

December 20, 2024

E-Filed

The Honorable Thomas S. Hixson
United States District Court for the Northern District of California
San Francisco Courthouse, Courtroom E – 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *Kadrey et al. v. Meta Platforms, Inc.*; Case No. 3:23-cv-03417-VC-TSH

Dear Judge Hixson:

The parties jointly submit this letter brief regarding issues related to Plaintiffs’ motion to compel as to Meta’s Objections and Responses to Plaintiffs’ First and Second Sets of Requests for Admission (“RFAs”), initially served on November 8 and November 18, and then amended in part on December 13, 2024. The parties met and conferred on December 17 but were unable to reach a resolution.

I. PLAINTIFFS' POSITION

“The dual purpose of [RFAs] is to facilitate proof with respect to issues that cannot be eliminated from the case and to narrow the issues by eliminating those that can be.” *I-Enterprise Co. v. Draper Fisher Jurvetson Mgmt. Co.*, 2005 WL 8177424, at *1 (N.D. Cal. Mar. 23, 2005) (cleaned up). Despite a prior Court order requiring Meta to amend many of its evasive RFA responses, Meta has once again failed to answer Plaintiffs’ RFAs as written.

A. Meta Fails To Respond To RFAs 3-7, 17, 20, 23, 34, 43, 45-91, 94, and 96 As Written—They Ask About Books, Not Some Unidentified Amount of “Text.”

This Court already held that Plaintiffs’ “RFAs 3-7, 17, 20, 23, 34, and 43 ask about ‘copyrighted books,’ ‘copyrighted works,’ and ‘copyrighted material,’” and that RFAs 45-91, 94, and 96 ask about “particular works.” Dkt. 315 at 4, 6. And the Court admonished Meta for being “evasive and [] not answer[ing] these RFAs as required.” *Id.* at 4. Yet Meta continues to be evasive—rather than answer the RFAs directly, Meta persists in rewriting and admitting them only as to unidentified “text” in copyrighted books, works and material, and “some text” in particular works. *See* Ex. A. The Court’s guess is as good as Plaintiffs’ as to whether “text” is a sentence, paragraph, chapter, or entirety of the copyrighted books, works, and material the RFAs ask about. The reason Meta does so is obvious—referencing unidentified “text” fits better with its fair use argument that Meta only cares about “text” generally and not any particular copyrighted work. But Meta does not get to rewrite Plaintiffs’ requests to try to fit its theory of the case.

Further, Meta already told this Court that it “reasonably investigated whether Plaintiffs’ at-issue works”—not “some text”—“are included in the Books3 dataset using published, commercially available copies of Plaintiffs’ works,” Dkt. 293 at 3, and that Meta “underwent significant burden in comparing the texts from the published, commercially-available versions of Plaintiffs’ works against third-party datasets to determine whether the datasets included text from Plaintiffs’ at-issue books (albeit not the deposit copies, which, as noted, Plaintiffs have failed to provide).” *Id.* at 4. Thus, Meta already knows and can admit the RFAs as written.

B. Meta Should Answer RFAs 7, 16, 19, 22, 26, 35, and 39 As Written.

This Court already held that RFA 7 (“Admit that You did not obtain permission or consent from the relevant copyright owners to use all copyrighted books in the Datasets used to train Llama Models.”) is “perfectly clear,” and defined the “relevant copyright owners” as “the ones who own the copyrights to the books in the datasets used to train Llama models.” Dkt. 315 at 6. Despite the Court’s order, Meta redefined “relevant copyright owner” to mean “the person identified in the book as the copyright owner, without admitting that such person in fact owns a valid copyright in the book or what it covers.” Ex. A. That was improper and the Court should—again—order Meta to respond to the RFA as written. If Meta can’t admit the RFA using the Court’s definition of “relevant copyright owner” for any particular owner, then it can deny the RFA as to that owner(s).

Meta also admits the request only as to “one or more Datasets” instead of answering it as written—i.e., about *all* of the datasets used to train Llama. *Id.* If Meta does not believe a particular dataset it used to train Llama included copyrighted books then it should say so and deny the RFA as to that dataset, but it must admit the request as to the rest, not “one or more,” of them. Meta has the capability of answering directly; it already did so for Books3 in response to RFA 18. *See* Ex. A.

RFA 16, 19, and 22 ask Meta to admit it used Books3, LibGen, and The Pile as datasets to train Llama. Rather than answer the requests as written, Meta rewrites them to ask whether Meta “used a portion of” Books3 and LibGen and “used some content” of The Pile. This is evasive. Meta’s witnesses and documents confirm that [REDACTED]. Meta should admit the requests as written. If Meta wants to deny as to some “portion” or “content,” then it should identify that portion or content and deny the requests as to it.

RFA 26 asks about “copyright owners,” not “Persons,” and about “negotiat[ing] licensing of their copyrighted material,” not “agreement[s] for access to and use of certain data that may include copyrighted material.” Ex. A at 19-20. Meta should admit or deny the question as written.

RFA 35 asks Meta to admit it hasn’t given Plaintiffs a list of works in the datasets it uses. Meta denies the RFA in full, stating it has provided a list from Books3, but then goes on to say it doesn’t have lists from other datasets with some unexplained relevance and proportionality objections. Those objections are meritless. If Meta doesn’t have any lists of works used in other datasets then obviously it hasn’t provided Plaintiffs with them and should admit the RFAs.

RFA 39 asks Meta to admit it hasn’t “deleted all copyrighted material” in its possession once used for training Llama. Rather than answer that question as posed, Meta rewrites it to say it hasn’t deleted all “training data” and then tries to defend its decision not to do so by pointing to preservation obligations in a non-exhaustive list. The former is not what the request asks, and the latter tries to answer a question that wasn’t asked. The Court should order Meta to answer the request as written or at minimum to state *all* the reasons it hasn’t deleted the works, not just its preferred reason.

C. Meta Should Answer RFAs 38, 44, and 98.

Meta denies RFAs 38 (“Admit that You store copyrighted material for training Llama Models.”), 44 (“Admit that if copyright holders or other content creators demanded that You not use their content to train Your LLM models, then You would not use their content to train Your LLM models.”), and 98 (“Admit that you used books sourced from Books3 to train one or more of your large language models.”) because it purportedly “does not understand” them. Ex. A. These requests are clear. But to the extent “store” in RFA 38 was unclear, Plaintiffs told Meta it meant “maintain a copy or copies of, however arranged in part or in whole.” Meta still refuses to answer. And to the extent “sourced” in RFA 98 was unclear, Plaintiffs told Meta it could just delete that word. Meta still refuses to answer. The Court should order Meta to answer these RFAs.

D. Meta Should Withdraw Its “Except As Expressly Admitted” Qualifications.

For most of its RFA responses—specifically, RFAs 1-26, 28, 29, 31, 32, 34, 35, 39, 42, 43, 45-91, 94 and 96—Meta admits or denies the request and then adds “Except as expressly admitted, Meta denies the Request” or “lacks information sufficient to form a belief as to the truth of this request, and on that basis denies it.” These rote qualifications are nonsensical—for example, Meta even adds it to its RFA 35 response even though it denies that RFA. The Court should order Meta to remove this wasteful boilerplate.

E. Meta Should Withdraw Its “Subject To And Without Waiving” Qualifications.

In dozens of responses, even for its clean admissions, Meta prefaces with the clause, “Subject to and without waiving the foregoing objections . . .” This boilerplate obscures Meta’s responses and makes it unclear which objections limit which responses (if any). At the M&C, Meta’s counsel asserted this vague language retains some unexplained significance—it does not.

II. META'S POSITION

This is Plaintiffs' second challenge to Meta's RFA responses. Plaintiffs filed their first on November 26 (ECF No. 293), challenging Meta's responses to more than seventy RFAs (1, 3-13, 17-18, 20-21, 23-24, 34, 43, and 45-96). The Court denied the motion as to RFAs 10-13 and 92, 93, and 95. ECF No. 315 ("Order") at 4-5. As to the remainder, the Court ordered Meta to amend in certain specific respects, which Meta promptly did on December 13. Exs. A, B. Plaintiffs now seek to raise not only purported concerns with Meta's amended responses (which fully comply with the Order), but also new issues with the *original RFA responses* that they could have raised previously. Plaintiffs' attempted do-over is untimely and baseless. Meta has responded fully and appropriately to all RFAs. Plaintiffs are entitled to nothing further.

Plaintiffs' Motion Is Untimely and Procedurally Improper. In his order of October 4 (ECF No. 211), Judge Chhabria instructed: "The parties are urged to bring any significant discovery disputes to Judge Hixson's attention sooner rather than later." Meta served its responses to Plaintiffs' two sets of RFAs on November 8 and 18, and Plaintiffs moved to compel as to both on November 26. Plaintiffs' decision to wait a full, additional month to raise *different, serial challenges to the same RFA responses* violates Judge Chhabria's order. If Plaintiffs had a problem with Meta's original RFA responses, they should have briefed all of those issues promptly at the same time so that Meta could address any necessary amendments once. *See, e.g., In re W. States Wholesale Nat. Gas Antitrust Litig.*, 2016 WL 2593916, at *4 (D. Nev. May 5, 2016), *objections overruled*, 2016 WL 3965185 (D. Nev. July 22, 2016) ("The court will simply not tolerate an unending stream of supplemental papers on issues that have been or could have been fully briefed and argued."); *Safeco Ins. Co. of Am. v. Rawstrom*, 183 F.R.D. 668, 671 (C.D. Cal. 1998) ("Allowing a party to present objections ... serially would be inefficient.... The result would be unacceptable delay in the completion of discovery, the unnecessary expense of serial meetings between counsel, and the unnecessary burden of serial motions to compel.").

Meta Properly Responded To RFAs 3-6, 17, 20, 23, 34, 43, 45-91, 94, and 96. RFAs 3-6 and 34 asked Meta to admit that the data it used to train its AI models "included [unidentified] copyrighted books." RFAs 17, 20, and 23 asked Meta to admit that certain datasets created by third parties "contain[] [unidentified] copyrighted works." RFAs 45-89 asked Meta to admit that the "Books3 database contains" each of the original twelve Plaintiffs' at-issue books. RFAs 90, 91, 94, and 96 asked a similar question for Plaintiff Farnsworth: "Admit that [title] by Christopher Farnsworth was included in a dataset used to train Your [LLMs]." Meta's responses admitted that the materials it used to train its models included text from copyrighted books or Plaintiffs' books.

Plaintiffs complain that Meta's responses did not address the books in their *entirety*. The "reason Meta does so is obvious," but not for the reason Plaintiffs allege. As written, these RFAs would require an enormously burdensome word-by-word comparison not only for Plaintiffs' 49 books currently at issue, collectively spanning more than **13,000** pages, but for all other "copyrighted works" in numerous datasets. Responding to the RFAs as written would require, for each book or work, that Meta scan the entirety of the physical copy into digital form, identify and correct all scanning errors, account for artifacts such as page numbers, headers, formatting, etc., that are not part of the book content, and then perform a word-for-word comparison of that data against text in the training dataset used to train Llama. This process would involve a substantial amount of engineering work and require that Meta undertake an analysis more suitable to expert discovery—one that Plaintiffs are equally capable of doing.

Meta could have refused to answer on this basis alone, but it nevertheless *admitted* that text

from copyrighted books/Plaintiffs' books was present in the training datasets. Those responses were based on manually selecting samples of text across each of the Plaintiffs' 49 books at issue and running searches against the training data. That process involved a significant burden but nowhere near the word-for-word comparison that Plaintiffs demand. Further, to the extent these RFAs were seeking an admission that Meta trained any Llama model on the entirety of Plaintiffs' books, Meta has concluded based on a reasonable investigation that it did not do so. Thus, Meta properly admitted that it trained on some text from, but not the entirety of, each of Plaintiff's books. Fed. R. Civ. P. 36(a)(4) provides: "[W]hen good faith requires that a party qualify an answer or deny only a part of a matter, the answer must specify the part admitted and qualify or deny the rest." That is exactly what Meta did. No other response would be accurate or is required.

Plaintiffs also challenge Meta's response to **RFA 43**, which asked Meta to admit that its models "that were trained with copyrighted material had at least in part a commercial purpose." Meta properly admitted both that its training material included text from copyrighted works and that third parties can use Llama 2 and 3 "for commercial uses pursuant to certain terms and conditions." It's unclear why Plaintiffs believe this response to be inadequate. It is not.

Meta Properly Responded to RFA 7. **RFA 7** asked Meta to admit that it "did not obtain permission or consent from the relevant copyright owners to use all copyrighted books in the Datasets used to train Llama Models." In response, Meta noted that it has no way to confirm who the copyright owners are for each book (some of which may be out of copyright, subject to assignment of rights, etc.). Critically, however, Meta did *not* refuse to answer on this basis. Instead, it reasonably construed "relevant copyright owner" to mean the person "identified in the book as the copyright owner" and *admitted* that its datasets included text from "one or more copyrighted books for which it did not obtain permission or consent from the relevant copyright owner(s) (as construed above)." This admission was accurate, narrowly qualified, and responsive to the question asked—which was directed indiscriminately to whether Meta sought permission to use "*all*" of the many thousands of books in the training sets. Meta did not, and has said so. To the extent Plaintiffs are now asking Meta to provide an individualized admission or denial as to each of tens of thousands of (unidentified) books and authors—most of which are not at issue in this case—it is *Plaintiffs* who are improperly attempting to rewrite their RFA so as to be extraordinarily overbroad, unduly burdensome, and disproportionate to the needs of the case. Plaintiffs' further demands as to this RFA are untenable, unwarranted, and should be denied.¹

Meta Properly Responded to RFAs 16, 19, 22, 26, 35, and 39. Plaintiffs could have—but failed to—move on any of these RFAs previously for good reason: Meta's responses are fully appropriate. **RFAs 16, 19, and 22** asked Meta to admit that it used certain third party datasets "to train one or more Llama Models." Meta admitted it used part of each dataset, and otherwise denied the RFAs—which is the only accurate response and fully appropriate under Rule 36(a)(4). An RFA is not an interrogatory and does not impose upon Meta any obligation to provide a narrative about what it did or did not use. In response to **RFA 26**, rather than denying outright, Meta admitted as much as it could, namely, that it had contacted persons to discuss agreements to access and use data that may include copyrighted material as training material. The rest of the RFA is inaccurate, and Meta denies it. **RFA 35** asked Meta to admit that it "has not provided Plaintiffs a list of works used in the Datasets used to train Llama Models." Meta denied this request and

¹ Plaintiffs do not challenge Meta's very similar response to RFA 18, admitting it did not "obtain authorization from all copyright owners (as construed above) of works included within ... Books3 to use that dataset for training," making Plaintiffs' complaints about RFA 7 even more inscrutable.

explained why: it *has* provided such a list (and cited the specific production number). Finally, **RFA 39** asked Meta to admit that it has “not deleted all copyrighted material in [its] possession after it [wa]s used for training Llama Models.” This is irrelevant and goes well beyond Plaintiffs’ books, and Meta has in any event admitted that it did not delete all training material (consistent with its preservation obligations in this case). Nothing more is required, and certainly not the Interrogatory-like response Plaintiffs are demanding.

Meta’s Denials to RFAs 38, 44, and 98 Should Stand. Meta explained more than a month ago that it did not understand what these RFAs were asking, denied on that basis, and offered a meet and confer, which Plaintiffs never sought until now. Plaintiffs’ belated offer to rewrite the RFAs does not make them any clearer. Whether Meta “stores” or “maintains a copy of” copyrighted content for training (**RFA 38**) is still vague and overbroad since no such content is identified and this is not directed to Plaintiffs’ books. Meta cannot admit or deny what it would do or not do in response to the incomplete hypothetical in **RFA 44**. And, even as modified by Plaintiffs, **RFA 98** remains vague and duplicative of many other RFAs (*see, e.g.*, 3, 4, 5, 6).

Meta Properly Qualified All Admissions and Denials. Meta’s responses to **RFAs 1-26, 28, 29, 31, 32, 34, 35, 39, 42, 43, 45-91, 94 and 96** (many of which Plaintiffs failed to challenge previously) admit that part of each RFA is true and otherwise deny the rest. This is not “nonsensical”; it is *required* by Rule 36(a)(4). Likewise, Plaintiffs’ complaint about standard prefatory language that they, themselves, used in their RFA responses (*see, e.g.*, Ex. B) is not well taken. All of Meta’s RFA responses start by explaining what Meta objects to and why, including how it construes terms, and then answers “subject to” those qualifications. This language is required for accuracy and clarity on what Meta is admitting or denying, and Plaintiffs’ request to remove it is unfounded (and should have been raised, if at all, in their earlier motion to compel).

III. PLAINTIFFS’ REPLY

Timeliness. Meta ignores Judge Chhabria’s order that “the deadline to raise disputes regarding additional discovery”—which includes these RFAs—remains 7 days after the close of discovery[.]” Dkt. 253. Meta cites no case suggesting a party waives a challenge to deficient RFA responses merely because it could have raised earlier. Meta then complains Plaintiffs make “serial challenges,” but the two cases Meta cites are entirely inapposite—*Western States* discusses serial briefing on a motion, and *Safeco* is about interposing new objections in amended responses.²

Books vs. Text. Meta is playing games. RFAs 3-6, 17, 20, 23, 34, 43, 45–91, 94, and 96 ask about copyrighted works. Meta cannot answer based only on “text.” It also should not be permitted to backtrack on its representation that it *already* “compar[ed] the texts from the published, commercially-available versions of Plaintiffs’ works”—not “some text”—against third-party datasets to determine whether the datasets included text from Plaintiffs’ at-issue books[.]” Meta does not suggest *any* reason to believe that *any* text from *any* book, including Plaintiffs’, was missing from what Meta downloaded from Shadow Datasets and used to train its Llama models.

RFA 7. Meta knows it didn’t obtain permission from any copyright owners. It should stop pretending otherwise and answer the RFA using the definition already ordered in Dkt. 315.

² Due to page limits, Plaintiffs do not reply to Meta’s responses to RFAs 16, 19, 22, 25, 26, 38, 39, 44, or 98. Suffice it to say, Plaintiffs believe simply reading the RFAs and Meta’s responses makes clear that the responses are deficient. The Court should order Meta to comply with Rule 36(a)(4) by either admitting or denying the requests as written or stating with specificity what it admits and what it denies, and that’s it.

By: /s/ Bobby Ghajar

Bobby A. Ghajar
Colette A. Ghazarian
COOLEY LLP
1333 2nd Street, Suite 400
Santa Monica, CA 90401
Telephone: (310) 883-6400
Facsimile: (310) 883-6500
Email: bghajar@cooley.com
cghazarian@cooley.com

Mark R. Weinstein
Elizabeth L. Stameshkin
COOLEY LLP
3175 Hanover Street
Palo Alto, CA 94304
Telephone: (650) 843-5000
Facsimile: (650) 849-7400
Email: mweinstein@cooley.com
lstameshkin@cooley.com

Kathleen R. Hartnett
Judd D. Lauter
COOLEY LLP
3 Embarcadero Center, 20th Floor
San Francisco, CA 94111
Telephone: (415) 693-2071
Facsimile: (415) 693-2222
Email: khartnett@cooley.com
jlauter@cooley.com

Phillip Morton
COOLEY LLP
1299 Pennsylvania Avenue, NW, Suite 700
Washington, DC 20004
Telephone: (202) 842-7800
Facsimile: (202) 842-7899
Email: pmorton@cooley.com

Angela L. Dunning
**CLEARY GOTTlieb STEEN &
HAMILTON LLP**
1841 Page Mill Road, Suite 250
Palo Alto, CA 94304

By: /s/ Maxwell V. Pritt

BOIES SCHILLER FLEXNER LLP
David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsfllp.com

Maxwell V. Pritt (SBN 253155)
Joshua M. Stein (SBN 298856)
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
(415) 293-6800
mpritt@bsfllp.com
jischiller@bsfllp.com
jstein@bsfllp.com

Jesse Panuccio (*pro hac vice*)
1401 New York Ave, NW
Washington, DC 20005
(202) 237-2727
jpanuccio@bsfllp.com

Joshua I. Schiller (SBN 330653)
David L. Simons (*pro hac vice*)
55 Hudson Yards, 20th Floor
New York, NY 10001
(914) 749-8200
dsimons@bsfllp.com

Interim Lead Counsel for Plaintiffs

Telephone: (650) 815-4121
Facsimile: (650) 849-7400
Email: adunning@cgsh.com

Attorneys for Defendant Meta Platforms, Inc.

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)

I hereby attest that I obtained concurrence in the filing of this document from each of the other signatories. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 20, 2024

BOIES SCHILLER FLEXNER LLP

/s/ Maxwell V. Pritt _____

Maxwell V. Pritt

Reed Forbush

Jay Schuffenhauer

Attorneys for Plaintiffs

EXHIBIT A

1 COOLEY LLP
 BOBBY GHAJAR (198719)
 2 (bghajar@cooley.com)
 COLETTE GHAZARIAN (322235)
 3 (cghazarian@cooley.com)
 1333 2nd Street, Suite 400
 4 Santa Monica, California 90401
 Telephone: (310) 883-6400
 5 MARK WEINSTEIN (193043)
 (mweinstein@cooley.com)
 6 KATHLEEN HARTNETT (314267)
 (khartnett@cooley.com)
 7 JUDD LAUTER (290945)
 (jlauter@cooley.com)
 8 ELIZABETH L. STAMESHKIN (260865)
 (lstameshkin@cooley.com)
 9 3175 Hanover Street
 Palo Alto, CA 94304-1130
 10 Telephone: (650) 843-5000

11 CLEARY GOTTLIEB STEEN & HAMILTON LLP
 ANGELA L. DUNNING (212047)
 12 (adunning@cgsh.com)
 1841 Page Mill Road, Suite 250
 13 Palo Alto, CA 94304
 Telephone: (650) 815-4131

14 *[Full Listing on Signature Page]*

15 *Counsel for Defendant Meta Platforms, Inc.*

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN FRANCISCO DIVISION**

19 RICHARD KADREY, *et al.*,
 20 Individual and Representative
 21 Plaintiffs,
 22 v.
 23 META PLATFORMS, INC., a Delaware
 corporation;
 24 Defendant.

Case No. 3:23-cv-03417-VC

**DEFENDANT META PLATFORMS, INC.’S
 AMENDED OBJECTIONS AND RESPONSES TO
 PLAINTIFFS’ FIRST SET OF REQUESTS FOR
 ADMISSIONS**

1 **PROPOUNDING PARTY:** **PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER**
2 **GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER,**
3 **DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN,**
4 **RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA**
5 **TERKEURST, AND CHRISTOPHER FARNSWORTH**

6 **RESPONDING PARTY:** **DEFENDANT META PLATFORMS, INC.**

7 **SET NUMBER:** **ONE**

8 Pursuant to Rule 36 of the Federal Rules of Civil Procedure (“Rules”), Defendant Meta
9 Platforms, Inc. (“Meta”) responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman,
10 Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang,
11 Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and
12 Christopher Farnsworth’s First Set of Requests for Admissions (“Requests”).

13 **I. RESPONSES TO ALL REQUESTS**

14 **1.** Meta’s responses to the Requests are made to the best of Meta’s present knowledge,
15 information, and belief. Said responses are at all times subject to such additional or different
16 information that discovery or further investigation may disclose, and Meta reserves the right to
17 amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

18 **2.** To the extent that Meta responds to Plaintiff’s Requests by stating that Meta will
19 provide information and/or documents which Meta or any other party to this litigation deems to
20 embody material that is private, business confidential, proprietary, trade secret, or otherwise
21 protected from disclosure pursuant to Rule 26(c)(7) or Federal Rule of Evidence 501, Meta will do
22 so pursuant to the Stipulated Protective Order entered in this case (Dkt. 90).

23 **3.** The provision of a response to any of these Requests does not constitute a waiver of
24 any objection regarding the use of said response in these proceedings. Meta reserves all objections
25 or other questions as to the competency, relevance, materiality, privilege or admissibility as
26 evidence in any subsequent proceeding in or trial of this or any other action for any purpose
27 whatsoever of this response and any document or thing produced in response to the Requests.

28 **4.** Meta reserves the right to object on any ground at any time to such other or
supplemental requests for admission that Plaintiffs may propound involving or relating to the
subject matter of these Requests.

1 **II. OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

2 Whether or not separately set forth in response to each Request, Meta makes these
3 objections to the following Instructions and Definitions.

4 1. Meta objects to all defined terms to the extent that they are not utilized in Plaintiffs’
5 First Set of Requests for Admission.

6 2. Meta objects to the definition of "Complaint," which refers to the production of
7 documents in response to Plaintiffs' Requests for Admission. Meta will construe "Complaint" to
8 refer to Plaintiffs' Corrected Second Consolidated Amended Complaint (Dkt. 133), filed September
9 9, 2024.

10 3. Meta objects to the definition of “Dataset(s)” as vague, ambiguous, as to the phrase
11 “all collections of data,” which is indefinite and overbroad. Meta further objects to the definition
12 of “Dataset(s)” as vague and ambiguous as to the phrase “referenced, or intended to be used,”
13 which, read literally, would encompass any dataset referenced by any Meta employee in the context
14 of the development, training, validation, testing, or evaluation of LLMs and any datasets that were
15 intended for such use but not actually used. Meta further objects to this definition to the extent it
16 purports to include datasets that include content to which Plaintiffs have made no claim of
17 ownership and which are not the subject of any allegations of copyright infringement by Plaintiffs.
18 Meta will construe “Dataset(s)” to mean the textual datasets used to train the Llama Models (as
19 construed below).

20 4. Meta objects to the definition of “Llama Models” as vague and ambiguous as to the
21 terms and phrases “other AI models,” “instances,” “iterations,” “versions,” “updates,”
22 “modifications,” “original version,” “experimental versions,” “subsequent versions,” and
23 “refinements to the underlying algorithm, parameters, or architecture,” as applied to Llama and
24 “any other AI models developed or in development by Meta.” Meta further objects to this definition
25 as overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that
26 it purports to require Meta to produce documents concerning large language models (“LLMs”) that
27 were not publicly released and/or were not trained on corpuses of text that allegedly include any of
28 Plaintiffs’ allegedly copyrighted works. For the same reason, Meta objects to this definition to the

1 extent that it purports to require Meta to produce documents that are not relevant to any party's
2 claims or defenses. Meta will construe "Llama Models" to mean the models within the Llama
3 family of LLMs that have been publicly released by Meta, namely, Llama 1, Llama 2, Code Llama,
4 and Llama 3, and the models Llama 4 and Llama 5, which remain under development.

5 **5.** Meta objects to the definitions of "Llama 1," "Llama 2," and "Llama 3" as vague
6 and ambiguous as to the undefined terms "precursor models" and "variant models." Meta further
7 objects to these definitions as overbroad, unduly burdensome, and disproportionate to the needs of
8 the case to the extent that it purports to require Meta to produce documents or information
9 concerning LLMs that were not publicly released and/or were not trained on corpuses of text that
10 include any of Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to these
11 definitions to the extent that they purport to require Meta to produce documents or information
12 concerning LLMs that are not relevant to any party's claims or defenses. For purposes of these
13 responses, Meta construes the term "Llama 1" to refer to the LLM released by Meta as Llama on
14 February 24, 2023, the term "Llama 2" to refer to the LLM released by Meta under that name on
15 July 18, 2023, and the term "Llama 3" to refer to the LLMs released by Meta under that name on
16 April 18, 2024, July 23, 2024, and September 25, 2024.

17 **6.** Meta objects to the definition of "Meta" as overbroad and unduly burdensome to the
18 extent it seeks to impose on Meta an obligation to investigate information or documents outside of
19 its possession, custody, or control. For purposes of these responses, Meta construes the term
20 "Meta" or "You" to mean Meta Platforms, Inc. and its officers, directors, employees, and
21 authorized agents working on its behalf and subject to its control.

22 **7.** Meta objects to the definition of "Relevant Period" as vague, ambiguous, and
23 unintelligible, as it is defined circularly to mean "all times relevant to ... the Complaint." Meta
24 construes the Relevant Period to mean January 1, 2022 to the present.

25 **8.** Meta objects to Instruction 4 to the extent it purports to require more of Meta than
26 any obligation imposed by law, and to the extent it purports to require Meta to disclose information
27 protected by attorney-client privilege and/or the attorney work product doctrine.

28 **9.** Meta objects to Instruction 5 as overbroad and unduly burdensome to the extent it

1 purports to require more of Meta than any obligation imposed by law.

2 **10.** Meta objects to Instruction 8 insofar as it provides that any Request will be deemed
3 admitted as a result of an undefined "inadequate" response, without requiring Plaintiffs to bring a
4 motion regarding the sufficiency of an answer or objection, as required under Fed. R. Civ. P.
5 36(a)(6).

6 **III. AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

7 **REQUEST FOR ADMISSION NO. 1:**

8 Admit that Meta created and maintains the large language models known as Llama.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, including its
11 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
12 as compound.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it maintains those versions of the large language models known as Llama (i.e., Llama
15 1, Llama 2, Llama 3) that are provided by Meta through Meta’s website and Meta’s hosting partners
16 Amazon, Google, and Microsoft. Meta denies that it maintains versions of Llama that are under
17 the control of licensees or unauthorized third party users of the Llama models. Except as expressly
18 admitted, Meta denies the Request.

19 **REQUEST FOR ADMISSION NO. 2:**

20 Admit that the Llama Models are large language models designed to emit naturalistic text
21 outputs in response to user prompts.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

23 Meta incorporates by reference its Objections to Instructions and Definitions, including its
24 own definitions stated therein, which are applicable to this Request. Meta objects to the terms
25 “designed to” and “naturalistic” as vague and ambiguous, as it is unclear whether this Request is
26
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28

1 asking for an admission regarding Meta’s intended purpose of the Llama Models or about their
2 functionality.

3 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
4 admits that one of the functions of the Llama Models is to emit natural language text outputs in
5 response to user prompts. Except as expressly admitted, Meta denies the Request.

6 **REQUEST FOR ADMISSION NO. 3:**

7 Admit that the Dataset used to train Llama 1 included copyrighted books.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, including its
10 own definitions stated therein, which are applicable to this Request. Meta objects to the term
11 “Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
12 Llama 1. Meta objects to this Request to the extent that it calls for a legal conclusion as to
13 “copyrighted books,” and on the ground that it does not specify any copyrighted books or otherwise
14 define this term.

15 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
16 admits that it used one or more Datasets that included text from a published and commercially-
17 available version of one or more copyrighted books to train Llama 1. Except as expressly admitted,
18 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
19 denies it.

20 **REQUEST FOR ADMISSION NO. 4:**

21 Admit that the Dataset used to train Llama 2 included copyrighted books.

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

23 Meta incorporates by reference its Objections to Instructions and Definitions, including its
24 own definitions stated therein, which are applicable to this Request. Meta objects to the term
25 “Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
26 Llama 2. Meta objects to this Request to the extent that it calls for a legal conclusion as to
27 “copyrighted books,” and on the ground that it does not specify any copyrighted books or otherwise
28 define this term.

1 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
2 admits that it used one or more Datasets that included text from a published and commercially-
3 available version of one or more copyrighted books to train Llama 2. Except as expressly admitted,
4 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
5 denies it.

6 **REQUEST FOR ADMISSION NO. 5:**

7 Admit that the Dataset used to train Llama 3 included copyrighted books.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, including its
10 own definitions stated therein, which are applicable to this Request. Meta objects to the term
11 “Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
12 Llama 3. Meta objects to this Request to the extent that it calls for a legal conclusion.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it used one or more Datasets that included text from a published and commercially-
15 available version of one or more copyrighted books to train Llama 3. Except as expressly admitted,
16 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
17 denies it.

18 **REQUEST FOR ADMISSION NO. 6:**

19 Admit that the Dataset used or that will be used to train Llama 4 included copyrighted books.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, including its
22 own definitions stated therein, which are applicable to this Request. Meta objects to the term “the
23 Dataset” as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train
24 Llama 4. Meta objects to this Request to the extent that it calls for a legal conclusion as to
25 “copyrighted books,” and on the ground that it does not specify any copyrighted books or otherwise
26 define this term. Meta objects to this Request as purely speculative and not relevant to the claims
27 or defenses of any party insofar as Meta has not yet released Llama 4 and Meta is in the process of
28 finalizing the data corpus for Llama 4.

1 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
2 admits that text from a published and commercially-available version of one or more copyrighted
3 books is included in a Dataset that could be used to train Llama 4. Except as expressly admitted,
4 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
5 denies it.

6 **REQUEST FOR ADMISSION NO. 7:**

7 Admit that You did not obtain permission or consent from the relevant copyright owners to
8 use all copyrighted books in the Datasets used to train Llama Models.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, including its
11 own definitions stated therein, which are applicable to this Request. Meta objects to the Request
12 as vague, ambiguous, and unintelligible as to “use all copyrighted books in the Datasets.” Meta
13 also objects on the ground that the terms “relevant copyright owners” and “copyrighted books” are
14 vague, ambiguous, indefinite, undefined, and overbroad in that they are untethered to the allegedly
15 copyright registered works at issue in this Action. Meta further objects to this Request on the
16 ground that information about who the “relevant copyright owner” is for any allegedly copyrighted
17 book or its contents is outside of Meta’s possession, custody, or control. Even reviewing the
18 copyright registration or copyright notice in a book would not tell Meta who the “relevant copyright
19 owner” is of any book, because, e.g., all or some of the exclusive rights of copyright could have
20 been assigned, could be invalid, could have been contributed to the public domain, or could have
21 been registered through error or fraud in the name of a person other than the author/true copyright
22 owner. Moreover, even where an author owns the copyright to a book, that copyright may not
23 cover all text in the book (by way of example, content contributed by another author, or previously
24 published or registered works appearing in a collection or anthology, such as a collection of short
25 stories, are not covered by any copyright in the book, whether registered or not). Meta construes
26 the term “relevant copyright owner” as used in this Request to refer to the person identified in the
27 book as the copyright owner, without admitting that such person in fact owns a valid copyright in
28 the book or what it covers. Meta further objects to this Request as overly burdensome and

1 disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the
2 “relevant copyright owner” of “all copyrighted books” in its training Datasets, which Plaintiffs
3 assert comprised thousands of books. Meta objects to the Request as compound insofar as it seeks
4 an admission as to multiple datasets used to train Llama Models. Meta objects to this Request to
5 the extent it improperly suggests that Meta participated in the selection of books or other content
6 to be included in the datasets used to train the Llama Models or that Meta was required to obtain
7 permission from copyright owners to train the Llama Models on any unspecified content of books
8 they authored or to which they own the copyright.

9 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
10 admits that one or more Datasets used to train its Llama Models contained text from published and
11 commercially-available versions of one or more copyrighted books for which it did not obtain
12 permission or consent from the relevant copyright owner(s) (as construed above). Except as
13 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
14 and on that basis denies it.

15 **REQUEST FOR ADMISSION NO. 8:**

16 Admit that You did not obtain permission from Plaintiffs to include the content of books
17 they authored in the Datasets used to train Llama Models.

18 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

19 Meta incorporates by reference its Objections to Instructions and Definitions, including its
20 own definitions stated therein, which are applicable to this Request. Meta objects to the Request
21 as compound insofar as it seeks an admission as to multiple datasets used to train Llama Models.
22 Meta further objects on the ground that the term “content of books they authored” is vague,
23 ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly copyright
24 registered works at issue in this Action. Meta further objects to this Request on the ground that
25 information about who authored the books at issue in this case is outside of Meta’s possession,
26 custody, or control. Even reviewing the copyright registration or copyright notice in a book would
27 not tell Meta who “authored” all or any part of the book, because the information may be inaccurate.
28 In this case, authorship is a disputed issue as to at least one at-issue work. Moreover, even where

1 a person is identified as the “author” of a book in a copyright notice or registration, that authorship
2 may not extend to all text in the book (by way of example, content contributed by another author,
3 or previously published or registered works appearing in a collection or anthology, such as a
4 collection of short stories, would not be authored by the copyright holder and are not covered by
5 any copyright in the book, whether registered or not). For purposes of its response below, Meta
6 construes the term “books they authored” as used in this Request to refer to the at-issue books
7 Plaintiffs claim in this case to have authored, without admitting that any Plaintiff was, in fact, the
8 author or owns a valid copyright in the book, and without admitting what any copyright in the book
9 may cover. Meta objects to this Request to the extent it improperly suggests that Meta participated
10 in the selection of books or other content to be included in the datasets used to train the Llama
11 Models or that Meta was required to obtain permission from Plaintiffs to train the Llama Models
12 on any unspecified content of books they authored.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it did not seek or obtain permission from Plaintiffs to train Llama Models using Datasets
15 that included books Plaintiffs claim in this action to have authored. Except as expressly admitted,
16 Meta denies the Request.

17 **REQUEST FOR ADMISSION NO. 9:**

18 Admit that You did not compensate Plaintiffs for the inclusion of the content of books they
19 authored in the Datasets used to train Llama Models.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, including its
22 own definitions stated therein, which are applicable to this Request. Meta objects to the term
23 “compensate” as vague and ambiguous. Meta will construe “compensate” to refer to financial
24 compensation. Meta objects to the Request as compound insofar as it seeks an admission as to
25 multiple datasets used to train Llama Models. Meta further objects on the ground that the term
26 “content of books they authored” is vague, ambiguous, indefinite, undefined, and overbroad in that
27 it is untethered to the allegedly copyright registered works at issue in this Action. Meta further
28 objects to this Request on the ground that information about who authored the books at issue in this

1 case is outside of Meta’s possession, custody, or control. Even reviewing the copyright registration
2 or copyright notice in a book would not tell Meta who “authored” all or any part of the book,
3 because the information may be inaccurate. In this case, authorship is a disputed issue as to at least
4 one at-issue work. Moreover, even where a person is identified as the “author” of a book in a
5 copyright notice or registration, that authorship may not extend to all text in the book (by way of
6 example, content contributed by another author, or previously published or registered works
7 appearing in a collection or anthology, such as a collection of short stories, would not be authored
8 by the copyright holder and are not covered by any copyright in the book, whether registered or
9 not). For purposes of its response below, Meta construes the term “books they authored” as used
10 in this Request to refer to the at-issue books Plaintiffs claim in this case to have authored, without
11 admitting that any Plaintiff was, in fact, the author or owns a valid copyright in the book, and
12 without admitting what any copyright in the book may cover. Meta objects to this Request to the
13 extent it improperly suggests that Meta participated in the selection of the content of books or other
14 content to be included in the datasets used to train the Llama Models or that Meta was required to
15 compensate Plaintiffs to train the Llama Models on any unspecified content of books Plaintiffs
16 authored.

17 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
18 admits that it did not compensate Plaintiffs for the inclusion of the content of books they
19 purportedly authored in the Datasets used to train Llama Models, to the extent those Datasets
20 included the content of books they purportedly authored. Except as expressly admitted, Meta
21 denies the Request.

22 **REQUEST FOR ADMISSION NO. 10:**

23 Admit that You have made Llama 1 available for use by Third Parties.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

25 Meta incorporates by reference its Objections to Instructions and Definitions, including its
26 own definitions stated therein, which are applicable to this Request.

27 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
28 admits that it has made Llama 1 available for use by Third Parties under certain circumstances and

1 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

2 **REQUEST FOR ADMISSION NO. 11:**

3 Admit that You have made Llama 2 available for use by Third Parties.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, including its
6 own definitions stated therein, which are applicable to this Request.

7 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
8 admits that it has made Llama 2 available for use by Third Parties under certain circumstances and
9 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

10 **REQUEST FOR ADMISSION NO. 12:**

11 Admit that You have made Llama 3 available for use by Third Parties.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, including its
14 own definitions stated therein, which are applicable to this Request.

15 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
16 admits that it has made Llama 3 available for use by Third Parties under certain circumstances and
17 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

18 **REQUEST FOR ADMISSION NO. 13:**

19 Admit that you intend to make Llama 4 available for use by Third Parties.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, including its
22 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
23 as purely speculative and not relevant to the claims or defenses of any party insofar as Meta has not
24 yet released Llama 4.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
26 admits that it currently intends to make Llama 4 available for use by Third Parties at some point in
27 the future under certain circumstances and subject to certain terms and restrictions. Except as
28 expressly admitted, Meta denies the Request.

1 **REQUEST FOR ADMISSION NO. 14:**

2 Admit that You have generated revenue from making one or more Llama Models available
3 for use by Third Parties.

4 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, including its
6 own definitions stated therein, which are applicable to this Request. Meta further objects to the
7 capitalized term “Third Parties,” which is ambiguous and undefined. Meta construes this term to
8 refer to persons who are not named parties to this Action. Meta further objects to this Request on
9 the ground that the terms “generated revenue” and “from making one or more Llama Models
10 available for use by Third Parties” are vague, ambiguous, and undefined. Meta further objects on
11 the ground that this Request is compound.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 **REQUEST FOR ADMISSION NO. 15:**

16 Admit that You have not disclosed all Datasets used to train Llama Models in response to
17 discovery in this case.

18 ***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

19 Meta incorporates by reference its Objections to Instructions and Definitions, including its
20 own definitions stated therein, which are applicable to this Request, including, in particular
21 Objection No. 4. Meta objects to this Request as improperly seeking discovery on discovery. Meta
22 further objects to this Request to the extent it seeks information that is not relevant to the claims or
23 defenses of any party.

24 Subject to and without waiving the foregoing objections, Meta responds as follows: [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

1 [REDACTED]
2 **REQUEST FOR ADMISSION NO. 16:**

3 Admit that You used the Books3 database as a Dataset to train one or more Llama Models.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, including its
6 own definitions stated therein, which are applicable to this Request. Meta objects to the term
7 “Books3 database” as vague and ambiguous. Meta will construe “Books3 database” to mean the
8 third-party dataset commonly known as Books3. Meta further objects to this Request as compound.

9 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
10 admits that it has used a portion of the third-party dataset commonly known as Books3 as training
11 data to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

12 **REQUEST FOR ADMISSION NO. 17:**

13 Admit that the Books3 database contains copyrighted works.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, including its
16 own definitions stated therein, which are applicable to this Request. Meta objects to the term
17 “Books3 database” as vague and ambiguous. Meta will construe “Books3 database” to mean the
18 third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it
19 calls for a legal conclusion as to “copyrighted works,” and on the ground that it does not specify
20 any copyrighted works or otherwise define this term.

21 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
22 admits that text from a published and commercially-available version of one or more copyrighted
23 works appears in the third-party dataset commonly known as Books3. Except as expressly
24 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
25 that basis denies it.

26 **REQUEST FOR ADMISSION NO. 18:**

27 Admit that Your use of the Books3 database as a Dataset for training Llama Models was
28 not authorized by all copyright owners of the works contained within the Books3 database.

1 AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 18:

2 Meta incorporates by reference its Objections to Instructions and Definitions, including its
3 own definitions stated therein, which are applicable to this Request. Meta objects to the term
4 “Books3 database” as vague and ambiguous. Meta will construe “Books3 database” to mean the
5 third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it
6 calls for a legal conclusion. Meta further objects on the ground that the term “copyright owners”
7 is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly
8 copyright registered works at issue in this Action. Meta further objects to this Request on the
9 ground that information about who the “copyright owner” is for any allegedly copyrighted book or
10 its contents is outside of Meta’s possession, custody, or control. Even reviewing the copyright
11 registration or copyright notice in a book would not tell Meta who the “copyright owner” is of any
12 book, because, e.g., all or some of the exclusive rights of copyright could have been assigned, could
13 be invalid, could have been contributed to the public domain, or could have been registered through
14 error or fraud in the name of a person other than the author/true copyright owner. Moreover, even
15 where an author owns the copyright to a book, that copyright may not cover all text in the book (by
16 way of example, content contributed by another author, or previously published or registered works
17 appearing in a collection or anthology, such as a collection of short stories, are not covered by any
18 copyright in the book, whether registered or not). Meta construes the term “copyright owner” as
19 used in this Request to refer to the person identified in the book as the copyright owner, without
20 admitting that such person in fact owns a valid copyright in the book or what it covers. Meta further
21 objects to this Request as overly burdensome and disproportionate to the needs of the case insofar
22 as it would require Meta to attempt to ascertain the “copyright owner” of “all copyrighted books”
23 in the Books3 database, a database Meta did not create and which Plaintiffs assert comprises
24 thousands of books. Meta objects to this Request to the extent it improperly suggests that Meta
25 participated in the selection of content to be included in the third-party Books3 dataset or that
26 Meta’s use of the Books3 dataset for training the Llama Models required authorization from the
27 owners of the copyrights in the works contained within that dataset.

28 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

1 admits that it did not seek or obtain authorization from all copyright owners (as construed above)
2 of works included within the third-party dataset commonly known as Books3 to use that dataset for
3 training Llama Models. Except as expressly admitted, Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 19:**

5 Admit that You used the “Library Genesis” database as a Dataset to train one or more Llama
6 Models.

7 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta further objects to this
10 Request as compound.

11 Subject to and without waiving the foregoing objections, Meta responds as follows: [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 **REQUEST FOR ADMISSION NO. 20:**

16 Admit that the “Library Genesis” database contains copyrighted works.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 20:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, including its
19 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
20 to the extent that it calls for a legal conclusion as to “copyrighted works,” and on the ground that it
21 does not specify any copyrighted works or otherwise define this term.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
23 admits that text from a published and commercially-available version of one or more copyrighted
24 works appears in the third-party “Library Genesis” database. . Except as expressly admitted, Meta
25 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
26 it.

27 **REQUEST FOR ADMISSION NO. 21:**

28 Admit that Your use of the “Library Genesis” database as a Dataset for training Llama

1 Models was not authorized by all copyright owners of the works contained within the “Library
2 Genesis” database.

3 ***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 21:**

4 Meta incorporates by reference its Objections to Instructions and Definitions, including its
5 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
6 to the extent that it calls for a legal conclusion. Meta further objects on the ground that the term
7 “copyright owners” is vague, ambiguous, indefinite, undefined, and overbroad in that it is
8 untethered to the allegedly copyright registered works at issue in this Action. Meta further objects
9 to this Request on the ground that information about who the “copyright owner” is for any allegedly
10 copyrighted book or its contents is outside of Meta’s possession, custody, or control. Even
11 reviewing the copyright registration or copyright notice in a book would not tell Meta who the
12 “copyright owner” is of any book, because, e.g., all or some of the exclusive rights of copyright
13 could have been assigned, could be invalid, could have been contributed to the public domain, or
14 could have been registered through error or fraud in the name of a person other than the author/true
15 copyright owner. Moreover, even where an author owns the copyright to a book, that copyright
16 may not cover all text in the book (by way of example, content contributed by another author, or
17 previously published or registered works appearing in a collection or anthology, such as a collection
18 of short stories, are not covered by any copyright in the book, whether registered or not). Meta
19 construes the term “copyright owner” as used in this Request to refer to the person identified in the
20 book as the copyright owner, without admitting that such person in fact owns a valid copyright in
21 the book or what it covers. Meta further objects to this Request as overly burdensome and
22 disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the
23 “copyright owner” of “all copyrighted books” in the “Library Genesis” database, a database Meta
24 did not create and which Plaintiffs assert comprises thousands of books. Meta objects to this
25 Request to the extent it suggests that Meta’s use of data from the third-party “Library Genesis”
26 database for training the Llama Models required authorization from the owners of the copyrights
27 in the works contained within that database.

28 Subject to and without waiving the foregoing objections, Meta responds as follows: [REDACTED]

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[REDACTED]

REQUEST FOR ADMISSION NO. 22:

Admit that You used the database known as “The Pile” as a Dataset to train one or more Llama Models.

RESPONSE TO REQUEST FOR ADMISSION NO. 22:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term “‘The Pile’ database” as vague and ambiguous. Meta will construe “‘The Pile’ database” to mean the third-party dataset commonly known as The Pile. Meta further objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it has used some content included in the third-party dataset commonly known as The Pile as training data to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

REQUEST FOR ADMISSION NO. 23:

Admit that the database known as “The Pile” contains copyrighted works.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 23:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term “‘The Pile’ database” as vague and ambiguous. Meta will construe “‘The Pile’ database” to mean the third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it calls for a legal conclusion as to “copyrighted works,” and on the ground that it does not specify any copyrighted works or otherwise define this term.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that text from a published and commercially-available version of one or more copyrighted works appears in the third-party dataset commonly known as The Pile. Except as expressly

1 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
2 that basis denies it.

3 **REQUEST FOR ADMISSION NO. 24:**

4 Admit that Your use of the database known as “The Pile” as a Dataset for training Llama
5 Models was not authorized by all copyright owners of the works contained within the “The Pile”
6 database.

7 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to the term “‘The
10 Pile’ database” as vague and ambiguous. Meta will construe “‘The Pile’ database” to mean the
11 third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it
12 calls for a legal conclusion. Meta further objects on the ground that the term “copyright owners”
13 is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly
14 copyright registered works at issue in this Action. Meta further objects to this Request on the
15 ground that information about who the “copyright owner” is for any allegedly copyrighted book or
16 its contents is outside of Meta’s possession, custody, or control. Even reviewing the copyright
17 registration or copyright notice in a book would not tell Meta who the “copyright owner” is of any
18 book, because, e.g., all or some of the exclusive rights of copyright could have been assigned, could
19 be invalid, could have been contributed to the public domain, or could have been registered through
20 error or fraud in the name of a person other than the author/true copyright owner. Moreover, even
21 where an author owns the copyright to a book, that copyright may not cover all text in the book (by
22 way of example, content contributed by another author, or previously published or registered works
23 appearing in a collection or anthology, such as a collection of short stories, are not covered by any
24 copyright in the book, whether registered or not). Meta construes the term “copyright owner” as
25 used in this Request to refer to the person identified in the book as the copyright owner, without
26 admitting that such person in fact owns a valid copyright in the book or what it covers. Meta further
27 objects to this Request as overly burdensome and disproportionate to the needs of the case insofar
28 as it would require Meta to attempt to ascertain the “copyright owner” of “all copyrighted books”

1 in the “The Pile,” a database Meta did not create and which Plaintiffs assert comprises thousands
2 of books. Meta objects to this Request to the extent it improperly suggests that Meta participated
3 in the selection of content to be included in the third-party dataset commonly known as The Pile or
4 that Meta’s use of The Pile for training the Llama Models required authorization from the owners
5 of the copyrights in the works contained within that dataset.

6 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
7 admits that it did not seek or obtain authorization from all copyright owners (as construed above)
8 of any works included within the third-party The Pile dataset to use that dataset for training Llama
9 Models. Except as expressly admitted, Meta denies this Request.

10 **REQUEST FOR ADMISSION NO. 25:**

11 Admit that You have contacted one or more Person(s) to negotiate licensing of material for
12 the purpose of training a Llama Model.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

14 Meta incorporates by reference its Objections to Instructions and Definitions, including its
15 own definitions stated therein, which are applicable to this Request. Meta objects to the terms
16 “material” and “licensing” as vague, ambiguous, and indefinite.

17 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
18 admits that it has contacted one or more Persons to discuss an agreement for access to and use of
19 certain data as training material. Except as expressly admitted, Meta denies this Request.

20 **REQUEST FOR ADMISSION NO. 26:**

21 Admit that You have contacted one or more copyright owners to negotiate licensing of their
22 copyrighted material for the purpose of training a Llama Model.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

24 Meta incorporates by reference its Objections to Instructions and Definitions, including its
25 own definitions stated therein, which are applicable to this Request. Meta objects to the terms
26 “copyright owners,” “copyrighted material,” and “licensing” as vague, ambiguous, indefinite, and
27 calling for a legal conclusion.

28 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

1 admits that it has contacted one or more Persons to discuss an agreement for access to and use of
2 certain data that may include copyrighted material as training material. Except as expressly
3 admitted, Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 27:**

5 Admit that each Llama Model can generate text outputs similar to copyrighted works in
6 Datasets used to train each Llama Model.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 27:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
10 insofar as it seeks information that is not relevant to any party’s claims or defenses, in particular
11 the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it
12 purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the
13 grounds that the terms “copyrighted works” and “similar to copyrighted works” are vague,
14 ambiguous, undefined, indefinite, and call for a legal conclusion. Meta objects to this Request as
15 speculative insofar as it seeks an admission as to whether the Llama Models “can” generate certain
16 text outputs, regardless of whether they actually do generate those text outputs. Meta objects to the
17 phrase “each Llama Model can generate” as vague and ambiguous. Meta will construe “each Llama
18 Model can generate” to refer to the capabilities of the final, released versions of Llama 1, Llama 2,
19 and Llama 3, as construed above. Meta further objects to this Request on the ground that it
20 constitutes an incomplete hypothetical and calls for speculation.

21 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

22 **REQUEST FOR ADMISSION NO. 28:**

23 Admit that You issued a DMCA takedown notice to a Person who made a leaked version
24 of Llama 1 available for download to third parties.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 28:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, including its
27 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
28 insofar as it seeks information that is not relevant to any party’s claims or defenses. Meta objects

1 to the term “leaked version” as vague, ambiguous, and undefined. Meta construes the term “third
2 parties” synonymously with the defined term Third Parties.

3 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
4 admits that it issued a DMCA takedown notice to a Person who made the Llama 1 weights available
5 for download to Third Parties other than those Persons authorized to use Llama 1. Except as
6 expressly admitted, Meta denies this Request.

7 **REQUEST FOR ADMISSION NO. 29:**

8 Admit that You received more than 100,000 applications for access to Llama 1.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 29:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, including its
11 own definitions stated therein, which are applicable to this Request. Meta objects to the term
12 “applications” as vague and ambiguous.

13 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
14 admits that it received more than 100,000 requests to provide access to Llama 1. Except as
15 expressly admitted, Meta denies this Request.

16 **REQUEST FOR ADMISSION NO. 30:**

17 Admit that You granted access to Llama 1 to tens of thousands of third-party users.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 30:**

19 Meta incorporates by reference its Objections to Instructions and Definitions, including its
20 own definitions stated therein, which are applicable to this Request. Meta construes “third parties”
21 in this Request synonymously with the defined term Third Parties.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

23 **REQUEST FOR ADMISSION NO. 31:**

24 Admit that You granted access to Llama 2 to tens of thousands of third-party users.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 31:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, including its
27 own definitions stated therein, which are applicable to this Request. Meta objects to the term
28 “granted access” as vague and ambiguous in the context of Llama 2, which is freely available. Meta

1 construes “third parties” in this Request synonymously with the defined term Third Parties.

2 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
3 admits that Llama 2 is freely available to at least tens of thousands of third-party users. Except as
4 expressly admitted, Meta denies this Request.

5 **REQUEST FOR ADMISSION NO. 32:**

6 Admit that You granted access to Llama 3 to tens of thousands of third-party users.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 32:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to the term
10 “granted access” as vague and ambiguous in the context of Llama 3, which is freely available. Meta
11 construes “third parties” in this Request synonymously with the defined term Third Parties.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
13 admits that Llama 3 is freely available to at least tens of thousands of third-party users. Except as
14 expressly admitted, Meta denies this Request.

15 **REQUEST FOR ADMISSION NO. 33:**

16 Admit that one or more Llama Models were trained using publicly available data.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 33:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, including its
19 own definitions stated therein, which are applicable to this Request. Meta objects to the term
20 “publicly available data” as vague and ambiguous, and will construe the term to mean data that is
21 accessible for free to the general public. Meta further objects to this Request as compound.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

23 **REQUEST FOR ADMISSION NO. 34:**

24 Admit that the publicly available data used to train the Llama Models included copyrighted
25 works.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 34:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, including its
28 own definitions stated therein, which are applicable to this Request. Meta objects to the term

1 “publicly available data” as vague and ambiguous, and will construe the term to mean data that is
2 accessible for free to the general public. Meta objects to this Request to the extent that it calls for
3 a legal conclusion as to “copyrighted works,” and on the ground that it does not specify any
4 copyrighted works or otherwise define this term. Meta further objects to this Request as compound.

5 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
6 admits that the publicly available data used to train the Llama Models included text from a
7 published and commercially-available version of one or more copyrighted works.

8 **REQUEST FOR ADMISSION NO. 35:**

9 Admit that Meta has not provided to Plaintiffs a list of works used in the Datasets used to
10 train Llama Models.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 35:**

12 Meta incorporates by reference its Objections to Instructions and Definitions, including its
13 own definitions stated therein, which are applicable to this Request. Meta objects to the term
14 “works” as vague, ambiguous, and indefinite. Meta objects to this Request as it improperly seeking
15 discovery on discovery.

16 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.
17 Meta has produced a list of the content of the third-party Books3 dataset (Meta_Kadrey_00000250),
18 which is alleged to include text from each of Plaintiffs’ books that are at issue in the Complaint.
19 Meta is not aware or in possession of any list(s) of the content of any other Datasets used to train
20 the Llama Models, and any such list(s) would not be relevant to the Parties’ claims or defenses nor
21 proportional to the needs of this case. Except as expressly admitted, Meta denies this Request.

22 **REQUEST FOR ADMISSION NO. 36:**

23 Admit that the toxicity mitigation measures in Llama 2 were identical to those present in
24 Llama 1.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 36:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, including its
27 own definitions stated therein, which are applicable to this Request. Meta objects to the term
28 “toxicity mitigation measures” as vague, ambiguous, and undefined. Meta will construe this term

1 to refer to measures taken or implemented to avoid generating toxic content as outputs.

2 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

3 **REQUEST FOR ADMISSION NO. 37:**

4 Admit that the toxicity mitigation measures in Llama 3 were identical to those present in
5 Llama 2.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 37:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, including its
8 own definitions stated therein, which are applicable to this Request. Meta objects to the term
9 “toxicity mitigation measures” as vague, ambiguous, and undefined. Meta will construe this term
10 to refer to measures taken or implemented to avoid generating toxic content as outputs.

11 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

12 **REQUEST FOR ADMISSION NO. 38:**

13 Admit that You store copyrighted material for training Llama Models.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 38:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, including its
16 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
17 to the extent that it calls for a legal conclusion. Meta objects to this Request on the grounds that
18 the term “copyrighted material” is vague, ambiguous, undefined, indefinite, and calls for a legal
19 conclusion. Meta objects to the term “store copyrighted material for training Llama Models” as
20 vague and ambiguous. Meta also objects on the ground that this Request is overbroad and seeks
21 information that is not relevant to any party’s claims or defenses. Meta objects to this Request as
22 compound.

23 Subject to and without waiving the foregoing objections, Meta responds as follows: As
24 written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is
25 willing to meet and confer to understand how to interpret this Request.

26 **REQUEST FOR ADMISSION NO. 39:**

27 Admit that You have not deleted all copyrighted material in Your possession after it is used
28 for training Llama Models.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 39:**

2 Meta incorporates by reference its Objections to Instructions and Definitions, including its
3 own definitions stated therein, which are applicable to this Request. . Meta objects to this Request
4 on the grounds that the term “copyrighted material” is vague, ambiguous, undefined, indefinite,
5 and calls for a legal conclusion. Meta objects to this Request to the extent it suggests that Meta
6 was required to delete copyrighted material used for training LLMs after the material was used to
7 train its Llama Models. Meta also objects on the ground that this Request is overbroad and seeks
8 information that is not relevant to any party’s claims or defenses. Meta objects to this Request as
9 compound.

10 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
11 admits that it has not deleted all training data used to train its Llama Models in its possession after
12 that training data was used to train its Llama Models, including, in part, to comply with its
13 obligations to preserve relevant documents and materials in connection with this Action. Except
14 as expressly admitted, Meta denies this Request.

15 **REQUEST FOR ADMISSION NO. 40:**

16 Admit that you reproduced copyrighted material in the training of Llama models.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 40:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, including its
19 own definitions stated therein, which are applicable to this Request. Meta objects to the term
20 “Llama models” as vague and ambiguous to the extent its meaning is intended to be different from
21 the defined term “Llama Models.” Meta will construe “Llama models” as the defined term “Llama
22 Models” as limited and construed above. Meta objects to this Request on the grounds that the terms
23 “copyrighted material” and “reproduced” are vague, ambiguous, undefined, indefinite, and call for
24 a legal conclusion. Meta objects to this Request to the extent it calls for a legal conclusion. Meta
25 objects to this Request as compound.

26 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

27 **REQUEST FOR ADMISSION NO. 41:**

28 Admit that the Llama Models are capable of reproducing copyrighted material.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 41:

2 Meta incorporates by reference its Objections to Instructions and Definitions, including its
3 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
4 insofar as it seeks information that is not relevant to any party’s claims or defenses, in particular
5 the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it
6 purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the
7 grounds that the term “copyrighted material” is vague, ambiguous, undefined, indefinite, and calls
8 for a legal conclusion. Meta objects to this Request as speculative insofar as it seeks an admission
9 as to whether the Llama Models “are capable of” reproducing certain material, regardless of
10 whether they actually do reproduce such material. Meta objects to the phrase “the Llama Models
11 are capable of reproducing” as vague and ambiguous. Meta will construe “the Llama Models are
12 capable of reproducing” to refer to the capabilities of the final, released versions of Llama 1, Llama
13 2, and Llama 3, as construed above. Meta further objects to this Request on the ground that it
14 constitutes an incomplete hypothetical and calls for speculation.

15 Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

16 REQUEST FOR ADMISSION NO. 42:

17 Admit that the Llama Models are programmed, trained, or filtered to avoid reproducing
18 copyrighted material.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 42:

20 Meta incorporates by reference its Objections to Instructions and Definitions, including its
21 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
22 insofar as it seeks information that is not relevant to any party’s claims or defenses, in particular
23 the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it
24 purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the
25 grounds that the term “copyrighted material” is vague, ambiguous, undefined, indefinite, and calls
26 for a legal conclusion.

27 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
28 admits that it implemented certain risk mitigation measures in the process of developing the Llama

1 Models to minimize the likelihood that the models would generate undesirable outputs, including
2 outputs that may reproduce portions of any copyrighted materials. Except as expressly admitted,
3 Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 43:**

5 Admit that the Llama Models that were trained with copyrighted material had at least in
6 part a commercial purpose.

7 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 43:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, including its
9 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
10 on the grounds that the term “copyrighted material” is vague, ambiguous, undefined, indefinite,
11 and calls for a legal conclusion. Meta objects to the Request as compound.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
13 admits that Llama 2 and Llama 3 models were made available to the open source community
14 pursuant to a license that allowed developers to use the models for commercial uses pursuant to
15 certain terms and conditions. Meta also admits that the data used to train the Llama Models
16 included text from a published and commercially-available version of one or more copyrighted
17 works. Except as expressly admitted, Meta denies this Request.

18 **REQUEST FOR ADMISSION NO. 44:**

19 Admit that if copyright holders or other content creators demanded that You not use their
20 content to train Your LLM models, then You would not use their content to train Your LLM models.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 44:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, including its
23 own definitions stated therein, which are applicable to this Request. Meta objects to this Request
24 on the ground that it constitutes an incomplete hypothetical and as purely speculative.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: As
26 written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is
27 willing to meet and confer to understand how to interpret this Request.

28 **REQUEST FOR ADMISSION NO. 45:**

1 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *Aloha from Hell*.

2 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 45:**

3 Meta incorporates by reference its Objections to Instructions and Definitions, which are
4 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
5 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
6 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
7 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
8 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
9 particular book, and would require Meta to conduct an analysis of a third party database that is
10 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
11 Request to the extent that it presumes that the referenced author in fact authored the referenced
12 work—information that is outside of Meta’s possession, custody, or control.

13 Meta admits that some text from a published and commercially-available version of *Aloha*
14 *from Hell* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
15 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

16 **REQUEST FOR ADMISSION NO. 46:**

17 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *The Everything*
18 *Box*.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 46:**

20 Meta incorporates by reference its Objections to Instructions and Definitions, which are
21 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
22 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
23 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
24 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
25 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
26 particular book, and would require Meta to conduct an analysis of a third party database that is
27 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
28 Request to the extent that it presumes that the referenced author in fact authored the referenced

1 work—information that is outside of Meta’s possession, custody, or control.

2 Meta admits that some text from a published and commercially-available version of *The*
3 *Everything Box* is included in the third party Books3 dataset. Except as expressly admitted, Meta
4 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
5 it..

6 **REQUEST FOR ADMISSION NO. 47:**

7 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *Kill the Dead*.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 47:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, which are
10 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
11 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
12 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
13 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
14 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
15 particular book, and would require Meta to conduct an analysis of a third party database that is
16 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
17 Request to the extent that it presumes that the referenced author in fact authored the referenced
18 work—information that is outside of Meta’s possession, custody, or control.

19 Meta admits that some text from a published and commercially-available version of *Kill the*
20 *Dead* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
21 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

22 **REQUEST FOR ADMISSION NO. 48:**

23 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *The Perdition*
24 *Score*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 48:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, which are
27 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
28 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
4 particular book, and would require Meta to conduct an analysis of a third party database that is
5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
6 Request to the extent that it presumes that the referenced author in fact authored the referenced
7 work—information that is outside of Meta’s possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *The*
9 *Perdition Score* is included in the third party Books3 dataset. Except as expressly admitted, Meta
10 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
11 it.

12 **REQUEST FOR ADMISSION NO. 49:**

13 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *Sandman Slim*.

14 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 49:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, which are
16 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
17 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
18 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
19 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
20 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
21 particular book, and would require Meta to conduct an analysis of a third party database that is
22 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
23 Request to the extent that it presumes that the referenced author in fact authored the referenced
24 work—information that is outside of Meta’s possession, custody, or control.

25 Meta admits that some text from a published and commercially-available version of
26 *Sandman Slim* is included in the third party Books3 dataset. Except as expressly admitted, Meta
27 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
28 it.

1 **REQUEST FOR ADMISSION NO. 50:**

2 Admit that the Books3 database contains Plaintiff Richard Kadrey’s work *The Wrong Dead*
3 *Guy*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 50:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are
6 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
7 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
11 particular book, and would require Meta to conduct an analysis of a third party database that is
12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
13 Request to the extent that it presumes that the referenced author in fact authored the referenced
14 work—information that is outside of Meta’s possession, custody, or control.

15 Meta admits that some text from a published and commercially-available version of *The*
16 *Wrong Dead Guy* is included in the third party Books3 dataset. Except as expressly admitted, Meta
17 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
18 it.

19 **REQUEST FOR ADMISSION NO. 51:**

20 Admit that the Books3 database contains Plaintiff Sarah Silverman’s work *The Bedwetter*.

21 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 51:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, which are
23 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
24 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
26 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
27 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
28 particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
2 Request to the extent that it presumes that the referenced author in fact authored the referenced
3 work—information that is outside of Meta’s possession, custody, or control.

4 Meta admits that some text from a published and commercially-available version of *The*
5 *Bedwetter* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
6 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

7 **REQUEST FOR ADMISSION NO. 52:**

8 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *Ararat*.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 52:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, which are
11 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
12 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
13 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
14 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
15 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
16 particular book, and would require Meta to conduct an analysis of a third party database that is
17 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
18 Request to the extent that it presumes that the referenced author in fact authored the referenced
19 work—information that is outside of Meta’s possession, custody, or control.

20 Meta admits that some text from a published and commercially-available version of *Ararat*
21 is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information
22 sufficient to form a belief as to the truth of this request, and on that basis denies it.

23 **REQUEST FOR ADMISSION NO. 53:**

24 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *Dead*
25 *Ringers*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 53:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, which are
28 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and

1 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
3 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
4 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
5 particular book, and would require Meta to conduct an analysis of a third party database that is
6 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
7 Request to the extent that it presumes that the referenced author in fact authored the referenced
8 work—information that is outside of Meta’s possession, custody, or control.

9 Meta admits that some text from a published and commercially-available version of *Dead*
10 *Ringers* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
11 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

12 **REQUEST FOR ADMISSION NO. 54:**

13 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *The Pandora*
14 *Room*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 54:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
22 particular book, and would require Meta to conduct an analysis of a third party database that is
23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
24 Request to the extent that it presumes that the referenced author in fact authored the referenced
25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of *The*
27 *Pandora Room* is included in the third party Books3 dataset. Except as expressly admitted, Meta
28 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

1 it.

2 **REQUEST FOR ADMISSION NO. 55:**

3 Admit that the Books3 database contains Plaintiff Christopher Golden’s work *Snowblind*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 55:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are
6 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
7 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
11 particular book, and would require Meta to conduct an analysis of a third party database that is
12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
13 Request to the extent that it presumes that the referenced author in fact authored the referenced
14 work—information that is outside of Meta’s possession, custody, or control.

15 Meta admits that some text from a published and commercially-available version of
16 *Snowblind* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
17 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

18 **REQUEST FOR ADMISSION NO. 56:**

19 Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates’s work *The Beautiful*
20 *Struggle*.

21 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 56:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, which are
23 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
24 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
26 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
27 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
28 particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
2 Request to the extent that it presumes that the referenced author in fact authored the referenced
3 work—information that is outside of Meta’s possession, custody, or control.

4 Meta admits that some text from a published and commercially-available version of *The*
5 *Beautiful Struggle* is included in the third party Books3 dataset. Except as expressly admitted,
6 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
7 denies it.

8 **REQUEST FOR ADMISSION NO. 57:**

9 Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates’s work *The Water*
10 *Dancer*.

11 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 57:**

12 Meta incorporates by reference its Objections to Instructions and Definitions, which are
13 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
14 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
15 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
16 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
17 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
18 particular book, and would require Meta to conduct an analysis of a third party database that is
19 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
20 Request to the extent that it presumes that the referenced author in fact authored the referenced
21 work—information that is outside of Meta’s possession, custody, or control.

22 Meta admits that some text from a published and commercially-available version of *The*
23 *Water Dancer* is included in the third party Books3 dataset. Except as expressly admitted, Meta
24 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
25 it.

26 **REQUEST FOR ADMISSION NO. 58:**

27 Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates’s work *We Were Eight*
28 *Years in Power*.

1 AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 58:

2 Meta incorporates by reference its Objections to Instructions and Definitions, which are
3 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
4 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
5 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
6 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
7 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
8 particular book, and would require Meta to conduct an analysis of a third party database that is
9 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
10 Request to the extent that it presumes that the referenced author in fact authored the referenced
11 work—information that is outside of Meta’s possession, custody, or control.

12 Meta admits that some text from a published and commercially-available version of *We*
13 *Were Eight Years in Power* is included in the third party Books3 dataset. Except as expressly
14 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
15 that basis denies it.

16 REQUEST FOR ADMISSION NO. 59:

17 Admit that the Books3 database contains Plaintiff Junot Diaz’s work *The Brief Wondrous*
18 *Life of Oscar Wao*.

19 AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 59:

20 Meta incorporates by reference its Objections to Instructions and Definitions, which are
21 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
22 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
23 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
24 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
25 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
26 particular book, and would require Meta to conduct an analysis of a third party database that is
27 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
28 Request to the extent that it presumes that the referenced author in fact authored the referenced

1 work—information that is outside of Meta’s possession, custody, or control.

2 Meta admits that some text from a published and commercially-available version of *The*
3 *Brief Wondrous Life of Oscar Wao* is included in the third party Books3 dataset. Except as
4 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
5 and on that basis denies it.

6 **REQUEST FOR ADMISSION NO. 60:**

7 Admit that the Books3 database contains Plaintiff Junot Díaz’s work *Drown*.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

9 Meta incorporates by reference its Objections to Instructions and Definitions, which are
10 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
11 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
12 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
13 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
14 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
15 particular book, and would require Meta to conduct an analysis of a third party database that is
16 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
17 Request to the extent that it presumes that the referenced author in fact authored the referenced
18 work—information that is outside of Meta’s possession, custody, or control.

19 Meta admits that some text from a published and commercially-available version of *Drown*
20 is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information
21 sufficient to form a belief as to the truth of this request, and on that basis denies it.

22 **REQUEST FOR ADMISSION NO. 61:**

23 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *The*
24 *Confessions of Max Tivoli*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 61:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, which are
27 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
28 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
4 particular book, and would require Meta to conduct an analysis of a third party database that is
5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
6 Request to the extent that it presumes that the referenced author in fact authored the referenced
7 work—information that is outside of Meta’s possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *The*
9 *Confessions of Max Tivoli* is included in the third party Books3 dataset. Except as expressly
10 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on
11 that basis denies it.

12 **REQUEST FOR ADMISSION NO. 62:**

13 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *How It Was*
14 *For Me*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 62:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
22 particular book, and would require Meta to conduct an analysis of a third party database that is
23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
24 Request to the extent that it presumes that the referenced author in fact authored the referenced
25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of *How It*
27 *Was For Me* is included in the third party Books3 dataset. Except as expressly admitted, Meta
28 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

1 it.

2 **REQUEST FOR ADMISSION NO. 63:**

3 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *Less*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 63:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are
6 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
7 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
11 particular book, and would require Meta to conduct an analysis of a third party database that is
12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
13 Request to the extent that it presumes that the referenced author in fact authored the referenced
14 work—information that is outside of Meta’s possession, custody, or control.

15 Meta admits that some text from a published and commercially-available version of *Less* is
16 included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information
17 sufficient to form a belief as to the truth of this request, and on that basis denies it.

18 **REQUEST FOR ADMISSION NO. 64:**

19 Admit that the Books3 database contains Plaintiff Andrew Sean Greer’s work *The Path of*
20 *Minor Planets*.

21 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 64:**

22 Meta incorporates by reference its Objections to Instructions and Definitions, which are
23 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
24 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
26 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
27 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
28 particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
2 Request to the extent that it presumes that the referenced author in fact authored the referenced
3 work—information that is outside of Meta’s possession, custody, or control.

4 Meta admits that some text from a published and commercially-available version of *The*
5 *Path of Minor Planets* is included in the third party Books3 dataset. Except as expressly admitted,
6 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
7 denies it.

8
9 **REQUEST FOR ADMISSION NO. 65:**

10 Admit that the Books3 database contains Plaintiff David Henry Hwang’s work *Golden*
11 *Child*.

12 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, which are
14 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
15 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
16 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
17 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
18 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
19 particular book, and would require Meta to conduct an analysis of a third party database that is
20 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
21 Request to the extent that it presumes that the referenced author in fact authored the referenced
22 work—information that is outside of Meta’s possession, custody, or control.

23 Meta admits that some text from a published and commercially-available version of *Golden*
24 *Child* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
25 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

26 **REQUEST FOR ADMISSION NO. 66:**

27 Admit that the Books3 database contains Plaintiff David Henry Hwang’s work *M. Butterfly*.

28 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

1 Meta incorporates by reference its Objections to Instructions and Definitions, which are
2 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
3 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
4 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
5 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
6 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
7 particular book, and would require Meta to conduct an analysis of a third party database that is
8 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
9 Request to the extent that it presumes that the referenced author in fact authored the referenced
10 work—information that is outside of Meta’s possession, custody, or control.

11 Meta admits that some text from a published and commercially-available version of *M.*
12 *Butterfly* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
13 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

14 **REQUEST FOR ADMISSION NO. 67:**

15 Admit that the Books3 database contains Plaintiff David Henry Hwang’s work *Trying to*
16 *Find Chinatown*.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, which are
19 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
20 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
21 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
22 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
23 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
24 particular book, and would require Meta to conduct an analysis of a third party database that is
25 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
26 Request to the extent that it presumes that the referenced author in fact authored the referenced
27 work—information that is outside of Meta’s possession, custody, or control.

28 Meta admits that some text from a published and commercially-available version of *Trying*

1 to *Find Chinatown* is included in the third party Books3 dataset. Except as expressly admitted,
2 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
3 denies it.

4 **REQUEST FOR ADMISSION NO. 68:**

5 Admit that the Books3 database contains Plaintiff Matthew Klam’s work *Sam the Cat*.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, which are
8 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
9 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
10 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
11 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
12 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
13 particular book, and would require Meta to conduct an analysis of a third party database that is
14 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
15 Request to the extent that it presumes that the referenced author in fact authored the referenced
16 work—information that is outside of Meta’s possession, custody, or control.

17 Meta admits that some text from a published and commercially-available version of *Sam*
18 *the Cat* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
19 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

20 **REQUEST FOR ADMISSION NO. 69:**

21 Admit that the Books3 database contains Plaintiff Matthew Klam’s work *Who is Rich?*

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

23 Meta incorporates by reference its Objections to Instructions and Definitions, which are
24 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
25 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
26 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
27 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
28 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

1 particular book, and would require Meta to conduct an analysis of a third party database that is
2 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
3 Request to the extent that it presumes that the referenced author in fact authored the referenced
4 work—information that is outside of Meta’s possession, custody, or control.

5 Meta admits that some text from a published and commercially-available version of *Who is*
6 *Rich?* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
7 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

8 **REQUEST FOR ADMISSION NO. 70:**

9 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *After I’m Gone*.

10 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

11 Meta incorporates by reference its Objections to Instructions and Definitions, which are
12 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
13 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
15 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
16 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
17 particular book, and would require Meta to conduct an analysis of a third party database that is
18 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
19 Request to the extent that it presumes that the referenced author in fact authored the referenced
20 work—information that is outside of Meta’s possession, custody, or control.

21 Meta admits that some text from a published and commercially-available version of *After*
22 *I’m Gone* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
23 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

24 **REQUEST FOR ADMISSION NO. 71:**

25 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *In a Strange City*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, which are
28 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and

1 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
3 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
4 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
5 particular book, and would require Meta to conduct an analysis of a third party database that is
6 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
7 Request to the extent that it presumes that the referenced author in fact authored the referenced
8 work—information that is outside of Meta’s possession, custody, or control.

9 Meta admits that some text from a published and commercially-available version of *In a*
10 *Strange City* is included in the third party Books3 dataset. Except as expressly admitted, Meta
11 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
12 it.

13 **REQUEST FOR ADMISSION NO. 72:**

14 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *Lady in the Lake*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 72:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
22 particular book, and would require Meta to conduct an analysis of a third party database that is
23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
24 Request to the extent that it presumes that the referenced author in fact authored the referenced
25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of *Lady*
27 *in the Lake* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
28 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

1 **REQUEST FOR ADMISSION NO. 73:**

2 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *Sunburn*.

3 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 73:**

4 Meta incorporates by reference its Objections to Instructions and Definitions, which are
5 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
6 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
7 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
8 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
9 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
10 particular book, and would require Meta to conduct an analysis of a third party database that is
11 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
12 Request to the extent that it presumes that the referenced author in fact authored the referenced
13 work—information that is outside of Meta’s possession, custody, or control.

14 Meta admits that some text from a published and commercially-available version of
15 *Sunburn* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
16 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

17 **REQUEST FOR ADMISSION NO. 74:**

18 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *What the Dead*
19 *Know*.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, which are
22 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
23 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
24 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
25 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
26 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
27 particular book, and would require Meta to conduct an analysis of a third party database that is
28 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1 Request to the extent that it presumes that the referenced author in fact authored the referenced
2 work—information that is outside of Meta’s possession, custody, or control.

3 Meta admits that some text from a published and commercially-available version of *What*
4 *the Dead Know* is included in the third party Books3 dataset. Except as expressly admitted, Meta
5 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
6 it.

7 **REQUEST FOR ADMISSION NO. 75:**

8 Admit that the Books3 database contains Plaintiff Laura Lippman’s work *Wilde Lake*.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, which are
11 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
12 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
13 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
14 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
15 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
16 particular book, and would require Meta to conduct an analysis of a third party database that is
17 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
18 Request to the extent that it presumes that the referenced author in fact authored the referenced
19 work—information that is outside of Meta’s possession, custody, or control.

20 Meta admits that some text from a published and commercially-available version of *Wilde*
21 *Lake* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
22 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

23 **REQUEST FOR ADMISSION NO. 76:**

24 Admit that the Books3 database contains Plaintiff Rachel Louise Snyder’s work *No Visible*
25 *Bruises: What We Don’t Know About Domestic Violence Can Kill Us*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

27 Meta incorporates by reference its Objections to Instructions and Definitions, which are
28 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and

1 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
3 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
4 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
5 particular book, and would require Meta to conduct an analysis of a third party database that is
6 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
7 Request to the extent that it presumes that the referenced author in fact authored the referenced
8 work—information that is outside of Meta’s possession, custody, or control.

9 Meta admits that some text from a published and commercially-available version of *No*
10 *Visible Bruises: What We Don’t Know About Domestic Violence Can Kill Us I* is included in the
11 third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form
12 a belief as to the truth of this request, and on that basis denies it.

13 **REQUEST FOR ADMISSION NO. 77:**

14 Admit that the Books3 database contains Plaintiff Lysa TerKeurst’s work *Embraced*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 77:**

16 Meta incorporates by reference its Objections to Instructions and Definitions, which are
17 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
18 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
22 particular book, and would require Meta to conduct an analysis of a third party database that is
23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
24 Request to the extent that it presumes that the referenced author in fact authored the referenced
25 work—information that is outside of Meta’s possession, custody, or control.

26 Meta admits that some text from a published and commercially-available version of
27 *Embraced* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
28 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

1 **REQUEST FOR ADMISSION NO. 78:**

2 Admit that the Books3 database contains Plaintiff Lysa TerKeurst’s work *Unglued*.

3 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 78:**

4 Meta incorporates by reference its Objections to Instructions and Definitions, which are
5 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
6 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
7 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
8 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
9 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
10 particular book, and would require Meta to conduct an analysis of a third party database that is
11 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
12 Request to the extent that it presumes that the referenced author in fact authored the referenced
13 work—information that is outside of Meta’s possession, custody, or control.

14 Meta admits that some text from a published and commercially-available version of
15 *Unglued* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
16 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

17 **REQUEST FOR ADMISSION NO. 79:**

18 Admit that the Books3 database contains Plaintiff Lysa TerKeurst’s work *Made to Crave*
19 *Devotional*.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 79:**

21 Meta incorporates by reference its Objections to Instructions and Definitions, which are
22 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
23 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
24 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
25 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
26 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
27 particular book, and would require Meta to conduct an analysis of a third party database that is
28 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1 Request to the extent that it presumes that the referenced author in fact authored the referenced
2 work—information that is outside of Meta’s possession, custody, or control.

3 Meta admits that some text from a published and commercially-available version of *Made*
4 *to Crave Devotional* is included in the third party Books3 dataset. Except as expressly admitted,
5 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
6 denies it.

7 **REQUEST FOR ADMISSION NO. 80:**

8 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *After Tupac*
9 *& D Foster*.

10 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 80:**

11 Meta incorporates by reference its Objections to Instructions and Definitions, which are
12 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
13 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
15 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
16 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
17 particular book, and would require Meta to conduct an analysis of a third party database that is
18 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
19 Request to the extent that it presumes that the referenced author in fact authored the referenced
20 work—information that is outside of Meta’s possession, custody, or control.

21 Meta admits that some text from a published and commercially-available version of *After*
22 *Tupac & D Foster* is included in the third party Books3 dataset. Except as expressly admitted,
23 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis
24 denies it.

25 **REQUEST FOR ADMISSION NO. 81:**

26 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Another*
27 *Brooklyn*.

28 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 81:**

1 Meta incorporates by reference its Objections to Instructions and Definitions, which are
2 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
3 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
4 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
5 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
6 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
7 particular book, and would require Meta to conduct an analysis of a third party database that is
8 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
9 Request to the extent that it presumes that the referenced author in fact authored the referenced
10 work—information that is outside of Meta’s possession, custody, or control.

11 Meta admits that some text from a published and commercially-available version of *Another*
12 *Brooklyn* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
13 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

14 **REQUEST FOR ADMISSION NO. 82:**

15 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Behind You*.

16 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 82:**

17 Meta incorporates by reference its Objections to Instructions and Definitions, which are
18 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
19 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
20 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
21 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
22 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
23 particular book, and would require Meta to conduct an analysis of a third party database that is
24 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
25 Request to the extent that it presumes that the referenced author in fact authored the referenced
26 work—information that is outside of Meta’s possession, custody, or control.

27 Meta admits that some text from a published and commercially-available version of *Behind*
28 *You* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

1 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

2 **REQUEST FOR ADMISSION NO. 83:**

3 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Beneath a*
4 *Meth Moon*.

5 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

6 Meta incorporates by reference its Objections to Instructions and Definitions, which are
7 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
8 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
9 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
10 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
11 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
12 particular book, and would require Meta to conduct an analysis of a third party database that is
13 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
14 Request to the extent that it presumes that the referenced author in fact authored the referenced
15 work—information that is outside of Meta’s possession, custody, or control.

16 Meta admits that some text from a published and commercially-available version of *Beneath*
17 *a Meth Moon* is included in the third party Books3 dataset. Except as expressly admitted, Meta
18 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
19 it.

20 **REQUEST FOR ADMISSION NO. 84:**

21 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Brown Girl*
22 *Dreaming*.

23 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

24 Meta incorporates by reference its Objections to Instructions and Definitions, which are
25 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
26 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
27 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
28 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
2 particular book, and would require Meta to conduct an analysis of a third party database that is
3 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
4 Request to the extent that it presumes that the referenced author in fact authored the referenced
5 work—information that is outside of Meta’s possession, custody, or control.

6 Meta admits that some text from a published and commercially-available version of *Brown*
7 *Girl Dreaming* is included in the third party Books3 dataset. Except as expressly admitted, Meta
8 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
9 it.

10 **REQUEST FOR ADMISSION NO. 85:**

11 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Feathers*.

12 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 85:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, which are
14 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
15 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
16 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
17 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
18 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
19 particular book, and would require Meta to conduct an analysis of a third party database that is
20 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
21 Request to the extent that it presumes that the referenced author in fact authored the referenced
22 work—information that is outside of Meta’s possession, custody, or control.

23 Meta admits that some text from a published and commercially-available version of
24 *Feathers* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
25 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

26 **REQUEST FOR ADMISSION NO. 86:**

27 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Harbor Me*.

28

1 AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 86:

2 Meta incorporates by reference its Objections to Instructions and Definitions, which are
3 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
4 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
5 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
6 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
7 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
8 particular book, and would require Meta to conduct an analysis of a third party database that is
9 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
10 Request to the extent that it presumes that the referenced author in fact authored the referenced
11 work—information that is outside of Meta’s possession, custody, or control.

12 Meta admits that some text from a published and commercially-available version of *Harbor*
13 *Me* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
14 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

15 REQUEST FOR ADMISSION NO. 87:

16 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *If You Come*
17 *Softly*.

18 AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 87:

19 Meta incorporates by reference its Objections to Instructions and Definitions, which are
20 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
21 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
22 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
23 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
24 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
25 particular book, and would require Meta to conduct an analysis of a third party database that is
26 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
27 Request to the extent that it presumes that the referenced author in fact authored the referenced
28 work—information that is outside of Meta’s possession, custody, or control.

1 Meta admits that some text from a published and commercially-available version of *If You*
2 *Come Softly* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
3 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

4 **REQUEST FOR ADMISSION NO. 88:**

5 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Miracle’s*
6 *Boys*.

7 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 88:**

8 Meta incorporates by reference its Objections to Instructions and Definitions, which are
9 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
10 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and
11 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
12 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
13 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
14 particular book, and would require Meta to conduct an analysis of a third party database that is
15 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
16 Request to the extent that it presumes that the referenced author in fact authored the referenced
17 work—information that is outside of Meta’s possession, custody, or control.

18 Meta admits that some text from a published and commercially-available version of
19 *Miracle’s Boys* is included in the third party Books3 dataset. Except as expressly admitted, Meta
20 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies
21 it..

22 **REQUEST FOR ADMISSION NO. 89:**

23 Admit that the Books3 database contains Plaintiff Jacqueline Woodson’s work *Red at the*
24 *Bone*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 89:**

26 Meta incorporates by reference its Objections to Instructions and Definitions, which are
27 applicable to this Request. Meta objects to the term “contains” as vague and ambiguous and
28 unintelligible in the context of this RFA. Meta objects to the term “Books3 database” as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,
2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly
3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any
4 particular book, and would require Meta to conduct an analysis of a third party database that is
5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this
6 Request to the extent that it presumes that the referenced author in fact authored the referenced
7 work—information that is outside of Meta’s possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *Red at*
9 *the Bone* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks
10 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

11 Dated: December 13, 2024

COOLEY LLP

12
13 By: /s/Judd Lauter

Bobby Ghajar
Mark Weinstein
Kathleen Hartnett
Judd Lauter
Liz Stameshkin
Colette Ghazarian

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15
16
17 *Full Counsel List*

LEX LUMINA PLLC
Mark A. Lemley

18 COOLEY LLP
19 PHILLIP MORTON (*pro hac vice*)
(pmorton@cooley.com)
20 COLE A. POPPELL (*pro hac vice*)
(cpoppell@cooley.com)
1299 Pennsylvania Avenue, NW, Suite 700
21 Washington, DC 20004-2400
Telephone: (202) 842-7800

CLEARY GOTTLIEB STEEN &
HAMILTON LLP
Angela L. Dunning

Attorneys for Defendant
META PLATFORMS, INC.

22 COOLEY LLP
23 MATTHEW BRIGHAM (191428)
(mbrigham@cooley.com)
24 JUAN PABLO GONZALEZ (334470)
(jgonzalez@cooley.com)
25 3175 Hanover Street
Palo Alto, CA 94304-1130
26 Telephone: (650) 843-5000

27 LEX LUMINA PLLC
MARK A. LEMLEY (155830)
(mlemley@lex-lumina.com)
28 745 Fifth Avenue, Suite 500

1 New York, NY 10151
2 Telephone: (646) 898-2055

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PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in Los Angeles County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite 900, Los Angeles, CA 90071. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.’S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS’ FIRST SET OF REQUESTS FOR ADMISSIONS**



(BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

Executed on December 13, 2024, at Los Angeles, California.

/s/Jerry Gonzalez
Jerry Gonzalez

SERVICE LIST

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Joseph R. Saveri
Cadio Zirpoli
Christopher K.L. Young
Holden Benon
Louis Andrew Kessler
Aaron Cera
Margaux Poueymirou
JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1000
San Francisco, CA 94108
Email: jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
cyoung@saverilawfirm.com
hbenon@saverilawfirm.com
lkessler@saverilawfirm.com
acera@saverilawfirm.com
mpoueymirou@saverilawfirm.com

Matthew Butterick
MATTHEW BUTTERICK,
ATTORNEY AT LAW
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
Email: mb@buttericklaw.com

Attorneys for Individual and Representative Plaintiffs and the Proposed Class

Bryan L. Clobes (admitted *pro hac vice*)
Alexander J. Sweatman (admitted *pro hac vice*)
Mohammed Rathur
CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

Attorneys for Individual and Representative Plaintiffs and the Proposed Class

Joshua I. Schiller, Esq.
Maxwell Vaughn Pritt, Esq.
BOIES SCHILLE FLEXNER
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
Email: jschiller@bsfllp.com
mpritt@bsfllp.com

David Boise, Esq. (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER
333 Main Street
Armonk, NY 10504
Email: dboies@bsfllp.com

Jesse Panuccio (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER
1401 New York Ave. NW
Washington, DC 20005
Email: jpanuccio@bsfllp.com

Attorneys for Individual and Representative Plaintiffs and the Proposed Class

Brian O'Mara
DiCELLO LEVITT LLP
4747 Executive Drive, Suite 240
San Diego, CA 92121
Email: BrianO@dicellolevitt.com

Amy Keller (admitted *pro hac vice*)
James A. Ulwick (admitted *pro hac vice*)
Nada Djordjevic (admitted *pro hac vice*)
DiCELLO LEVITT LLP
10 North Dearborn St., Sixth Floor
Chicago, IL 60602
Email: akeller@dicellolevitt.com
julwick@dicellolevitt.com
ndjordjevic@dicellolevitt.com

David A. Straite (admitted *pro hac vice*)
DiCELLO LEVITT LLP
485 Lexington Avenue, Suite 1001
New York, NY 10017
Email: dstraite@dicellolevitt.com

Attorneys for Plaintiff Lysa TerKeurst

1 Elizabeth J. Cabraser, Esq.
2 Daniel M. Hutchinson, Esq.
3 Reilly T. Stoler, Esq.
4 **LIEFF CABRASER HEIMANN &**
5 **BERNSTEIN, LLP**
6 275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Email: ecabraser@lchb.com
dhutchinson@lchb.com
rstoler@lchb.com

7 Rachel Geman
8 **LIEFF CABRASER HEIMANN &**
9 **BERNSTEIN, LLP**
10 250 Hudson Street, 8th Floor
New York, New York 10013-1413
Telephone: (212) 355-9500
Email: rgeman@lchb.com

11 Attorneys for Plaintiff *Christopher Farnsworth*
12 and Representative Plaintiffs and the Proposed
13 Class

Nancy Evelyn Wolff
COWAN DEBAETS ABRAHAMS &
SHEPPARD LLP
9454 Wilshire Boulevard, Suite 901
Beverly Hills, CA 90212
Telephone: (310) 340-6334
Fax: (310) 492-4394
Email: NWolff@cdas.com

Scott J. Sholder
CeCe M. Cole
COWAN DEBAETS ABRAHAMS &
SHEPPARD LLP
60 Broad Street, 30th Floor
New York, New York 10004
Telephone: (212) 974-7474
Email: ssholder@cdas.com
ccole@cdas.com

Attorneys for Plaintiff *Christopher Farnsworth*
and Representative Plaintiffs and the Proposed
Class

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 COOLEY LLP
 BOBBY GHAJAR (198719)
 2 (bghajar@cooley.com)
 TERESA MICHAUD (296329)
 3 (tmichaud@cooley.com)
 COLETTE GHAZARIAN (322235)
 4 (cghazarian@cooley.com)
 1333 2nd Street, Suite 400
 5 Santa Monica, California 90401
 Telephone: (310) 883-6400
 6
 MARK WEINSTEIN (193043)
 (mweinstein@cooley.com)
 7 KATHLEEN HARTNETT (314267)
 (khartnett@cooley.com)
 8 JUDD LAUTER (290945)
 (jlauter@cooley.com)
 9 ELIZABETH L. STAMESHKIN (260865)
 (lstameshkin@cooley.com)
 10 3175 Hanover Street
 Palo Alto, CA 94304-1130
 11 Telephone: (650) 843-5000

12 CLEARY GOTTLIEB STEEN & HAMILTON LLP
 ANGELA L. DUNNING (212047)
 13 (adunning@cgsh.com)
 1841 Page Mill Road, Suite 250
 14 Palo Alto, CA 94304
 Telephone: (650) 815-4131

15 *[Full Listing on Signature Page]*

16 *Counsel for Defendant Meta Platforms, Inc.*

17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**
 19 **SAN FRANCISCO DIVISION**

20 RICHARD KADREY, *et al.*,
 21 Individual and Representative
 22 Plaintiffs,
 23 v.
 24 META PLATFORMS, INC., a Delaware
 corporation;
 25 Defendant.
 26

Case No. 3:23-cv-03417-VC

**DEFENDANT META PLATFORMS, INC.’S
 AMENDED OBJECTIONS AND RESPONSES TO
 PLAINTIFFS’ SECOND SET OF REQUESTS
 FOR ADMISSIONS**

1 **PROPOUNDING PARTY:** **PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER**
2 **GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER,**
3 **DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN,**
4 **RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA**
5 **TERKEURST, AND CHRISTOPHER FARNSWORTH**

6 **RESPONDING PARTY:** **DEFENDANT META PLATFORMS, INC.**

7 **SET NUMBER:** **SECOND**

8 Pursuant to Rule 36 of the Federal Rules of Civil Procedure (“Rules”), Defendant Meta
9 Platforms, Inc. (“Meta”) responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman,
10 Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang,
11 Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and
12 Christopher Farnsworth’s Second Set of Requests for Admissions (“Requests”).

13 **I. OBJECTIONS AND RESPONSES TO ALL REQUESTS**

14 **1.** Meta’s responses to the Requests are made to the best of Meta’s present knowledge,
15 information, and belief. Said responses are at all times subject to such additional or different
16 information that discovery or further investigation may disclose, and Meta reserves the right to
17 amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

18 **2.** To the extent a Request seeks information that Meta deems to embody material that
19 is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure
20 pursuant to Rule 26(c) and/or Federal Rule of Evidence 501, Meta will only provide such
21 information subject to, and in accordance with, the parties’ stipulated protective order (ECF No.
22 90, the “Protective Order”).

23 **3.** The provision of a response to any of these Requests does not constitute a waiver of
24 any objection regarding the use of said response in these proceedings. Meta reserves all objections
25 or other questions as to the competency, relevance, materiality, privilege or admissibility as
26 evidence in any subsequent proceeding in or trial of this or any other action for any purpose
27 whatsoever of this response and any document or thing produced in response to the Requests.

28 **4.** Meta objects to Plaintiffs’ Requests insofar as the numbering of the Requests
overlaps with the numbering of Plaintiffs’ First Set of Requests for Admissions. To avoid

1 confusion, Meta has numbered its responses consecutively based on Plaintiffs’ First Set of Requests
2 for Admissions, beginning with “Request for Admission No. 90.”

3 **5.** Meta reserves the right to object on any ground at any time to such other or
4 supplemental requests for admission that Plaintiffs may propound involving or relating to the
5 subject matter of these Requests.

6 **II. OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

7 Whether or not separately set forth in response to each Request, Meta makes these
8 objections to the following Instructions and Definitions.

9 **1.** Meta objects to the definition of “You,” “Your,” and “Meta Platforms” as
10 overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that it
11 purports to require Meta to produce documents outside of its possession, custody, or control. Meta
12 construes “Meta” or “You” to mean Meta Platforms, Inc.

13 **2.** Meta objects to Instruction 1 as vague and ambiguous as to “Plaintiffs’ Second Set
14 of Requests for Production of Documents,” as Plaintiffs also served “Plaintiffs’ Corrected Second
15 Set of Requests for Production” on the same day, March 20, 2024. Meta further objects to
16 Instruction 1 to the extent that the instructions set forth in Plaintiffs’ Second Set of Requests for
17 Production of Documents are inapplicable to responding to requests for admission. To the extent
18 those instructions are applicable to responding to the Requests, Meta incorporates its Objections to
19 Instructions and Definitions set forth in its Objections and Responses to Plaintiffs’ Corrected
20 Second Set of Requests for Production of Documents.

21 **3.** Meta objects to Instruction 2 as overbroad and unduly burdensome to the extent that
22 it purports to require more of Meta than any obligation imposed by law. Meta also objects to this
23 instruction on the ground that it improperly demands narrative responses, which are the proper
24 subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the
25 interrogatory limit.

26 **4.** Meta objects to Instruction No. 5 as vague, ambiguous, and unintelligible. Meta
27 will answer the Requests as provided under Rule 36(a)(4).
28

1 5. Meta objects to Instruction Nos. 8 and 9 as overbroad and unduly burdensome to the
2 extent that they purport to require more of Meta than any obligation imposed by law.

3 6. Meta objects to Instruction 10 as overbroad and unduly burdensome to the extent
4 that it purports to require more of Meta than any obligation imposed by law. Meta also objects to
5 this instruction on the ground that it improperly demands narrative responses, which are the proper
6 subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the
7 interrogatory limit.

8 **III. AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

9 **REQUEST FOR ADMISSION NO. 90:**

10 Admit that *Blood Oath* by Christopher Farnsworth was included in a dataset used to train
11 Your large language models.

12 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 90:**

13 Meta incorporates by reference its Objections to Instructions and Definitions, which are
14 applicable to this Request. Meta further objects to the term “large language models” as vague,
15 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
16 the needs of the case to the extent that it purports to include large language models (“LLMs”) that
17 were not publicly released and/or were not trained on corpuses of text that allegedly include any of
18 Plaintiffs’ allegedly copyrighted works. Meta construes the term “large language models” to mean
19 the models within the Llama family of LLMs that have been or are being developed by Meta,
20 namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

21 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
22 determine whether the datasets used to train Meta’s large language models (as construed above)
23 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis
24 of a third party database that is equally accessible to Plaintiffs for every word of any particular
25 work. Meta further object to this Request to the extent that it presumes that the referenced author
26 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
27 control.

28

1 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
2 admits that text from a published and commercially-available version of *Blood Oath* is included in
3 a dataset used to train Meta’s large language models, as that term is construed above. Except as
4 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
5 and on that basis denies it.

6 **REQUEST FOR ADMISSION NO. 91:**

7 Admit that *The President’s Vampire* by Christopher Farnsworth was included in a dataset
8 used to train Your large language models.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 91:**

10 Meta incorporates by reference its Objections to Instructions and Definitions, which are
11 applicable to this Request. Meta further objects to the term “large language models” as vague,
12 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
13 the needs of the case to the extent that it purports to include large language models that were not
14 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
15 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
16 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
17 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

18 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
19 determine whether the datasets used to train Meta’s large language models (as construed above)
20 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis
21 of a third party database that is equally accessible to Plaintiffs for every word of any particular
22 work. Meta further object to this Request to the extent that it presumes that the referenced author
23 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
24 control.

25 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
26 admits that text from a published and commercially-available version of *The President’s Vampire*
27 is included in a dataset used to train Meta’s large language models, as that term is construed
28

1 above. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the
2 truth of this request, and on that basis denies it.

3 **REQUEST FOR ADMISSION NO. 92:**

4 Admit that *Red, White, and Blood* by Christopher Farnsworth was included in a dataset used
5 to train Your large language models.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 92:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, which are
8 applicable to this Request. Meta further objects to the term “large language models” as vague,
9 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
10 the needs of the case to the extent that it purports to include large language models that were not
11 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
12 allegedly copyrighted works. Meta construes “large language models” to mean the models within
13 the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama
14 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on the ground
15 that the referenced work, *Red, White, and Blood*, is not alleged to be at issue in this action.

16 **REQUEST FOR ADMISSION NO. 93:**

17 Admit that *The Burning Men: A Nathaniel Cade Story* by Christopher Farnsworth was
18 included in a dataset used to train Your large language models.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 93:**

20 Meta incorporates by reference its Objections to Instructions and Definitions, which are
21 applicable to this Request. Meta further objects to the term “large language models” as vague,
22 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
23 the needs of the case to the extent that it purports to include large language models that were not
24 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
25 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
26 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
27 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on
28

1 the ground that the referenced work, *The Burning Men: A Nathaniel Cade Story* is not alleged to
2 be at issue in this action.

3 **REQUEST FOR ADMISSION NO. 94:**

4 Admit that *The Eternal World* by Christopher Farnsworth was included in a dataset used to
5 train Your large language models.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 94:**

7 Meta incorporates by reference its Objections to Instructions and Definitions, which are
8 applicable to this Request. Meta further objects to the term “large language models” as vague,
9 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
10 the needs of the case to the extent that it purports to include large language models that were not
11 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
12 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
13 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
14 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

15 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
16 determine whether the datasets used to train Meta’s large language models (as construed above)
17 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis
18 of a third party database that is equally accessible to Plaintiffs for every word of any particular
19 work. Meta further object to this Request to the extent that it presumes that the referenced author
20 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
21 control.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
23 admits that text from a published and commercially-available version of *The Eternal World* is
24 included in a dataset used to train Meta’s large language models, as that term is construed
25 above. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the
26 truth of this request, and on that basis denies it.

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28

1 **REQUEST FOR ADMISSION NO. 95:**

2 Admit that *Killfile* by Christopher Farnsworth was included in a dataset used to train Your
3 large language models.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 95:**

5 Meta incorporates by reference its Objections to Instructions and Definitions, which are
6 applicable to this Request. Meta further objects to the term “large language models” as vague,
7 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
8 the needs of the case to the extent that it purports to include large language models that were not
9 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
10 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
11 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
12 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on
13 the ground that the referenced work, *Killfile*, is not alleged to be at issue in this action.

14 **REQUEST FOR ADMISSION NO. 96:**

15 Admit that *Flashmob* by Christopher Farnsworth was included in a dataset used to train
16 Your large language models.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 96:**

18 Meta incorporates by reference its Objections to Instructions and Definitions, which are
19 applicable to this Request. Meta further objects to the term “large language models” as vague,
20 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
21 the needs of the case to the extent that it purports to include large language models that were not
22 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
23 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
24 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
25 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

26 Meta further objects to this Request on the ground that it is unduly burdensome for Meta to
27 determine whether the datasets used to train Meta’s large language models (as construed above)
28 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

1 of a third party database that is equally accessible to Plaintiffs for every word of any particular
2 work. Meta further object to this Request to the extent that it presumes that the referenced author
3 in fact authored the referenced work—information that is outside of Meta’s possession, custody, or
4 control.

5 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta
6 admits that text from a published and commercially-available version of *Flashmob* is included in a
7 dataset used to train Meta’s large language models, as that term is construed above. Except as
8 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,
9 and on that basis denies it.

10 **REQUEST FOR ADMISSION NO. 97:**

11 Admit that *Deep State: A Nathaniel Cade Story* by Christopher Farnsworth was included in
12 a dataset used to train Your large language models.

13 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 97:**

14 Meta incorporates by reference its Objections to Instructions and Definitions, which are
15 applicable to this Request. Meta further objects to the term “large language models” as vague,
16 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to
17 the needs of the case to the extent that it purports to include large language models that were not
18 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs’
19 allegedly copyrighted works. Meta construes the term “large language models” to mean the models
20 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama
21 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on
22 the ground that the referenced work, *Deep State: A Nathaniel Cade Story*, is not alleged to be at
23 issue in this action.

24 **REQUEST FOR ADMISSION NO. 98:**

25 Admit that you used books sourced from Books3 to train one or more of your large language
26 models.

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28

1 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 98:**

2 Meta incorporates by reference its Objections to Instructions and Definitions, which are
3 applicable to this Request. Meta objects to this Request and vague, ambiguous, and unintelligible,
4 as written. It is not clear to Meta what it means to use “books sourced from Books3.” Meta further
5 objects to the term “large language models” as vague, ambiguous, and undefined, as well as
6 overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that
7 it purports to include large language models that were not publicly released and/or were not trained
8 on corpuses of text that allegedly include any of Plaintiffs’ allegedly copyrighted works. Meta
9 construes the term “large language models” to mean the models within the Llama family of LLMs
10 that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3,
11 Llama 4, and Llama 5.

12 Subject to and without waiving the foregoing objections, Meta responds as follows: As
13 written, Meta does not understand this Request and, on that basis, denies the Request. Meta is
14 willing to meet and confer to understand how to interpret this Request.

15 Dated: December 13, 2024

COOLEY LLP

17 By: /s/Judd Lauter
18 Bobby Ghajar
19 Mark Weinstein
20 Kathleen Hartnett
21 Teresa Michaud
22 Judd Lauter
23 Liz Stameshkin
24 Colette Ghazarian

21 *Full Counsel List*

22 COOLEY LLP
23 PHILLIP MORTON (*pro hac vice*)
(pmorton@cooley.com)
24 COLE A. POPPELL (*pro hac vice*)
(cpoppell@cooley.com)
25 1299 Pennsylvania Avenue, NW, Suite 700
Washington, DC 20004-2400
Telephone: (202) 842-7800

LEX LUMINA PLLC
Mark A. Lemley
CLEARY GOTTLIEB STEEN &
HAMILTON LLP
Angela L. Dunning

Attorneys for Defendant
META PLATFORMS, INC.

26 COOLEY LLP
27 MATTHEW BRIGHAM (191428)
(mbrigham@cooley.com)
28 JUAN PABLO GONZALEZ (334470)
(jgonzalez@cooley.com)
3175 Hanover Street

1 Palo Alto, CA 94304-1130
Telephone: (650) 843-5000

2
3 LEX LUMINA PLLC
4 MARK A. LEMLEY (155830)
(mlemley@lex-lumina.com)
5 745 Fifth Avenue, Suite 500
New York, NY 10151
Telephone: (646) 898-2055

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PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in Los Angeles County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite 900, Los Angeles, CA 90071. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.’S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS’ SECOND SET OF REQUESTS FOR ADMISSIONS**



(BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

Executed on December 13, 2024, at Los Angeles, California.

/s/Jerry Gonzalez
Jerry Gonzalez

SERVICE LIST

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Joseph R. Saveri
Cadio Zirpoli
Christopher K.L. Young
Holden Benon
Louis Andrew Kessler
Aaron Cera
Margaux Poueymirou
JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1000
San Francisco, CA 94108
Email: jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
cyoung@saverilawfirm.com
hbenon@saverilawfirm.com
lkessler@saverilawfirm.com
acera@saverilawfirm.com
mpoueymirou@saverilawfirm.com

Matthew Butterick
MATTHEW BUTTERICK,
ATTORNEY AT LAW
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
Email: mb@buttericklaw.com

Attorneys for Individual and Representative Plaintiffs and the Proposed Class

Bryan L. Clobes (admitted *pro hac vice*)
Alexander J. Sweatman (admitted *pro hac vice*)
Mohammed Rathur (admitted *pro hac vice*)
CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

Attorneys for Individual and Representative Plaintiffs and the Proposed Class

Joshua I. Schiller, Esq.
Maxwell Vaughn Pritt, Esq.
BOIES SCHILLER FLEXNER
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
Email: jschiller@bsfllp.com
mpritt@bsfllp.com

David Boies, Esq. (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER
333 Main Street
Armonk, NY 10504
Email: dboies@bsfllp.com

Jesse Panuccio (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER
1401 New York Ave. NW
Washington, DC 20005
Email: jpanuccio@bsfllp.com

Attorneys for Individual and Representative Plaintiffs and the Proposed Class

Brian O'Mara
DiCELLO LEVITT LLP
4747 Executive Drive, Suite 240
San Diego, CA 92121
Email: BrianO@dicellolevitt.com

Amy Keller (admitted *pro hac vice*)
James A. Ulwick (admitted *pro hac vice*)
Nada Djordjevic (admitted *pro hac vice*)
DiCELLO LEVITT LLP
10 North Dearborn St., Sixth Floor
Chicago, IL 60602
Email: akeller@dicellolevitt.com
julwick@dicellolevitt.com
ndjordjevic@dicellolevitt.com

David A. Straite (admitted *pro hac vice*)
DiCELLO LEVITT LLP
485 Lexington Avenue, Suite 1001
New York, NY 10017
Email: dstraite@dicellolevitt.com

Attorneys for Plaintiff Lysa TerKeurst

1 Elizabeth J. Cabraser, Esq.
2 Daniel M. Hutchinson, Esq.
3 Reilly T. Stoler, Esq.
4 **LIEFF CABRASER HEIMANN &**
5 **BERNSTEIN, LLP**
6 275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Email: ecabraser@lchb.com
dhutchinson@lchb.com
rstoler@lchb.com

7 Rachel Geman
8 **LIEFF CABRASER HEIMANN &**
9 **BERNSTEIN, LLP**
10 250 Hudson Street, 8th Floor
New York, New York 10013-1413
Telephone: (212) 355-9500
Email: rgeman@lchb.com

11 Attorneys for Plaintiff *Christopher Farnsworth*
12 and Representative Plaintiffs and the Proposed
13 Class

Nancy Evelyn Wolff
COWAN DEBAETS ABRAHAMS &
SHEPPARD LLP
9454 Wilshire Boulevard, Suite 901
Beverly Hills, CA 90212
Telephone: (310) 340-6334
Fax: (310) 492-4394
Email: NWolff@cdas.com

Scott J. Sholder
CeCe M. Cole
COWAN DEBAETS ABRAHAMS &
SHEPPARD LLP
60 Broad Street, 30th Floor
New York, New York 10004
Telephone: (212) 974-7474
Email: ssholder@cdas.com
ccole@cdas.com

Attorneys for Plaintiff *Christopher Farnsworth*
and Representative Plaintiffs and the Proposed
Class

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EXHIBIT B

1 Joseph R. Saveri (State Bar No. 130064)
 2 Cadio Zirpoli (State Bar No. 179108)
 3 Christopher K.L. Young (State Bar No. 318371)
 4 Holden Benon (State Bar No. 325847)
 5 Aaron Cera (State Bar No. 351163)
 6 Margaux Poueymirou (State Bar No. 356000)
JOSEPH SAVERI LAW FIRM, LLP
 601 California Street, Suite 1505
 San Francisco, California 94108
 Telephone: (415) 500-6800
 Facsimile: (415) 395-9940
 Email: jsaveri@saverilawfirm.com
 czirpoli@saverilawfirm.com
 cyoung@saverilawfirm.com
 hbenon@saverilawfirm.com
 acera@saverilawfirm.com
 mpoueymirou@saverilawfirm.com

Bryan L. Clobes (*pro hac vice*)
 Alexander J. Sweatman (*pro hac vice*)
**CAFFERTY CLOBES MERIWETHER
 & SPRENGEL LLP**
 135 South LaSalle Street, Suite 3210
 Chicago, IL 60603
 Telephone: (312) 782-4880
 Email: bclobes@caffertyclobes.com
 asweatman@caffertyclobes.com

David A. Straite (*pro hac vice*)
DICELLO LEVITT LLP
 4747 Executive Drive, 2nd Floor
 San Diego, California 92121
 Telephone: (619) 923-3939
 Email: dstraite@dicellolevitt.com

10 Matthew Butterick (State Bar No. 250953)
 11 1920 Hillhurst Avenue, 406
 Los Angeles, CA 90027
 Telephone: (323) 968-2632
 12 Facsimile: (415) 395-9940
 Email: mb@buttericklaw.com

13 *Counsel for Individual and Representative*
 14 *Plaintiffs and the Proposed Class*

15 [Additional counsel on signature page]

17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

19 Richard Kadrey, et al.,
 20 *Individual and Representative Plaintiffs,*
 21 v.
 22 Meta Platforms, Inc.,
 23 *Defendant.*

Lead Case No. 3:23-cv-03417-VC
 Case No. 4:23-cv-06663

**PLAINTIFF SARAH SILVERMAN'S
 AMENDED RESPONSES TO
 DEFENDANT META PLATFORMS,
 INC.'S SECOND SET OF REQUESTS FOR
 ADMISSION**

1 **PROPOUNDING PARTIES:** **Defendant Meta Platforms, Inc.**
2 **RESPONDING PARTIES:** **Plaintiff Sarah Silverman**
3 **SET NUMBER:** **Two (2)**

4
5 Plaintiff Sarah Silverman (“Plaintiff”) hereby amends his responses to Defendant Meta
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests”
7 or “RFAs”).

8 **GENERAL OBJECTIONS**

- 9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.
11 2. Plaintiff objects to the Requests to the extent they seek information or materials that are
12 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure
13 rules, or other applicable privileges and protections, including communications with Plaintiff’s
14 attorneys regarding the Action.

15 Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or
16 supplement these responses with subsequently discovered responsive information and to introduce and
17 rely upon any such subsequently discovered information in this litigation.

18 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

19 **REQUEST FOR ADMISSION NO. 18:**

20 Admit that, other than YOUR contention that LLM developers such as Meta should have
21 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU
22 are unaware of any specific licensing opportunity that YOU lost due to the infringement alleged in the
23 COMPLAINT.

24 **RESPONSE TO REQUEST NO. 18:**

25 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
26 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
27 includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the
28 terms “You” and “Your” as referring to Plaintiff Sarah Silverman. Plaintiff objects to this Request as

1 irrelevant to any claim or defense and disproportional to the status and needs of this case. Plaintiff
2 objects to this Request because it is hypothetical and is not tied to the facts of the case. *See, e.g.,*
3 *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to
4 admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within
5 requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17,
6 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use
7 of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. There is no way for
8 Plaintiff to know what her licensing opportunities would have been but for Meta’s failure to compensate
9 Plaintiff, let alone other LLM developers. **Subject to and without waiving the foregoing objections,**
10 Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained
11 by her is insufficient to enable her to admit or deny.

12 **AMENDED RESPONSE TO REQUEST NO. 18:**

13 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
14 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
15 includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the
16 terms “You” and “Your” as referring to Plaintiff Christopher Golden. Plaintiff objects to this Request
17 as irrelevant to any claim or defense and disproportional to the status and needs of this case. Plaintiff
18 objects to this Request because it is hypothetical and is not tied to the facts of the case. *See, e.g.,*
19 *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to
20 admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within
21 requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17,
22 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use
23 of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. There is no way for
24 Plaintiff to know what his licensing opportunities would have been but for Meta’s failure to
25 compensate, let alone other LLM developers. **Subject to and without waiving the foregoing objections,**
26 Plaintiff responds, admit.

27 **REQUEST FOR ADMISSION NO. 19:**

28 Admit that, other than YOUR contention that LLM developers such as Meta should have

1 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU
2 are unaware of any documentary evidence that YOU lost a specific licensing opportunity due to the
3 infringement alleged in the COMPLAINT.

4 **RESPONSE TO REQUEST NO. 19:**

5 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
7 includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the
8 terms “You” and “Your” as referring to Plaintiff Sarah Silverman. Plaintiff objects to the phrase,
9 “other than YOUR contention that LLM developers such as Meta should have compensated YOU to
10 allegedly use” as irrelevant and unintelligible. Plaintiff also objects to the term “documentary
11 evidence” as being vague and overbroad because it is not limited to the specific claims and defenses
12 raised in this dispute. Plaintiff further objects to this Request because it is hypothetical and is not tied to
13 the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7,
14 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit
15 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL
16 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the
17 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946
18 amendment. There is no way for Plaintiff to know what her licensing opportunities would have been but
19 for Meta’s failure to compensate, let alone other LLM developers. **Subject to and without waiving the**
20 **foregoing objections**, Plaintiff responds that after a reasonable inquiry, the information known or that
21 can be readily obtained by her is insufficient to enable her to admit or deny.

22 **AMENDED RESPONSE TO REQUEST NO. 19:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
24 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
25 includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the
26 terms “You” and “Your” as referring to Plaintiff Christopher Golden. Plaintiff objects to the phrase,
27 “other than YOUR contention that LLM developers such as Meta should have compensated YOU to
28 allegedly use” as irrelevant and unintelligible. Plaintiff also objects to the term “documentary

1 evidence” as being vague and overbroad because it is not limited to the specific claims and defenses
2 raised in this dispute. Plaintiff further objects to this Request because it is hypothetical and is not tied to
3 the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7,
4 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit
5 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL
6 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the
7 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946
8 amendment. There is no way for Plaintiff to know what his licensing opportunities would have been but
9 for Meta’s failure to compensate, let alone other LLM developers. **Subject to and without waiving the**
10 **foregoing objections**, Plaintiff admits in part and denies in part. Plaintiffs do not possess such
11 documents and will rely on documents produced by Meta and third parties.
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1 Dated: September 19, 2024

By: /s/ Joseph R. Saveri
Joseph R. Saveri

2
3 Joseph R. Saveri (State Bar No. 130064)
4 Cadio Zirpoli (State Bar No. 179108)
5 Christopher K.L. Young (State Bar No. 318371)
6 Holden Benon (State Bar No. 325847)
7 Aaron Cera (State Bar No. 351163)
8 Margaux Poueymirou (State Bar No. 356000)
9 **JOSEPH SAVERI LAW FIRM, LLP**
10 601 California Street, Suite 1505
11 San Francisco, California 94108
12 Telephone: (415) 500-6800
13 Facsimile: (415) 395-9940
14 Email: jsaveri@saverilawfirm.com
15 czirpoli@saverilawfirm.com
16 cyoung@saverilawfirm.com
17 hbenon@saverilawfirm.com
18 acera@saverilawfirm.com
19 mpoueymirou@saverilawfirm.com

20
21 Matthew Butterick (State Bar No. 250953)
22 1920 Hillhurst Avenue, 406
23 Los Angeles, CA 90027
24 Telephone: (323)968-2632
25 Facsimile: (415) 395-9940
26 Email: mb@buttericklaw.com

27
28 Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (*pro hac vice anticipated*)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com

Daniel J. Muller (State Bar No. 193396)
VENTURA HERSEY & MULLER, LLP
1506 Hamilton Avenue
San Jose, California 95125
Telephone: (408) 512-3022
Facsimile: (408) 512-3023
Email: dmuller@venturahersey.com

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Seth Haines
Timothy Hutchinson
Lisa Geary
RMP, LLP
5519 Hackett Street, Suite 300
Springdale, Arkansas 72762
Telephone: (479) 443-2705
Email: shaines@rmp.law
thutchinson@rmp.law
lgeary@rmp.law

David A. Straite (*pro hac vice*)
DICELLO LEVITT LLP
475 Lexington Avenue, Suite 1001
New York, NY 10017
Telephone: (646) 933-1000
Email: dstraite@dicellolevitt.com

Scott Poynter*
POYNTER LAW GROUP
407 President Clinton Avenue, Suite 201
Little Rock, Arkansas 72201
Telephone: (501) 812-3943
Email: scott@poynterlawgroup.com

Brian O'Mara
DICELLO LEVITT LLP
4747 Executive Drive, Second Floor
San Diego, California 92121
Telephone: (619) 923-3939
Email: bomara@dicellolevitt.com

Adam J. Levitt
Amy E. Keller
Nada Djordjevic (*pro hac vice*)
James A. Ulwick
DICELLO LEVITT LLP
Ten North Dearborn Street, Sixth Floor
Chicago, Illinois 60602
Telephone: (312) 214-7900
Email: alevitt@dicellolevitt.com
akeller@dicellolevitt.com
ndjordjevic@dicellolevitt.com
julwick@dicellolevitt.com

*Counsel for Individual and Representative Plaintiffs
and the Proposed Class*

CERTIFICATE OF SERVICE

I, the undersigned, am employed by the Joseph Saveri Law Firm, LLP. My business address is 601 California Street, Suite 1505, San Francisco, California 94108. I am over the age of eighteen and not a party to this action.

On September 19, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- **PLAINTIFF SARAH SILVERMAN’S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.’S SECOND SET OF REQUESTS FOR ADMISSION**

I declare under penalty of perjury that the foregoing is true and correct. Executed September 19, 2024, at San Francisco, California.

By: *Rya Fishman*
Rya Fishman

SERVICE LIST

1
2 Bobby A. Ghajar
3 Colette Ani Ghazarian
4 **COOLEY LLP**
5 1333 2nd Street, Suite 400
6 Santa Monica, CA 90401
7 Email: bghajar@cooley.com
8 cghazarian@cooley.com

9 Kathleen R. Hartnett
10 **COOLEY LLP**
11 3 Embarcadero Center, 20th Floor
12 San Francisco, CA 94111-4004
13 Email: khartnett@cooley.com

14 Judd D. Lauter
15 Elizabeth Lee Stameshkin
16 **COOLEY LLP**
17 3175 Hanover Street
18 Palo Alto, CA 94304
19 Email: jlauter@cooley.com
20 lstameshkin@cooley.com

21 Mark Alan Lemley
22 **LEX LUMINA PLLC**
23 745 Fifth Avenue, Suite 500
24 New York, NY 10151
25 Email: mlemley@lex-lumina.com

26 Angela L. Dunning
27 **CLEARY GOTTLIEB STEEN &**
28 **HAMILTON LLP**
1841 Page Mill Road
Palo Alto, CA 94304-1254
Email: adunning@cgsh.com

*Counsel for Defendant
Meta Platforms, Inc.*