminary Injunction on August 3, 2026 (Dkt. 38); 7 NOW, THEREFORE, in resolution of Apple’s Motion for Preliminary Injunction, the parties 8 hereby stipulate and agree, and respectfully request the Court to order, the following: 9 1. Defendants shall not access, acquire, use, or disclose Apple confidential or trade 10 secret information in any manner, including in commercial activities; 11 2. Defendants shall not solicit or otherwise encourage the unauthorized 12 acquisition, use, or disclosure of Apple confidential or trade secret information; 13 3. Defendants shall not destroy, delete, or conceal evidence that is relevant to 14 claims or defenses in this action, including electronically stored information and any work or 15 personal devices or accounts used to access, acquire, use, review, disclose, solicit, or 16 communicate about any Apple confidential or trade secret information; 17 4. Defendants shall collect, prepare full forensic images of, and submit to forensic 18 inspection (by Apple’s forensic expert under the forensic protocol outlined at Dkt. 161 at 3) all 19 devices and other repositories, e.g., cloud-based storage repositories, email mailboxes, 20 messaging/ collaboration platforms (e.g. Slack, Teams, or the equivalent), and any additional 21 electronic applications, accounts, or repositories, of Defendants’ employees in Defendants’ 22 possession, custody, or control that Defendants are aware or become aware contain, or 23 previously contained, any Apple confidential or trade secret information. Defendants shall 24 submit such images within 14 days of the date of this Order or within 14 days of becoming 25 aware of such Apple confidential or trade secret information, whichever is later. Images for

26 repositories (as opposed to devices) shall be limited to the communications or documents that 27 contain the Apple confidential or trade secret information. 28 JOINT STIPULATION AND [PROPOSED] ORDER FOR Case No. 5:26-cv-07078-EJD DOCUMENT PRESERVATION AND FORENSIC INSPECTION Case 5:26-cv-07078-EJD Document 188 Filed 10/16/26 Page 3 of 5

1 5. Before Apple's forensic expert provides any documents from forensic images 2 to Apple's counsel pursuant to Paragraph 4, Defendants shall have 72 hours or two business 3 days, whichever is greater, to review those documents for potential privilege, privacy, or 4 Defendant-trade-secret information. If Defendants raise any such objections to Apple's 5 counsel receiving the documents, the parties shall meet and confer in good faith to resolve any 6 objections within two business days of Defendants raising such objections. If the parties are 7 unable to resolve any objections, Defendants shall raise any disputes for Court resolution 8 within three business days of meeting and conferring with Apple, or Defendants' objections to 9 Apple receiving such information shall be deemed waived; and 10 6. Apple's Motion for Preliminary Injunction (Dkt. 38) shall be deemed moot. 11

12 PURSUANT TO STIPULATION, IT IS SO ORDERED. 13 Dated: October 16, 2026 14 The Honorable Edward J. Davila United States District Judge 15

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28 JOINT STIPULATION AND [PROPOSED] ORDER FOR Case No. 5:26-cv-07078-EJD DOCUMENT PRESERVATION AND FORENSIC INSPECTION Case 5:26-cv-07078-EJD Document 188 Filed 10/16/26 Page 4 of 5

1 Dated: October 15, 2026 Respectfully submitted, 2 /s/ Karim Z. Oussayef /s/ Andrew H. Schapiro Gabriel S. Gross (SBN 254672) Andrew H. Schapiro (pro hac vice) 3 Gaby LaHatte (SBN 321844) QUINN EMANUEL URQUHART & Vanessa K. Sim (SBN 341107) SULLIVAN, LLP 4 191 N. Wacker Drive, Suite 2700 WEIL, GOTSHAL & MANGES LLP Chicago, IL 60606 5 201 Redwood Shores Parkway (312) 705-7400 Redwood Shores, California 94065 andrewschapiro@quinnemanuel.com 6 Telephone: (650) 802-3000 Facsimile: (650) 802-3100 Patrick D. Curran (Bar No. 241630) 7 gabe.gross@weil.com 111 Huntington Ave, Suite 520 gaby.lahatte@weil.com Boston, MA 02199 8 (617) 712-7100 vanessa.sim@weil.com patrickcurran@quinnemanuel.com 9 Christopher W. Henry (pro hac vice) David Eiseman (Bar No. 114758) 10 Adam Gershenson (pro hac vice) Jodie W. Cheng (Bar No. 292330) WEIL, GOTSHAL & MANGES LLP Victoria B. Parker (Bar No. 290862) 11 1001 Boylston Street, Suite 300 Andrew M. Mather (Bar No. 345548) Boston, Massachusetts 02115 50 California Street, 22nd Floor 12 San Francisco, CA 94111 Telephone: (617) 772-8300 (415) 875-6600 13 Facsimile: (617) 772-8333 davideiseman@quinnemanuel.com chris.henry@weil.com jodiecheng@quinnemanuel.com 14 adam.gershenson@weil.com vickiparker@quinnemanuel.com andrewmather@quinnemanuel.com 15 Rachel L. Weiner Cohen (pro hac vice) Nicole Elena Bruner (pro hac vice) Yehuda Goor (pro hac vice) 16 Lucas A. Hammill (pro hac vice) WEIL, GOTSHAL & MANGES LLP Jordan M. Nakdimon (pro hac vice) 17 2001 M Street NW, Suite 600 295 Fifth Avenue, 9th Floor Washington, DC 20036 New York, NY 10016 18 Telephone: (202) 682-7000 (212) 849-7000 Facsimile: (202) 857-0940 yehudagoor@quinnemanuel.com 19 lucashammill@quinnemanuel.com rachel.cohen@weil.com nicole.bruner@weil.com jordannakdimon@quinnemanuel.com 20 Joseph E. Reed (Bar No. 323524) 21 Heather Blacklaws (pro hac vice) 555 Twin Dolphin Dr., 5th Floor WEIL, GOTSHAL & MANGES LLP Redwood Shores, CA

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