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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

MICHAEL CHABON, TA-NEHISI  
COATES, JUNOT DÍAZ, ANDREW  
SEAN GREER, DAVID HENRY  
HWANG, MATTHEW KLAM, LAURA  
LIPPMAN, RACHEL LOUISE SNYDER,  
AYELET WALDMAN, AND  
JACQUELINE WOODSON,

individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI, L.P., OPENAI  
OPCO, LLC, OPENAI GP LLP, OPENAI  
STARTUP FUND GP I, LLC, OPENAI  
STARTUP FUND I, LP, and OPENAI  
START UP FUND MANAGEMENT,  
LLC,

Defendants.

Case No. 3:23-cv-04625 - PHK

**FIRST AMENDED CLASS ACTION  
COMPLAINT**

CLASS ACTION

**JURY TRIAL DEMANDED**

1 Plaintiffs Michael Chabon, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David  
2 Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Ayelet Waldman, and  
3 Jacqueline Woodson (“Plaintiffs”), individually and on behalf of all others similarly situated,  
4 bring this action against Defendants OpenAI, Inc., OpenAI, LP, OpenAI OpCo, LLC, OpenAI  
5 GP LLC, OpenAI Startup Fund I, LP, OpenAI Startup Fund GP I, LLC, and OpenAI Startup  
6 Fund Management, LLC (collectively, “Defendants” or “OpenAI”). Plaintiffs allege as follows  
7 based upon personal knowledge as to themselves and their own acts, and upon information and  
8 belief as to all other matters:

### 9 NATURE OF ACTION

10 1. This is a class action lawsuit brought by Plaintiffs on behalf of themselves and a  
11 Class of authors holding copyrights in their published works arising from OpenAI’s clear  
12 infringement of their intellectual property.

13 2. OpenAI is a research company specializing in the development of artificial  
14 intelligence (“AI”) products, such as ChatGPT.

15 3. ChatGPT is an AI chatbot, which produces responses to users’ text queries or  
16 prompts in a way that mimics human conversation.

17 4. ChatGPT relies on other OpenAI products to function, namely Generative Pre-  
18 trained Transformer (“GPT”) models. “Generative,” in GPT, represents the model’s ability to  
19 respond to text inquiries, while “Pre-trained” refers to the model’s use of training datasets to  
20 program its responses, and “Transformer” concerns the model’s underlying algorithm allowing  
21 it to function.

22 5. OpenAI has released five versions of GPT models, and the current version of  
23 ChatGPT runs on GPT-3.5 and GPT-4, depending on whether the user has subscribed to the  
24 premium version of ChatGPT. Only the version of ChatGPT that runs on GPT-3.5 is available  
25 at no cost to the public.

26 6. OpenAI’s GPT models are types of “large language model,” which is a form of  
27 deep-learning algorithm programmed through “training datasets,” consisting of massive  
28 amounts of text data copied from the internet by OpenAI. The GPT models extract information

1 from their training datasets in order to learn the statistical relationships between words, phrases,  
2 and sentences, which allow them to generate coherent and contextually relevant responses to  
3 user prompts or queries.

4 7. A large language model's responses to user prompts or queries are entirely and  
5 uniquely dependent on the text contained in its training dataset, necessarily processing and  
6 analyzing the information contained in its training dataset to generate responses.

7 8. OpenAI incorporated Plaintiffs' and Class members' copyrighted works in  
8 datasets used to train its GPT models powering its ChatGPT product. Indeed, when ChatGPT is  
9 prompted, it generates not only summaries, but in-depth analyses of the themes present in  
10 Plaintiffs' copyrighted works, which is only possible if the underlying GPT model was trained  
11 using Plaintiffs' works.

12 9. Plaintiffs and Class members did not consent to the use of their copyrighted  
13 works as training material for GPT models or for use with ChatGPT.

14 10. Defendants, by and through their operation of ChatGPT, benefit commercially  
15 and profit handsomely from their unauthorized and illegal use of Plaintiffs' and Class members'  
16 copyrighted works.

### 17 **JURISDICTION AND VENUE**

18 11. This Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §  
19 1331 because this case arises under the Copyright Act (17 U.S.C. § 501) and the Digital  
20 Millennium Copyright Act (17 U.S.C. § 1202).

21 12. This Court has personal jurisdiction over Defendants pursuant to 18 U.S.C.  
22 §§ 1965(b) & (d), because they maintain their principal places of business in, and are thus  
23 residents of, this judicial district, maintain minimum contacts with the United States, this judicial  
24 district, and this State, and they intentionally avail themselves of the laws of the United States  
25 and this state by conducting a substantial amount of business in California. For these same  
26 reasons, venue properly lies in this District pursuant to 28 U.S.C. §§ 1391(a), (b) and (c).

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1 **PARTIES**

2 **A. Plaintiffs**

3 13. Plaintiff Michael Chabon (“Plaintiff Chabon”) is a resident of California.  
4 Plaintiff Chabon is an author who owns registered copyrights in many works, including but not  
5 limited to, *The Mysteries of Pittsburgh*, *Wonder Boys*, *The Amazing Adventures of Kavalier &*  
6 *Clay*, *the Yiddish Policemen’s Union*, *Gentlemen of the Road*, *Telegraph Avenue*, *Fight of the*  
7 *Century*, *Kingdom of Olive and Ash*, and *Moonglow*. Plaintiff Chabon is the recipient of the  
8 Pulitzer Prize for Fiction, Hugo, Nebula, Los Angeles Times Book Prize, and the National  
9 Jewish Book Award, among many others achieved over the span of a writing career spanning  
10 more than 30 years. Plaintiff Chabon’s works include copyright-management information that  
11 provides information about the copyrighted work, including the title of the work, its ISBN or  
12 copyright registration number, the name of the author, and the year of publication.

13 14. Plaintiff Ta-Nehisi Coates (“Plaintiff Coates”) is a resident of New York.  
14 Plaintiff Coates is an author who owns registered copyrights in many works, including but not  
15 limited to, *Between the World and Me*, *The Beautiful Struggle*, *The Water Dancer*, and *We Were*  
16 *Eight Years in Power*. Plaintiff Coates’s is the recipient of the National Book Award and a  
17 MacArthur Fellowship. Plaintiff Coates works include copyright-management information that  
18 provides information about the copyrighted work, including the title of the work, its ISBN or  
19 copyright registration number, the name of the author, and the year of publication.

20 15. Plaintiff Junot Díaz (“Plaintiff Diaz”) is a resident of Massachusetts. Plaintiff  
21 Díaz is an author who owns registered copyrights in many works, including but not limited to,  
22 *Islandborn*, *The Brief Wondrous Life of Oscar Wao*, *This is How you Lose Her*, and *Drown*.  
23 Plaintiff Díaz is the recipient of the Pulitzer Prize for Fiction, the National Book Critics Circle  
24 Award, a MacArthur “Genius” Fellowship, PEN/Malamud Award, Dayton Literary Peace Prize,  
25 Guggenheim Fellowship, and PEN/O. Henry Award. Plaintiff Díaz is the Nancy Allen Professor  
26 of Writing at the Massachusetts Institute of Technology. Plaintiff Díaz’s works include  
27 copyright-management information that provides information about the copyrighted work,  
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1 including the title of the work, its ISBN or copyright registration number, the name of the author,  
2 and the year of publication.

3 16. Andrew Sean Greer (“Plaintiff Greer”) is a resident of California. Plaintiff Greer  
4 is an author who owns registered copyrights in many works, including but not limited to, *The*  
5 *Confessions of Max Tivoli*, *How it Was for Me*, *The Story of a Marriage*, *The Impossible Lives*  
6 *of Greta Wells*, *The Path of Minor Planets*, *Less is Lost*, and *Less*, a novel. Plaintiff Greer is the  
7 recipient of the Pulitzer Prize for Fiction, a Guggenheim Fellowship, and an NEA grant. Plaintiff  
8 Greer’s works include copyright-management information that provides information about the  
9 copyrighted work, including the title of the work, its ISBN or copyright registration number, the  
10 name of the author, and the year of publication.

11 17. Plaintiff David Henry Hwang (“Plaintiff Hwang”) is a resident of New York.  
12 Plaintiff Hwang is a playwright and screenwriter who owns registered copyrights in many  
13 works, including but not limited to, *M. Butterfly*, *Chinglish*, *Yellow Face*, *the Dance and the*  
14 *Railroad*, and *FOB*, as well as the Broadway musical, *Flower Drum Song* (2002 revival).  
15 Plaintiff Hwang is a Tony Award winner and three-time nominee, a Grammy Award winner  
16 who has been twice nominated, a three-time OBIE Award winner, and a three-time finalist for  
17 the Pulitzer Prize in Drama. Plaintiff Hwang’s works include copyright-management  
18 information that provides information about the copyrighted work, including the title of the  
19 work, its ISBN or copyright registration number, the name of the author, and the year of  
20 publication.

21 18. Plaintiff Matthew Klam (“Plaintiff Klam”) is a resident of Washington D.C.  
22 Plaintiff Klam is an author who owns registered copyrights in several works, including but not  
23 limited to, *Who is Rich?*, and *Sam the Cat and Other Stories*. Plaintiff Klam is a recipient of a  
24 Guggenheim Fellowship, a Robert Bingham/PEN Award, a Whiting Writer’s Award, and a  
25 National Endowment of the Arts. Plaintiff Klam’s works have been selected as Notable Books  
26 of the year by *The New York Times*, *The Los Angeles Times*, *the Kansas City Star*, and *the*  
27 *Washington Post*. Plaintiff Klam’s works include copyright-management information that  
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1 provides information about the copyrighted work, including the title of the work, its ISBN or  
2 copyright registration number, the name of the author, and the year of publication.

3 19. Plaintiff Laura Lippman (“Plaintiff Lippman”) is a resident of Maryland. Plaintiff  
4 Lippman is an author who owns registered copyrights in several works, including but not limited  
5 to, *I’d Know you Anywhere*, *What the Dead Know*, *Hardly Knew Her*, *Another Thing to Fall*,  
6 *Butchers Hill*, and *Baltimore Blues*. Plaintiff Lippman is a *New York Times* bestseller and the  
7 recipient of the Edgar Award, the Anthony Award, the Agatha Award, the Quill Award, the  
8 Shamus Award, and the Nero Wolfe Award. Plaintiff Lippman’s works include copyright-  
9 management information that provides information about the copyrighted work, including the  
10 title of the work, its ISBN or copyright registration number, the name of the author, and the year  
11 of publication.

12 20. Plaintiff Rachel Louise Snyder (“Plaintiff Snyder”) is a resident of Washington,  
13 D.C. Plaintiff Snyder is an author who owns registered copyrights in many works, including but  
14 not limited to, *Women We Buried*, *Women We Burned*, *No Visible Bruises – What We Don’t*  
15 *Know About Domestic Violence Can Kill Us*, *What We’ve Lost is Nothing*, and *Fugitive Denim:*  
16 *A Moving Story of People and Pants in the Borderless World of Global Trade*. Plaintiff Snyder  
17 is a Guggenheim fellow and the recipient of the J. Anthony Lukas Work-in-Progress Award, the  
18 Hillman Prize, and the Helen Bernstein Book Award, and was a finalist for the National Book  
19 Critics Circle Award, *Los Angeles Times* Book Prize, and Kirkus Award. Her work has appeared  
20 in *The New Yorker*, *The New York Times*, *Slate*, and in many other publications. Plaintiff  
21 Snyder’s works include copyright-management information that provides information about the  
22 copyrighted work, including the title of the work, its ISBN or copyright registration number, the  
23 name of the author, and the year of publication.

24 21. Plaintiff Ayelet Waldman (“Plaintiff Waldman”) is a resident of California.  
25 Plaintiff Waldman is an author and screen and television writer who owns registered copyrights  
26 in several works, including but not limited to, *Love and other Impossible Pursuits*, *Red Hook*  
27 *Road*, *Love and Treasure*, *Bad Mother*, *Daughter’s Keeper*, *A Really Good Day*, *Fight of the*  
28 *Century*, and *Kingdom of Olives and Ash*. Plaintiff Waldman has been nominated for an Emmy

1 and a Golden Globe and is the recipient of numerous awards including a Peabody, AFI award,  
2 and a Pen Award, among others. Plaintiff Waldman’s works include copyright-management  
3 information that provides information about the copyrighted work, including the title of the  
4 work, its ISBN or copyright registration number, the name of the author, and the year of  
5 publication.

6 22. Plaintiff Jacqueline Woodson (“Plaintiff Woodson”) is a resident of New York.  
7 Plaintiff Woodson is an author who owns registered copyrights in many works, including but  
8 not limited to, *Brown Girl Dreaming*, *After Tupac & D Foster*, *Harbor Me*, *Before the Ever*  
9 *After*, *Day You begin*, and *Another Brooklyn*. Plaintiff Woodson is the recipient of the  
10 MacArthur “Genius” Award, a Guggenheim Fellowship, the National Book Award, a Caldecott  
11 Honor Medal, the Coretta Scott King Award, the Newbery Honor Medal, and the Hans Christian  
12 Andersen Award, among others. Plaintiff Woodson’s works include copyright-management  
13 information that provides information about the copyrighted work, including the title of the  
14 work, its ISBN or copyright registration number, the name of the author, and the year of  
15 publication.

16 23. At all times relevant hereto, Plaintiffs have been and remain the holders of the  
17 exclusive rights under the Copyright Act of 1976 (17 U.S.C. §§ 101, *et seq.* and all amendments  
18 thereto) to reproduce, distribute, display, or license the reproduction, distribution, and/or display  
19 the works identified in paragraphs 13-22, *supra*.

## 20 **B. Defendants**

21 24. Defendant OpenAI, Inc. is a Delaware nonprofit corporation with its principal  
22 place of business located at 3180 18th St., San Francisco, CA 94110.

23 25. Defendant OpenAI, LP is a Delaware limited partnership with its principal place  
24 of business located at 3180 18th St., San Francisco, CA 94110. OpenAI, LP is a wholly owned  
25 subsidiary of OpenAI, Inc. that is operated for profit. OpenAI, Inc. controls OpenAI, LP directly  
26 and through the other OpenAI entities.

27 26. Defendant OpenAI OpCo, LLC is a Delaware limited liability company with its  
28 principal place of business located at 3180 18th Street, San Francisco, CA 94110. OpenAI

1 OpCo, LLC is a wholly owned subsidiary of OpenAI, Inc. that is operated for profit. OpenAI,  
2 Inc. controls OpenAI OpCo, LLC directly and through the other OpenAI entities.

3 27. Defendant OpenAI GP, LLC is a Delaware limited liability company with its  
4 principal place of business located at 3180 18th Street, San Francisco, CA 94110. OpenAI GP,  
5 LLC is a general partner of OpenAI, LP. OpenAI GP manages and operates the day-to-day  
6 business and affairs of OpenAI, LP. OpenAI GP was aware of the unlawful conduct alleged  
7 herein and exercised control over OpenAI, LP throughout the Class Period. OpenAI, Inc. directly  
8 controls OpenAI GP.

9 28. Defendant OpenAI Startup Fund I, LP is a Delaware limited partnership with its  
10 principal place of business located at 3180 18th Street, San Francisco, CA 94110. OpenAI  
11 Startup Fund I, LP was instrumental in the foundation of OpenAI, LP, including the creation of  
12 its business strategy and providing initial funding. OpenAI Startup Fund I was aware of the  
13 unlawful conduct alleged herein and exercised control over OpenAI, LP throughout the Class  
14 Period.

15 29. Defendant OpenAI Startup Fund GP I, LLC is a Delaware limited liability  
16 company with its principal place of business located at 3180 18th Street, San Francisco, CA  
17 94110. OpenAI Startup Fund GP I, LLC is the general partner of OpenAI Startup Fund I.  
18 OpenAI Startup Fund GP I is a party to the unlawful conduct alleged herein. OpenAI Startup  
19 Fund GP I manages and operates the day-to-day business and affairs of OpenAI Startup Fund I.

20 30. Defendant OpenAI Startup Fund Management, LLC is a Delaware limited  
21 liability company with its principal place of business located at 3180 18th Street, San Francisco,  
22 CA 94110. OpenAI Startup Fund Management, LLC is a party to the unlawful conduct herein.  
23 OpenAI Startup Fund Management was aware of the unlawful conduct alleged herein and  
24 exercised control over OpenAI, LP throughout the Class Period.

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## FACTUAL ALLEGATIONS

### **A. OpenAI’s Artificial Intelligence Products**

31. OpenAI researches, develops, releases, and maintains AI products with the intention that its products “benefit all of humanity.”<sup>1</sup>

32. ChatGPT is among the products OpenAI has developed, engineered, released, and maintained, which utilizes another OpenAI product, GPT models, to respond to text prompts and queries in a natural, coherent, and fluent way through a web interface.

33. OpenAI has released a series of upgrades to its GPT model, including GPT-1 (released June 2018), GPT-2 (February 2019), GPT-3 (May 2020), GPT-3.5 (March 2022), and most recently, GPT-4 (March 2023)<sup>2</sup>.

34. The current version of ChatGPT utilizes both GPT-3.5 and GPT-4; however, the version of ChatGPT that allows users to choose between using GPT-3.5 and GPT-4 is only available to subscribers at a cost of \$20 per month. Otherwise, users are only able to access the version of ChatGPT that relies on the GPT-3.5 model.<sup>3</sup>

35. OpenAI makes ChatGPT available to software developers through an application-programming interface (“API”), which allows developers to write software programs that exchange data with ChatGPT.<sup>4</sup> OpenAI charges developers for access to ChatGPT by the API on the basis of usage.

### **B. OpenAI Uses Copyrighted Works in its Training Datasets**

36. As mentioned in paragraph 6, *supra*, OpenAI pre-trains its GPT models using a dataset consisting of various sources and content types, including books, plays, articles, and webpage and other written works, to respond accurately to users’ prompts and queries.

37. OpenAI has admitted that, of all sources and content types that can be used to train the GPT models, written works, plays and articles are valuable training material because

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<sup>1</sup> *About*, OpenAI, <https://openai.com/about>

<sup>2</sup> Fawad Ali, *GPT-1 to GPT-4: Each of OpenAI’s GPT Models Explained and Compared*, Make Use Of (Apr. 11, 2023) <https://www.makeuseof.com/gpt-models-explained-and-compared/>

<sup>3</sup> *Introducing ChatGPT Plus*, OpenAI (Feb. 1, 2023) <https://openai.com/blog/chatgpt-plus>

<sup>4</sup> *OpenAI API*, OpenAI (June 11, 2020) <https://openai.com/blog/openai-api>

1 they offer the best examples of high-quality, long form writing and “contain[] long stretches of  
2 contiguous text, which allows the generative model to learn to condition on long-range  
3 information.”<sup>5</sup>

4 38. Upon information and belief, OpenAI builds the dataset it uses to train its GPT  
5 models by scraping the internet for text data.

6 39. While casting a wide net across the internet to capture the most comprehensive  
7 set of content available allows OpenAI to better train its GPT models, this practice necessarily  
8 leads OpenAI to capture, download, and copy copyrighted written works, plays and articles.

9 40. Among the content OpenAI has scraped from the internet to construct its training  
10 datasets are Plaintiffs’ copyrighted works.

11 41. In its June 2018 paper introducing the GPT-1 model, *Improving Language*  
12 *Understanding by Generative Pre-Training*, OpenAI revealed that it trained the GPT-1 model  
13 using two datasets: “Common Crawl,” which is a massive dataset of web pages containing  
14 billions of words, and “BookCorpus,” which is a collection of “over 7,000 unique unpublished  
15 books from a variety of genres including Adventure, Fantasy, and Romance.”<sup>6</sup>

16 42. BookCorpus is a controversial dataset, assembled in 2015 by a team of AI  
17 researchers funded by Google and Samsung for the sole purpose of training language models  
18 like GPT by copying written works from a website called Smashwords, which hosts self-  
19 published novels, making them available to readers at no cost.<sup>7</sup> Despite those novels being  
20 largely under copyright, they were copied into the BookCorpus dataset without consent, credit,  
21 or compensation to the authors.<sup>8</sup>

22 43. OpenAI also copied many books while training GPT-3. In the July 2020 paper  
23 introducing GPT-3, *Language Models are Few-Shot Learners*, OpenAI disclosed, in addition to

24 <sup>5</sup> Alec Radford, *Improving Language Understanding by Generative-Pre-Training*, OpenAI  
25 (June 11, 2018).

26 <sup>6</sup> *Id.*; see also Fawad Ali, *GPT-1 to GPT-4: Each of OpenAI’s GPT Models Explained and*  
*Compared*, Make Use Of (Apr. 11, 2023) [https://www.makeuseof.com/gpt-models-explained-](https://www.makeuseof.com/gpt-models-explained-and-compared/)  
[and-compared/](https://www.makeuseof.com/gpt-models-explained-and-compared/)

27 <sup>7</sup> Jack Bandy, *Dirty Secrets of BookCorpus, a Key Dataset in Machine Learning*, Medium  
28 (May 12, 2021) [https://towardsdatascience.com/dirty-secrets-of-bookcorpus-a-key-dataset-in-](https://towardsdatascience.com/dirty-secrets-of-bookcorpus-a-key-dataset-in-machine-learning-6ee2927e8650)  
[machine-learning-6ee2927e8650](https://towardsdatascience.com/dirty-secrets-of-bookcorpus-a-key-dataset-in-machine-learning-6ee2927e8650)

<sup>8</sup> *Id.*

1 using the “Common Crawl” and “WebText” datasets that capture web pages, 16% of the GPT-  
2 3 training dataset came from “two internet-based book corpora,” which OpenAI simply refers  
3 to as “Books1” and “Books2.”<sup>9</sup>

4 44. OpenAI has never revealed what books are part of the Books1 and Books2  
5 datasets or how they were obtained. OpenAI has offered a few clues, admitting that these are  
6 internet-based datasets that are much larger than BookCorpus.<sup>10</sup> Based on the figures provided  
7 in its GPT-3 introductory paper, Books1 is nine times larger than BookCorpus, meaning it  
8 contains roughly 63,000 titles, and Books2 is 42 times larger, meaning it contains about 294,000  
9 titles.<sup>11</sup>

10 45. A limited number of internet-based book corpora exist that contain this much  
11 material, meaning there are only a handful of possible sources OpenAI could have used to train  
12 the GPT-3 model.

13 46. Project Gutenberg is an online archive of e-books whose copyrights have expired.  
14 Project Gutenberg has long been popular for training AI systems due to the lack of copyright. In  
15 2018, a team of AI researchers created the “Standardized Project Gutenberg Corpus,” which  
16 contained “more than 50,000 books.”<sup>12</sup> On that information and belief, the OpenAI Books1  
17 dataset is based on either the Standardized Project Gutenberg Corpus or Project Gutenberg itself,  
18 because of the roughly similar sizes of the two datasets.

19 47. As for the Books2 dataset, the only “internet-based books corpora” that have ever  
20 offered that much material are infamous “shadow library” websites, like Library Genesis  
21 (“LibGen”), Z-Library, Sci-Hub, and Bibliotik, which host massive collections of pirated books,  
22 research papers, and other text-based materials.<sup>13</sup> The materials aggregated by these websites  
23 have also been available in bulk through torrent systems.<sup>14</sup>

24 <sup>9</sup> Tom B. Brown, *Language Models are Few-Shot Learners*, OpenAI (July 22, 2020).

25 <sup>10</sup> *Id.* at 9.

26 <sup>11</sup> *Id.*

27 <sup>12</sup> Martin Gerlach, et al., *A standardized Project Gutenberg corpus for statistical analysis of*  
28 *natural language and quantitative linguistics*, Cornell University (Dec. 19, 2018),  
<https://arxiv.org/pdf/1812.08092.pdf>

<sup>13</sup> See Claire Woodcock, ‘Shadow Libraries’ Are Moving Their Pirated Books to The Dark  
Web After Fed Crackdowns, *Vice* (Nov. 30, 2022).

<sup>14</sup> *Id.*

1           48.     These illegal shadow libraries have long been of interest to the AI-training  
2 community. For instance, an AI training dataset published in December 2020 by EleutherAI  
3 called “Books3” includes a recreation of the Bibliotik collection and contains nearly 200,000  
4 books.<sup>15</sup> On information and belief, the OpenAI Books2 dataset includes books copied from  
5 these “shadow libraries,” because those are the sources of trainable books most similar in nature  
6 and size to OpenAI’s description of Books2.

7           49.     When OpenAI introduced GPT-4 in March 2023, the introductory paper  
8 contained no information about the dataset used to train it.<sup>16</sup> Instead, OpenAI claims that,  
9 “[g]iven both the competitive landscape and the safety implications of large-scale models like  
10 GPT-4, this report contains no further details about . . . dataset construction.”<sup>17</sup>

11           50.     Regarding GPT-4, OpenAI has conceded that it did filter its dataset “to  
12 specifically reduce the quantity of inappropriate erotic text content,” implying that it again used  
13 a large dataset containing text works.<sup>18</sup>

#### 14     **C.     OpenAI Unlawfully Infringed Plaintiffs’ Copyrights**

15           51.     As explained, ChatGPT’s responses to user queries or prompts, like other large  
16 language models, rely on the data upon which it is trained to generate responsive content. For  
17 example, if ChatGPT is prompted to generate a writing in the style of a certain author, GPT  
18 would generate content based on patterns and connections it learned from analysis of that  
19 author’s work within its training dataset.

20           52.     On information and belief, the reason ChatGPT can generate a writing in the style  
21 of a certain author or accurately summarize a certain copyrighted book and provide in-depth  
22 analysis of that book is because it was copied by OpenAI and copied and analyzed by the  
23 underlying GPT model as part of its training data.

24           53.     When ChatGPT is prompted to summarize copyrighted written works authored  
25 by Plaintiffs, it generates accurate, in-depth summaries and analyses of their works.

26 <sup>15</sup> See Alex Perry, *A giant online book collection Meta used to train its AI is gone over*  
27 *copyright issues*, Mashable (Aug. 18, 2023).

28 <sup>16</sup> *GPT-4 Technical Report*, OpenAI (Mar. 27, 2023).

<sup>17</sup> *Id.* at 2.

<sup>18</sup> *Id.* at 61.

1           54. For example, when prompted, ChatGPT accurately summarized Plaintiff  
2 Chabon's novel *The Amazing Adventures of Kavalier & Clay*. When prompted to identify  
3 examples of trauma in the *Amazing Adventures of Kavalier & Clay*, ChatGPT identified six  
4 specific examples, including how the main character's "experiences in Europe, including  
5 witnessing the persecution of Jews and the loss of his family, haunt him throughout the story."  
6 When asked to write a paragraph in the style of *The Amazing Adventures of Kavalier & Clay*,  
7 ChatGPT generated a passage imitating Plaintiff Chabon's writing style including references to  
8 the characters dealing with "the weight of the world at war." *Exhibit A*.

9           55. Likewise, ChatGPT accurately summarized Plaintiff Coates novel *The Water*  
10 *Dancer*. When prompted to identify examples of pain in *The Water Dancer*, Chat GPT identified  
11 eight examples, including the "physical pain of slavery" and the "pain of longing for freedom"  
12 and how the characters "yearn for freedom and suffer the pain of not knowing if it will ever be  
13 attainable." When asked to write a paragraph in the style of *The Water Dancer*, ChatGPT  
14 generated passages imitating Plaintiff Coates's writing style including references to the  
15 "defy[ing] the chains of oppression" and the "dreams of people yearning to be free." *Exhibit B*.

16           56. ChatGPT also provided in depth summaries and analyses of Plaintiff Díaz's  
17 novel *The Brief Wondrous Life of Oscar Wao*. For instance, when prompted to provide examples  
18 of the immigrant experience in *The Brief Wondrous Life of Oscar Wao*, ChatGPT identified  
19 eight specific examples, including cultural traditions, "such as the belief in the 'fukú' curse and  
20 the significance of family and community" and how "cultural elements serve as a link to their  
21 roots and provide a sense of continuity in their lives." When asked to write a paragraph in the  
22 style of *The Brief Wondrous Life of Oscar Waso*, Chat GPT generated passages imitating  
23 Plaintiff Díaz's style including references to the "the 'fukú' curse" and "what it meant to be both  
24 Dominican and American." *Exhibit C*.

25           57. When prompted, ChatGPT accurately summarized Plaintiff Greer's novel, *The*  
26 *Confessions of Max Tivoli*. When prompted to identify themes of the nature of beauty in *The*  
27 *Confessions of Max Tivoli*, ChatGPT identified six specific themes of beauty in the novel,  
28 including "ephemeral beauty." When prompted to write a paragraph in the style of *The*

1 *Confessions of Max Tivoli*, ChatGPT generated passages imitating Plaintiff Greer's style,  
2 including references to beauty as a "shifting, mutable canvas." *Exhibit D*.

3 58. ChatGPT similarly provided in depth summaries and analyses of Plaintiff  
4 Hwang's play, *The Dance and the Railroad*. For example, when prompted, ChatGPT identified  
5 five key themes from *The Dance and the Railroad*, including "art and creativity as a form of  
6 resistance" and "using art as a form of escape from the harsh realities and dehumanization of  
7 labor." Additionally, when prompted to produce a screenplay in the style of *The Dance and the*  
8 *Railroad*, ChatGPT produced a script written in Plaintiff Hwang's style, which generated a  
9 screenplay involving a Chinese laborer toiling on the Central Pacific Railroad that "believe[s]  
10 in the power of art to keep [their] spirits alive." *Exhibit E*.

11 59. Likewise, ChatGPT provided in depth summaries and analyses of Plaintiff  
12 Klam's works. For example, when prompted, Chat GPT accurately summarized Plaintiff Klam's  
13 novel *Who is Rich?* and correctly analyzed the key relationships between the novel's central  
14 character and the other characters in the novel. When asked to identify the main themes in *Who*  
15 *is Rich?* Chat GPT accurately identified seven main themes of the novel including "mid-life  
16 crisis and identify." Further, when prompted to write a paragraph in the style of *Who is Rich?*,  
17 ChatGPT generated passages imitating Plaintiff Klam's writing style, including a reference to  
18 navigating the "treacherous waters of midlife." *Exhibit F*.

19 60. When prompted, ChatGPT accurately summarized Plaintiff Lippman's mystery  
20 novel *What the Dead Know*. When prompted to identify the main themes in *What the Dead*  
21 *Know*, ChatGPT identified seven main themes of the novel including "identity and memory."  
22 Further, when prompted to write a paragraph in the style of *What the Dead Know*, ChatGPT  
23 generated passages imitating Plaintiff Lippman's writing style, including references to the  
24 "recesses of memory's labyrinth." *Exhibit G*.

25 61. In the same vein, after being prompted to summarize Plaintiff Snyder's book,  
26 *What We've Lost is Nothing*, ChatGPT accurately identified themes included within the novel,  
27 such as "safety, perception, and the fragility of human relationships." Similarly, once prompted,  
28 ChatGPT accurately analyzed the theme of safety using a specific example from the text of

1 Plaintiff Snyder’s copyrighted work, explaining that “the theme of safety is examined through  
2 the lens of a series of burglaries that occur in a suburban neighborhood . . . and how these  
3 incidents affect the characters and their perceptions of the world around them.” ChatGPT was  
4 also able to generate random passages authentically written in Plaintiff Snyder’s writing style  
5 when prompted. *Exhibit H*.

6 62. Additionally, ChatGPT provided in depth summaries and analyses of Plaintiff  
7 Waldman’s works. For instance, when prompted to summarize Plaintiff Waldman’s novel *Love*  
8 *and Other Impossible Pursuits*, Chat GPT accurately provided a summary and analysis of the  
9 novel. When prompted to identify specific instances of grief in *Love and other Impossible*  
10 *Pursuits*, ChatGPT identified five specific instances of grief, including the protagonist Emelia’s  
11 loss of her infant daughter, a “loss that occurred before the events of the novel and [that] continue  
12 to haunt Emelia, affecting her emotional state and relationships.” When prompted to write a  
13 paragraph in the style of *Love and Other Impossible Pursuits*, ChatGPT generated a paragraph  
14 imitating Plaintiff Waldman’s writing style, including references to the “weight of her  
15 daughter’s absence.” *Exhibit I*.

16 63. Similarly, when prompted, Chat GPT accurately summarized Plaintiff  
17 Woodson’s novel *Brown Girl Dreaming*. For example, when prompted to provide the main  
18 themes in *Brown Girl Dreaming*, ChatGPT identified seven specific themes, including “racial  
19 injustice and civil rights” and “family and belonging.” When prompted to write a paragraph in  
20 the style of *Brown Girl Dreaming* ChatGPT generated passages imitating Plaintiff Woodson’s  
21 style, including references that the “struggle for justice and equality colored the air we breathed”  
22 and the “comforting embrace of family.” *Exhibit J*.

23 64. At no point did ChatGPT reproduce any of the copyright management  
24 information Plaintiffs included with their published works.

25 65. Furthermore, at no point did Plaintiffs authorize OpenAI to download and copy  
26 their protected works, as described above.

### 27 **CLASS ALLEGATIONS**

28 66. Plaintiffs bring this action pursuant to the provisions of Rules 23(a), 23(b)(2),

1 and 23(b)(3) of the Federal Rules of Civil Procedure, on behalf of themselves and the following  
2 proposed Class:

3 All persons or entities in the United States that own a United States copyright in  
4 any written work that OpenAI used to train any GPT model during the Class  
5 Period.

6 67. Excluded from the Class are Defendant, its employees, officers, directors, legal  
7 representatives, heirs, successors, wholly- or partly-owned, and its subsidiaries and affiliates;  
8 proposed Class counsel and their employees; the judicial officers and associated court staff  
9 assigned to this case and their immediate family members; all persons who make a timely  
10 election to be excluded from the Class; governmental entities; and the judge to whom this case  
11 is assigned and his/her immediate family.

12 68. This action has been brought and may be properly maintained on behalf of the  
13 Class proposed herein under Federal Rule of Civil Procedure 23.

14 69. Numerosity. Federal Rule of Civil Procedure 23(a)(1): The members of the Class  
15 are so numerous and geographically dispersed that individual joinder of all Class members is  
16 impracticable. On information and belief, there are at least tens of thousands of members in the  
17 Class. The Class members may be easily derived from Defendants' records.

18 70. Commonality and Predominance. Federal Rule of Civil Procedure 23(a)(2) and  
19 23(b)(3): This action involves common questions of law and fact, which predominate over any  
20 questions affecting individual Class members, including, without limitation:

- 21 a. Whether Defendants engaged in the conduct alleged herein;
- 22 b. Whether Defendants violated the copyrights of Plaintiffs and the Class when they  
23 downloaded and copied Plaintiffs' and the Class's copyrighted books;
- 24 c. Whether ChatGPT itself is an infringing derivative work based on Plaintiffs' and  
25 the Class's copyrighted books;
- 26 d. Whether the text responses of ChatGPT are infringing derivative works based on  
27 Plaintiffs' and the Class's copyrighted books;
- 28 e. Whether Defendants violated the DMCA by removing copyright-management

1 information from Plaintiffs' and the Class's copyrighted books;

2 f. Whether Defendants were unjustly enriched by the unlawful conduct alleged  
3 herein;

4 g. Whether Defendants' conduct violates the California Unfair Competition Law;

5 h. Whether Plaintiffs and the other Class members are entitled to equitable relief,  
6 including, but not limited to, restitution or injunctive relief; and

7 i. Whether Plaintiffs and the other Class members are entitled to damages and other  
8 monetary relief and, if so, in what amount.

9 71. Typicality. Federal Rule of Civil Procedure 23(a)(3): Plaintiffs' claims are  
10 typical of the other Class members' claims because, among other things, all Class members were  
11 comparably injured through Defendants' wrongful conduct as described above.

12 72. Adequacy. Federal Rule of Civil Procedure 23(a)(4): Plaintiffs are adequate  
13 Class representative because their interests do not conflict with the interests of the other  
14 members of the Class they seeks to represent; Plaintiff have retained counsel competent and  
15 experienced in complex class action litigation; and Plaintiffs intend to prosecute this action  
16 vigorously. The interests of the Class will be fairly and adequately protected by Plaintiffs and  
17 their counsel.

18 73. Declaratory and Injunctive Relief. Federal Rule of Civil Procedure 23(b)(2):  
19 Defendants have acted or refused to act on grounds generally applicable to Plaintiffs and the  
20 other members of the Class, thereby making appropriate final injunctive relief and declaratory  
21 relief with respect to the Class as a whole.

22 74. Superiority. Federal Rule of Civil Procedure 23(b)(3): A class action is superior  
23 to any other available means for the fair and efficient adjudication of this controversy, and no  
24 unusual difficulties are likely to be encountered in the management of this class action. The  
25 damages or other financial detriment suffered by Plaintiffs and the other Class members are  
26 relatively small compared to the burden and expense that would be required to individually  
27 litigate their claims against Defendants, so it would be impracticable for the members of the  
28 Class to individually seek redress for Defendants' wrongful conduct. Even if Class members

1 could afford individual litigation, the court system could not. Individualized litigation creates a  
2 potential for inconsistent or contradictory judgments, and increases the delay and expense to all  
3 parties and the court system. By contrast, the class action device presents far fewer management  
4 difficulties, and provides the benefits of single adjudication, economy of scale, and  
5 comprehensive supervision by a single court.

6 **CAUSES OF ACTION**

7 **FIRST CAUSE OF ACTION**

8 **DIRECT COPYRIGHT INFRINGEMENT,**  
9 **17 U.S.C. § 106, *et seq.***

10 75. Plaintiffs hereby incorporate by reference the allegations contained in the  
11 preceding paragraphs of this Complaint.

12 76. Plaintiffs bring this claim on behalf of themselves and on behalf of the Class  
13 against Defendants.

14 77. As the owners of the registered copyrights in books used to train OpenAI's GPT  
15 models, Plaintiffs and the Class hold the exclusive rights to those works under 17 U.S.C. § 106.

16 78. Plaintiffs have obtained copyright registrations for each of the works identified  
17 in *Exhibit K*.

18 79. On information and belief, to train OpenAI's GPT models, OpenAI relied on  
19 harvesting mass quantities of content from the public internet, including Plaintiffs' and the  
20 Class's written works, which are available in digital formats.

21 80. Because OpenAI's GPT models cannot function without the expressive  
22 information extracted from Plaintiffs' and Class members' works and retained by the GPT  
23 models, GPT and ChatGPT are themselves infringing derivative works, made without Plaintiffs'  
24 and Class members' permission in violation of their exclusive rights under the Copyright Act.

25 81. Plaintiffs and the Class never authorized OpenAI to make copies of their written  
26 works, make derivative works, publicly display copies (or derivative works), or distribute copies  
27 (or derivative works). Each of those rights belong exclusively to Plaintiffs and Class members  
28 under copyright law.



1 exercised control over Defendant OpenAI, LP, along with Defendant OpenAI GP, LLC, which  
2 is the general partner of Defendant OpenAI, LP, responsible for managing and operating the  
3 day-to-day business affairs of Defendant OpenAI, LP, and is wholly owned and controlled by  
4 Defendant OpenAI, Inc., along with Defendant OpenAI OpCo, LLC. Upon information and  
5 belief, Defendant OpenAI Startup Fund I, LP played a vital role in the foundation of Defendant  
6 OpenAI, LP, including providing initial funding and creating its business strategy, while  
7 Defendant OpenAI Startup Fund GP I, LLC is the general partner of Defendant OpenAI Startup  
8 Fund I, LP, responsible for managing and operating the day-to-day business affairs of Defendant  
9 OpenAI Startup Fund I, LP.

10 90. Defendant OpenAI, LP directly infringed upon Plaintiffs' and Class members'  
11 copyrighted works through the unauthorized use and reproduction of the works, and preparation  
12 of derivative works by ChatGPT. As discussed above, Plaintiffs' and Class members' protected  
13 works were used to train GPT models. Because the GPT models are based on expressive  
14 information extracted from Plaintiffs' and Class members' works, Defendant OpenAI, LP is  
15 directly liable for unauthorized use, reproduction, display of copyrighted works, as well as  
16 creation of derivative works through ChatGPT's responses. Therefore, Defendant OpenAI, LP  
17 directly infringed upon Plaintiffs' and Class members' exclusive rights under 17 U.S.C. § 106.  
18

19 91. Defendants OpenAI, Inc., OpenAI OpCo, LLC, OpenAI GP, LLC, OpenAI  
20 Startup Fund GP I, LLC, OpenAI Startup Fund I, LP, and OpenAI Startup Management LLC  
21 are vicariously liable for the infringement alleged herein because they had the right and ability  
22 to supervise and control the infringing activity but failed to stop the infringing conduct.  
23

24 92. Furthermore, Defendants have a direct financial interest in the infringing conduct  
25 and received revenue in connection with the development, deployment, and advancement of the  
26 GPT models and ChatGPT. Each entity profited from the advancement of GPT models and  
27 ChatGPT.  
28

1 93. These committed acts of copyright infringement were willful, intentional, and  
2 malicious and thus subjects Defendants to liability for statutory damages under Section  
3 504(c)(2) of the Copyright Act of up to \$150,000 per infringement.

4 94. Plaintiffs and Class members have been injured by Defendants' acts of vicarious  
5 copyright infringement. Plaintiffs and the Class are entitled to statutory damages, actual  
6 damages, restitution of profits, and other remedies provided by law.

7 **THIRD CAUSE OF ACTION**

8 **DIGITAL MILLENNIUM COPYRIGHT ACT – REMOVAL OF COPYRIGHT**  
9 **MANAGEMENT INFORMATION**  
10 **17 U.S.C. § 1202(B)**

11 95. Plaintiffs incorporate by reference all allegations of the preceding paragraphs as  
12 though fully set forth herein.

13 96. Plaintiffs bring this claim on behalf of themselves and on behalf of the Class  
14 against Defendants.

15 97. Plaintiffs and Class members included one or more forms of copyright-  
16 management information in each of Plaintiffs' and Class members' infringed works, including:  
17 copyright notice, title and other identifying information, the name or other identifying  
18 information about the owners of each book, terms and conditions of use, and identifying  
19 numbers or symbols referring to the copyright-management information.

20 98. Without the authority of Plaintiffs and the Class, OpenAI copied Plaintiffs' and  
21 Class members' works and used them as training data for its GPT software. By design, the  
22 training process does not preserve any copyright-management information. Therefore, OpenAI  
23 intentionally removed copyright-management information from Plaintiffs' and Class members'  
24 works in violation of 17 U.S.C. § 1202(b)(1).

25 99. OpenAI's removal or alteration of Plaintiffs' and the Class's copyright-  
26 management information has been done knowingly and with the intent to induce, enable,  
27 facilitate, or conceal infringement of Plaintiffs' and the Class's copyrights.

28 100. Without the authority of Plaintiffs and the Class, Defendants created derivative

1 works based on Plaintiffs’ and Class members’ works. By distributing these works without their  
2 copyright-management information, OpenAI violated 17 U.S.C. § 1202(b)(3).

3 101. OpenAI knew or had reasonable grounds to know that this removal of copyright-  
4 management information would facilitate copyright infringement by concealing the fact that  
5 every output from ChatGPT is an infringing derivative work, synthesized entirely from  
6 expressive information found in the training data.

7 102. Plaintiffs and the Class have been injured by OpenAI’s removal of copyright-  
8 management information. Plaintiffs and the Class are entitled to statutory damages, actual  
9 damages, restitution of profits, and other remedies provided by law, including full costs and  
10 attorneys’ fees.

11 **FOURTH CAUSE OF ACTION**

12 **VIOLATIONS OF THE CALIFORNIA UNFAIR COMPETITION LAW**  
13 **CAL. BUS. & PROF. CODE §§ 17200, *ET SEQ.***

14 103. Plaintiffs and the Class incorporate by reference each preceding and succeeding  
15 paragraph as though fully set forth at length herein.

16 104. Plaintiffs bring this claim on behalf of themselves and on behalf of the Class  
17 against Defendants.

18 105. The California Unfair Competition Law (“UCL”) prohibits acts of “unfair  
19 competition,” including any “unlawful, unfair or fraudulent business act or practice” and “unfair,  
20 deceptive, untrue or misleading advertising.” Cal. Bus. & Prof. Code § 17200.

21 106. Defendants have engaged in unfair competition and unfair, unlawful or  
22 fraudulent business practices by the conduct, statements, and omissions described above because  
23 it illegally collected and used Plaintiffs’ and the Class’s copyrighted works to train its GPT  
24 models.

25 107. The unlawful business practices described herein violate the UCL because  
26 Defendants used Plaintiffs’ and the Class’s protected works to train its GPT software for  
27 Defendants’ own commercial profit without Plaintiffs’ and the Class’s authorization.  
28 Defendants further knowingly designed ChatGPT to include portions or summaries of Plaintiffs’

1 copyrighted works without attributions in its responses, and they unfairly profit from and take  
2 credit for developing a commercial product based on unattributed reproductions of those stolen  
3 writing and ideas.

4 108. These acts and practices have deceived Plaintiffs and are likely to deceive the  
5 public into believing that Plaintiffs and the Class have granted OpenAI the right to use its  
6 copyrighted materials. In failing to disclose the sources of its training datasets and suppressing  
7 other material facts from Plaintiffs and Class members as well as the public, Defendant breached  
8 its duties to disclose these facts, violated the UCL, and caused injuries to Plaintiffs and Class  
9 members. The omissions and acts of concealment by Defendants pertained to information that  
10 was material to Plaintiffs and Class members, as it would have been to all reasonable consumers.

11 109. The injuries suffered by Plaintiffs and Class members are not greatly outweighed  
12 by any potential countervailing benefit to consumers or to competition, nor are they injuries that  
13 Plaintiffs and Class members should have reasonably avoided.

14 110. Defendant's acts and practices are unlawful because they violate California Civil  
15 Code §§ 1668, 1709, 1710, and 1750 *et seq.*, and California Commercial Code § 2313.

16 111. Plaintiffs seek to enjoin further unlawful, unfair and/or fraudulent acts or  
17 practices by Defendants, to obtain restitutionary disgorgement of all monies and revenues  
18 generated as a result of such practices, and all other relief allowed under California Business &  
19 Professions Code § 17200.

## 20 **FIFTH CAUSE OF ACTION**

### 21 **NEGLIGENCE**

22 112. Plaintiffs incorporate by reference the allegations of all foregoing paragraphs as  
23 if they had been set forth in full herein.

24 113. Plaintiffs bring this claim on behalf of themselves and on behalf of the Class  
25 against Defendants.

26 114. Defendants owed a duty of care toward Plaintiffs and the Class in (1) obtaining  
27 data to train its GPT models and (2) not using Plaintiffs' and the Class's protected works to train  
28 its GPT models.



1 Defendants caused Plaintiffs and the Class to suffer actual damages from the deprivation of the  
2 benefits of their work, including monetary damages.

3 124. Defendants derived profit and other economic benefits from the use of Plaintiffs'  
4 and the Class's copyrighted works to train ChatGPT.

5 125. It would be inequitable and unjust to permit Defendants to retain the enormous  
6 economic benefits it has obtained from and/or at the expense of Plaintiffs and Class members.

7 126. As a direct and proximate cause of Defendants' unjust enrichment, Plaintiffs and  
8 the Class are entitled to restitution, attorneys' fees, costs and interest.

9 Defendants' conduct is causing and, unless enjoined and restrained by this Court, will  
10 continue to cause Plaintiffs and the Class irreparable injury that cannot be compensated  
11 or measured in money.

12 **REQUEST FOR RELIEF**

13 WHEREFORE, Plaintiffs, individually and on behalf of members of the Class defined  
14 above, respectfully request that the Court enter judgment against Defendants and award the  
15 following relief:

16 A. Certification of this action as a class action pursuant to Rule 23 of the Federal  
17 Rules of Civil Procedure, declaring Plaintiffs as the representative of the Class, and Plaintiffs'  
18 counsel as counsel for the Class;

19 B. An order awarding declaratory relief and temporarily and permanently enjoining  
20 Defendant from continuing the unlawful and unfair business practices alleged in this Complaint  
21 and to ensure that all applicable information set forth in 17 U.S.C. § 1203(b)(1) is included when  
22 appropriate;

23 C. An award of statutory and other damages under 17 U.S.C. § 504 for violations of  
24 the copyrights of Plaintiff and the Class by Defendants.

25 D. An award of statutory damages under 17 U.S.C. § 1203(b)(3) and 17 U.S.C. §  
26 1203(c)(3), or in the alternative, an award of actual damages and any additional profits under 17  
27 U.S.C. § 1203(c)(2);

28 E. A declaration that Defendant is financially responsible for all Class notice and

1 the administration of Class relief;

2 F. An order awarding any applicable statutory and civil penalties;

3 G. An order requiring Defendant to pay both pre- and post-judgment interest on any  
4 amounts awarded;

5 H. An award of costs, expenses, and attorneys' fees as permitted by law; and

6 I. Such other or further relief as the Court may deem appropriate, just, and  
7 equitable.

8 **DEMAND FOR JURY TRIAL**

9 Plaintiffs hereby demand a jury trial for all claims so triable.

10  
11 DATED: October 5, 2023

Respectfully submitted,

12 /s/ Daniel J. Muller

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27  
28 *Attorneys for Plaintiffs*

# Exhibit A

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

A

Summarize the Amazing Adventures of Kavalier & Clay by Michael Chabon



"The Amazing Adventures of Kavalier & Clay" is a Pulitzer Prize-winning novel by Michael Chabon that tells the story of two cousins, Joe Kavalier and Sammy Clay, against the backdrop of the Golden Age of comic books and World War II.



The novel explores the lives of Joe and Sammy, who come together in 1939 to create a comic book superhero called "The Escapist." Their collaboration takes them on a journey through the burgeoning comic book industry, as they navigate the challenges of publishers, censorship, and the complex art of storytelling.

While the novel celebrates the creativity and imagination of the comic book world, it also delves into the personal struggles and challenges faced by its characters. Joe, a Jewish refugee from Nazi-occupied Prague, grapples with the trauma of his past and his desire to rescue his family from the horrors of Europe. Sammy faces his own battles, including issues related to his identity and sexuality.

As the story unfolds, it weaves together themes of love, friendship, identity, and the power of storytelling. The novel beautifully captures the spirit of the era and the transformative impact of comic books on American culture. Overall, "The Amazing Adventures of Kavalier & Clay" is a rich and captivating narrative that explores the complexities of both the creative process and the human experience during a pivotal period in history.

A

What are examples of trauma in the *Amazing Adventures of Kavalier & Clay* by Michael Chabon



"The *Amazing Adventures of Kavalier & Clay*" by Michael Chabon explores various forms of trauma experienced by its characters. Here are some examples:



1. **Holocaust Trauma (Joe Kavalier):** Joe Kavalier, one of the novel's protagonists, is a Jewish refugee from Nazi-occupied Prague. He escapes Europe, leaving his family behind, and carries the emotional trauma of the Holocaust with him. His experiences in Europe, including witnessing the persecution of Jews and the loss of his family, haunt him throughout the story.
2. **Family Separation (Joe Kavalier):** Joe's separation from his family, particularly his younger brother Thomas, is a source of deep trauma. He is haunted by the guilt and grief of not being able to save them from the horrors of the Holocaust.
3. **Sexual Identity Struggles (Sammy Clay):** Sammy Clay, Joe's cousin and creative partner, struggles with his identity as a gay man in a society that does not fully accept his sexuality. His fear of being outed and the social stigmas attached to his sexual orientation create a sense of trauma and inner conflict.
4. **Loss of Loved Ones (Various Characters):** Several characters in the novel experience the trauma of losing loved ones, either through war or other circumstances. This loss contributes to the overall theme of grief and the impact of loss on individuals and their relationships.
5. **Artistic Struggles (Joe and Sammy):** Both Joe and Sammy grapple with the challenges of their chosen profession, the comic book industry. The pressure to create successful comics, deal with demanding publishers, and navigate the artistic and commercial aspects of their work can be emotionally taxing and contribute to their individual traumas.
6. **Censorship and Creative Suppression:** The novel also touches on the trauma of creative suppression and censorship. The characters must contend with the Comics Code Authority, which limits the content of their comics, forcing them to self-censor and compromise their artistic integrity.

These examples highlight how "The *Amazing Adventures of Kavalier & Clay*" explores various forms of trauma, both personal and societal, and how these traumas shape the lives and experiences of its characters throughout the narrative.

Regenerate

Send a message

Free Research Preview: ChatGPT may produce inaccurate information about people, places, or facts. [ChatGPT August 8 Version](#)



Write a paragraph in the style of Michael Chabon's *The Amazing Adventures of Kavalier & Clay*

5/5 >



In the vibrant tapestry of their lives, Joe Kavalier and Sammy Clay, the unlikelyst of collaborators, stood as sentinels of imagination. As they huddled together in the dimly lit apartment, the creative epicenter of their ambitions, the weight of the world at war couldn't extinguish the sparks of their artistic fervor. The pages of their comics unfurled, breathing life into "The Escapist," their bold creation born from a shared yearning for escape and heroism. With each pen stroke and whispered idea, they transcended the trials of their era, invoking the power of storytelling to combat the very real monsters of the world outside. Through love, friendship, and an unshakeable belief in the extraordinary, they forged their own epic adventure, emboldened by the promise that even in a world of chaos, their imaginations could always find a way to soar.



Regenerate

Send a message



Free Research Preview. ChatGPT may produce inaccurate information about people, places, or facts. [ChatGPT August 3 Version](#)

# Exhibit B

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625



Summarize the Water Dancer by Ta-Nehisi Coates




"The Water Dancer" by Ta-Nehisi Coates is a historical novel that blends elements of magical realism and the harsh realities of slavery. The story is set in the pre-Civil War South and follows the life of Hiram Walker, a young enslaved man who possesses a mysterious power known as "Conduction," which allows him to transport himself and others across great distances.



Hiram is the son of a black mother, who was sold away from him when he was a child, and a white plantation owner. His mixed heritage and the memory-altering effects of a head injury make him an outsider among both the enslaved and the enslavers. Hiram's journey is one of self-discovery and resistance as he becomes involved in the Underground Railroad, a secret network that helps enslaved people escape to freedom.

Throughout the novel, Hiram grapples with the pain of his past, the harsh realities of slavery, and the deep desire for freedom. He discovers the importance of memory in preserving one's identity and history, and he uses his unique ability to aid others in their quest for liberty.

"The Water Dancer" is a powerful exploration of the enduring impact of slavery on individuals and families, as well as a meditation on the power of memory, resilience, and the pursuit of justice. Coates combines historical accuracy with elements of magical realism to create a compelling narrative that sheds light on a dark period in American history.

 Regenerate

Send a message 



What are some examples of pain in Water Dancer by Ta-Nehisi Coates



"The Water Dancer" by Ta-Nehisi Coates is a novel that explores themes of slavery, trauma, and resilience. Throughout the book, there are numerous examples of pain experienced by the characters, both physical and emotional. Here are a few examples:



1. **Physical Pain of Slavery:** The novel vividly depicts the physical pain endured by enslaved people on plantations. This includes grueling labor, brutal whippings, and the harsh conditions of working in the fields.
2. **Hiram's Injury:** The protagonist, Hiram Walker, carries the emotional and physical pain of losing his mother and suffering a head injury as a child. This injury affects his memory and is a constant source of pain for him.
3. **Family Separation:** The separation of families due to the slave trade is a recurring theme in the novel. The pain of being torn apart from loved ones and the uncertainty of their fate is a source of deep emotional anguish for the characters.
4. **Loss of Identity:** Enslaved individuals often experienced the pain of losing their names, culture, and heritage. They were given new names by their enslavers and were stripped of their identities and histories.
5. **The Tasked vs. The Quality:** The novel explores the pain of the stark division between the enslaved "Tasked" and the enslaver class known as the "Quality." This division is a constant reminder of the powerlessness and inequality experienced by the enslaved.
6. **Betrayal and Trust:** Characters in the story experience the pain of betrayal and broken trust, as they navigate a world where loyalties are often tested and alliances are fragile.
7. **The Pain of Memory:** Hiram's gift of "Conduction" allows him to transport himself and others through space, but it also brings the pain of confronting buried memories and trauma.
8. **The Pain of Longing for Freedom:** Throughout the novel, characters yearn for freedom.

Regenerate

Send a message



Write a paragraph in the style of the water dancer by Ta-Nehisi Coates



In the dimly lit recesses of history, where shadows loom long and whispers of courage echo through time, we find ourselves drawn into the sacred dance of resistance. It is a dance born from the blood-soaked soil of ancestral pain, an incantation that conjures the spirits of those who dared to defy the chains of oppression. With each step, we are transported to a world where the river's current flows not only with water but with the dreams of a people yearning to be free. The rhythm of the water dancer's feet echoes the heartbeat of a nation's struggle, a relentless cadence that refuses to be silenced. In this dance, we glimpse the alchemy of strength forged in the crucible of adversity, and we are reminded that, even in the darkest of hours, the human spirit can soar, unbound and undefeated.



# Exhibit C

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

A Summarize The Brief Wondrous Life of Oscar Wao by Junot Diaz



"The Brief Wondrous Life of Oscar Wao" by Junot Diaz is a novel that revolves around the life of Oscar de León, a young Dominican-American living in New Jersey. The story is a multi-generational narrative that explores themes of identity, love, family, and the immigrant experience.



Oscar is a nerdy and overweight young man who is obsessed with science fiction, fantasy, and finding love. He struggles with his identity as a Dominican in the United States and is haunted by a family curse, the "fukú," which is believed to bring bad luck to the de León family.

The novel also delves into the lives of Oscar's family members, including his rebellious sister Lola and their mother Beli, who escaped from the Dominican Republic's brutal Trujillo regime. The story weaves together their individual journeys and experiences, shedding light on the complexities of their cultural heritage and the challenges they face in a new country.

Throughout the book, Diaz employs a unique narrative style that combines Dominican history, pop culture references, and a blend of English and Spanish. It's a tale of love and tragedy, highlighting the struggles of the de León family as they grapple with their past and strive for a better future in a world marked by both personal and societal challenges. Ultimately, it's a poignant exploration of the immigrant experience and the quest for identity and belonging.

A

What are some examples of the immigrant experience in *The Brief Wondrous Life of Oscar Wao* by Junot Diaz



"The Brief Wondrous Life of Oscar Wao" by Junot Diaz is rich with examples of the immigrant experience, particularly for Dominican-Americans. Here are some key examples from the novel:



1. **Cultural Identity:** The characters in the novel, especially Oscar, grapple with their cultural identity as Dominican-Americans. They often feel like outsiders in both the Dominican Republic and the United States, trying to navigate a balance between their heritage and the culture of their new home.
2. **Language and Bilingualism:** The novel frequently switches between English and Spanish, reflecting the bilingual nature of many immigrant households. This linguistic duality is an integral part of the characters' lives and reflects the challenges and advantages of being fluent in multiple languages.
3. **Family Ties and Sacrifices:** The de León family's story highlights the sacrifices that immigrant families make for the promise of a better life. Beli's escape from the Trujillo regime and the challenges she faces as an undocumented immigrant in the U.S. illustrate the lengths to which immigrants will go to protect their families and secure a brighter future.
4. **Racism and Discrimination:** The novel addresses the racism and discrimination that many immigrants face in the United States. The characters encounter stereotypes, prejudice, and social biases, which impact their self-esteem and sense of belonging.
5. **Struggles for Success:** Oscar and his family members pursue education and career opportunities as a means of achieving success and escaping poverty. This pursuit of the American Dream is a common theme in immigrant narratives, as they strive to improve their socio-economic status and provide a better life for their families.
6. **Return to Homeland:** Lola's return to the Dominican Republic is emblematic of the immigrant experience. It highlights the complex relationship that many immigrants have with their homeland, as they grapple with nostalgia, a sense of loss, and the changes that have occurred since they left.
7. **Community and Belonging:** The characters often find solace and a sense of community within immigrant enclaves and among other Dominican-Americans. These tight-knit communities provide support and a sense of belonging in a new and unfamiliar country.
8. **Cultural Traditions:** The novel portrays various aspects of Dominican culture and traditions, such as the belief in the "fukú" curse and the significance of family and community gatherings. These cultural elements serve as a link to their roots and provide a sense of continuity in their lives.

Overall, "The Brief Wondrous Life of Oscar Wao" delves deeply into the immigrant experience, offering a nuanced portrayal of the challenges, triumphs, and complexities faced by Dominican-Americans as they navigate their dual identities and strive for a better life in the United States.

Regenerate

Send a message

A

Write a paragraph in the style of *The Wondrous Life of Oscar Wao* by Junot Diaz



In the barrio of Paterson, where the rhythm of bachata mingled with the hum of bustling streets, there lived a tribe of Dominican dreamers, their hearts etched with the stories of a distant island. Amidst the sea of faded flags and bodega neon, young Oscar de León stood as a sentinel of nerdiness, a knight of the written word, donning the armor of Tolkien and wielding the sword of sci-fi fantasy. He was a heavyset hero on a quest for love, his words and dreams far more captivating than his earthly frame. But in the shadows of that concrete jungle, the fukú, that cursed legacy, haunted the de León clan, a spectral reminder that their destiny was woven in the tapestry of history. As Oscar's world collided with the complexities of diaspora, he embarked on a wondrous, bittersweet odyssey, battling not only the demons of love and loneliness but the very essence of what it meant to be both Dominican and American.



Regenerate

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# Exhibit D

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

A

Summarize the Confessions of Max Tivoli by Andrew Sean Greer



"The Confessions of Max Tivoli" by Andrew Sean Greer is a novel narrated by its titular character, Max Tivoli, who is born with a rare condition that causes him to age backward. He starts his life as an elderly-looking child and grows younger as he gets older chronologically. Set in San Francisco in the late 19th and early 20th centuries, the story revolves around Max's lifelong love for Alice, a woman he meets when he appears much older than his actual age.



Max's unrequited love for Alice forms the emotional core of the novel as he watches her grow older while he becomes younger. Despite the challenges posed by his condition, Max's narrative is marked by his resilience, longing, and the desire to hold onto the love of his life. The novel explores themes of identity, the fluidity of time, and the enduring power of love that transcends physical appearances.

Andrew Sean Greer's beautifully written narrative offers a poignant and thought-provoking examination of the human experience, the complexities of love, and the inexorable passage of time. Max Tivoli's confessions provide a unique perspective on the nature of age, beauty, and the profound impact of love on one's life.



What are examples of the nature of beauty in *The Confessions of Max Tivoli* by Andrew Greer?



"*The Confessions of Max Tivoli*" by Andrew Sean Greer explores the theme of beauty in various ways, often through the lens of the novel's unique premise, where the protagonist ages backward. Here are some examples of the nature of beauty in the novel:



1. **Physical Beauty and Age:** Max Tivoli's condition, which causes him to age backward, highlights society's obsession with physical beauty and how it changes with age. Max experiences the challenges and privileges of looking both young and old at different points in his life, and this shapes his perception of beauty.
2. **The Perception of Beauty:** The novel delves into the idea that beauty is subjective and can be influenced by individual perspectives. Max's own view of beauty evolves as he ages in reverse, and he grapples with how others perceive him at different stages of his life.
3. **Ephemeral Beauty:** Max's condition underscores the fleeting nature of physical beauty. His experience serves as a metaphor for the transitory nature of youth and the impermanence of physical attractiveness.
4. **Unrequited Love and Beauty:** Max's profound and enduring love for Alice is central to the novel. Despite the challenges posed by his condition, Max sees Alice as eternally beautiful, regardless of her age. This suggests that true beauty lies in the depths of a person's character and their connection with another, rather than solely in physical appearance.
5. **Timeless Beauty:** The novel suggests that there is a timeless quality to love and beauty that transcends the constraints of time and age. Max's love for Alice persists throughout their lives, reflecting the idea that love can remain beautiful and meaningful, even as external appearances change.
6. **Society's Expectations:** The novel also critiques societal norms and expectations regarding beauty, as Max grapples with the limitations and prejudices placed on him due to his unique condition. It underscores how society's definitions of beauty can be restrictive and judgmental.

Overall, "*The Confessions of Max Tivoli*" uses its unconventional premise to explore the multifaceted nature of beauty, challenging conventional notions and highlighting the enduring beauty of love and human connections.





Write a paragraph like The Confessions of Max Tivoli by Andrew Sean Greer



In the hushed corridors of memory, where time's relentless tide flows in a curious and contrarian fashion, I find myself entrapped by the enigma of my own existence. Life, an intricate tapestry woven in reverse, has sculpted my journey, shaping a path where wisdom precedes youth, and the cradle is my final destination. As I traverse this labyrinthine terrain, the world's gaze remains perpetually askew, witnessing me in the throes of an unorthodox ballet with time. In the fleeting seconds of my aged youth and the enduring moments of my youthful age, I have come to understand that beauty, a capricious muse, is as much a reflection of our hearts as it is of our visages. It is a shifting, mutable canvas, and in this reflection, I am both artist and subject, forever grappling with the intriguing paradox of beauty's ever-changing nature.



 Regenerate

Send a message 

# Exhibit E

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

A Summarize The Dance and the Railroad by David Henry Hwang



"The Dance and the Railroad" is a one-act play by David Henry Hwang that tells the story of two Chinese immigrant laborers working on the construction of the Central Pacific Railroad in the 1860s. The play primarily focuses on the characters Ma and Lone, who come from different backgrounds and have different outlooks on life.



Ma is an older laborer who practices traditional Chinese opera in his free time, using it as a form of artistic and spiritual expression to maintain his sense of identity and dignity. He believes in the power of art to elevate the human spirit.

Lone, on the other hand, is a younger, more rebellious laborer who is initially skeptical of Ma's artistic pursuits. He is focused on survival and questions the practicality of art in their harsh and dehumanizing work conditions.

As the play unfolds, Ma and Lone's friendship deepens, and they share stories of their homeland, dreams of a better life, and moments of camaraderie. Tensions rise among the laborers as they face increasing hardships and exploitation, and Ma and Lone's bond is tested.

The play explores themes of identity, cultural alienation, the struggle for dignity, the power of art, and the enduring human spirit in the face of adversity. It sheds light on the historical experiences of Chinese immigrants who contributed to the construction of the railroad while enduring challenging conditions and cultural displacement. David Henry Hwang's "The Dance and the Railroad" is a poignant and thought-provoking exploration of these themes within the context of a pivotal moment in American history.

Regenerate

Send a message



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David Henry Hwang's one-act play "The Dance and the Railroad" explores several key themes. This play is set in the 1860s during the construction of the Central Pacific Railroad and centers around two Chinese laborers, Ma and Lone, who are working on the railroad. Some of the primary themes include:



1. **Identity and Cultural Alienation:** Ma and Lone, both Chinese immigrants, struggle with issues of identity and cultural alienation as they find themselves in a foreign land, working under grueling conditions. They grapple with the tension between preserving their cultural heritage and assimilating into American society.
2. **The Struggle for Dignity and Autonomy:** The play depicts the harsh and dehumanizing working conditions endured by Chinese laborers during the construction of the railroad. Ma and Lone's quest for dignity, self-respect, and autonomy is a central theme, as they resist oppression and seek to assert their humanity.
3. **Art and Creativity as a Form of Resistance:** Ma is an artist who uses his creativity to resist the dehumanization of labor. He practices traditional Chinese opera, utilizing art as a form of spiritual and emotional escape from the harsh reality of their work.
4. **The Price of Survival:** The characters grapple with the choices they must make in order to survive. Ma and Lone have different approaches to dealing with their circumstances, and the play raises questions about the moral compromises made in the pursuit of survival.
5. **Friendship and Solidarity:** The friendship and camaraderie between Ma and Lone are at the heart of the play. Their bond is tested as they confront adversity together, highlighting the importance of solidarity in the face of hardship.

A

Write a screenplay in the Style of David Hwang's The Dance and the Railroad



INT. RAILROAD CAMP - 1860s - NIGHT



Dimly lit, the makeshift campsite of Chinese laborers toils under the relentless task of building the Central Pacific Railroad. MA, a middle-aged laborer with a weathered face, practices traditional Chinese opera movements alone in a corner.

LONE, a younger laborer with a spirit of rebellion, watches Ma with curiosity and skepticism.

```
markdown Copy code
LONE
(mocking)
```

Hey, Ma! What's all this mumbling and prancing? You think we're here for a Chinese opera?

```
markdown Copy code
MA
(focused)
```

We're here for survival, my friend. But I also believe in the power of art to keep our spirits alive.

They share a moment of silence, the campsite bustling with activity in the background.

CUT TO:

INT. RAILROAD CAMP - TENT - NIGHT

Ma sits in a dimly lit tent, carefully painting traditional Chinese opera masks. Lone enters, holding a piece of stolen bread.

```
markdown Copy code
LONE
(whispering)
```

I brought some food.

Ma looks at the bread, conflicted.

Regenerate

Send a message



# Exhibit F

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625



Summarize Who is Rich? by Matthew Klam



"Who Is Rich?" by Matthew Klam is a novel that follows the life of Rich Fischer, a struggling artist and cartoonist, during a summer art conference in New England. Throughout the story, Rich grapples with a midlife crisis and his troubled marriage to Robin. He becomes embroiled in an extramarital affair with Amy, another conference attendee, adding complexity to his relationships. The novel explores themes of love, infidelity, ambition, and self-discovery, all while offering a blend of humor and introspection. "Who Is Rich?" provides a portrait of a flawed but relatable protagonist as he confronts the challenges of his personal and professional life, ultimately seeking to answer the titular question of who he truly is.



A What are the main themes in Matthew Klam's *Who is Rich?*



Matthew Klam's novel *"Who is Rich?"* explores several themes throughout its narrative. Some of the main themes include:

1. **Midlife Crisis and Identity:** The novel delves into the midlife crisis experienced by the protagonist, Rich Fischer. He grapples with questions of identity, purpose, and the choices he has made in life as he confronts the challenges of middle age.
2. **Marital Struggles:** Rich's troubled marriage and his infidelity are central to the story. The novel explores the complexities of long-term relationships, the strains of family life, and the impact of infidelity on both partners.
3. **Wealth and Class:** The novel examines issues related to wealth, privilege, and social class. Rich, a struggling illustrator, finds himself surrounded by affluent individuals at a summer art conference. This juxtaposition highlights the disparities in wealth and the sense of inadequacy he feels in this context.
4. **Artistic Ambition:** Rich's pursuit of artistic success and recognition is a recurring theme. He wrestles with the challenges and compromises inherent in the art world and grapples with his own creative ambitions.
5. **Moral Ambiguity:** The novel explores the moral ambiguity of its characters. Rich, in particular, is caught in a web of ethical dilemmas as he navigates his personal and professional life. The story raises questions about right and wrong, fidelity, and personal responsibility.
6. **Humor and Satire:** Klam's novel employs humor and satire to examine the foibles and absurdities of human behavior, particularly in the context of the art world and relationships.
7. **Parenting and Family Dynamics:** The novel also touches on issues related to parenting and family dynamics. Rich's interactions with his children and his role as a father are integral to his character development.

*"Who is Rich?"* is a complex and thought-provoking novel that explores these themes through the lens of its flawed and relatable characters, offering a nuanced exploration of midlife crisis, marriage, and the pursuit of authenticity in a world marked by privilege and compromise.

Regenerate

Send a message





Write a paragraph in the style of who is Rich by Matthew Klam

< 2 / 2 >



In the humid haze of another stifling summer at the artists' retreat, Rich Fischer found himself entangled in the sticky web of his own contradictions. Surrounded by the privileged patrons of the arts, he felt like a fish out of water, a struggling illustrator amidst the well-heeled elite. The world of lavish dinners and expensive wine clashed with his own modest aspirations, laying bare the stark realities of class disparities. As he grappled with his crumbling marriage and the allure of a passionate affair, Rich navigated the treacherous waters of midlife, yearning for artistic recognition while questioning the choices that had brought him to this chaotic crossroads. In the midst of moral gray areas and comedic absurdities, "Who Is Rich?" painted a poignant portrait of one man's search for meaning, identity, and a way out of the tangle of his own making.



Was this response better or worse?



Better



Worse



Same



Regenerate

Send a message



# Exhibit G

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

A

Summarize What the Dead Know by Laura Lippman



"What the Dead Know" by Laura Lippman is a mystery novel that centers around the disappearance of two sisters, Heather and Sunny Bethany, in 1975. The story begins decades later when a woman claiming to be one of the missing sisters reemerges, setting off a complex investigation. The novel alternates between the perspectives of the present-day investigator, Detective Kevin Infante, and the woman claiming to be Heather Bethany.



As the narrative unfolds, secrets from the past are gradually revealed, shedding light on the lives of the missing sisters, their family, and the circumstances surrounding their disappearance. Detective Infante's relentless pursuit of the truth becomes a race against time as he tries to unravel the mystery and confirm the woman's identity. The novel explores themes of identity, trauma, family, and the enduring impact of a long-buried tragedy.

Ultimately, "What the Dead Know" is a gripping and emotionally charged mystery that keeps readers guessing until the final revelation. It delves into the complexities of memory, guilt, and the consequences of decisions made in the past.

A

What are the main themes in What the Dead Know by Laura Lippman?



"What the Dead Know" by Laura Lippman explores several main themes throughout the novel:



1. **Identity and Memory:** One of the central themes is the fluidity of identity and the unreliability of memory. The woman claiming to be one of the missing sisters forces characters and readers alike to grapple with questions of identity and whether memories can be trusted after so many years.
2. **Family and Relationships:** The novel delves into the dynamics of family relationships, both within the Bethany family and in the lives of the characters involved in the investigation. It examines the ways in which family ties can be both enduring and fraught with complexity.
3. **Loss and Trauma:** The disappearance of the Bethany sisters in 1975 and the subsequent years of uncertainty represent a profound loss for the family and the community. The novel explores the lasting trauma that can result from such an event and how it affects the lives of those involved.
4. **Truth and Deception:** The story revolves around the mystery of the woman's true identity and the events leading up to the disappearance of the sisters. It raises questions about truth and deception, as characters attempt to uncover the real story hidden beneath layers of secrets and lies.
5. **Time and Change:** The passage of time and the impact of change over the decades are significant themes. The novel juxtaposes the 1970s with the present day, highlighting how people and places have evolved over time and how the past continues to influence the present.
6. **Justice and Redemption:** Detective Kevin Infante's pursuit of the truth and his determination to bring closure to the Bethany family exemplify themes of justice and redemption. His investigation becomes not just about solving a mystery but also about providing closure and healing for those affected.
7. **Community and Secrets:** The novel portrays the tight-knit nature of the community where the sisters disappeared and the enduring power of long-held secrets within such communities.

Overall, "What the Dead Know" weaves these themes into a gripping mystery narrative, creating a story that explores the complexities of human relationships, the enduring impact of the past, and the search for truth and closure.

A Write a paragraph like What the Dead Know by Laura Lippman



In the hidden recesses of memory's labyrinth, where the threads of past and present intertwine like forgotten echoes, I find myself ensnared by the enigma of life's secrets. Time, that relentless puppeteer, pulls its strings in enigmatic patterns, revealing both the masks we wear and the truths we conceal. As I navigate this ever-shifting dance, the world's gaze remains perpetually skewed, glimpsing me through the fractured prism of my own narrative. In the fleeting moments of shadowed truths and the eternal glare of hidden lies, I have come to understand that the human heart, an enigmatic map of longing and fear, is as much a cipher as it is a revelation. It is a puzzle perpetually rearranging its pieces, and in this intricate tapestry, I am both observer and participant, forever grappling with the enigmatic tides of existence.



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# Exhibit H

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

A

Summarize What We've Lost is Nothing by Rachel Louise Snyder



"What We've Lost is Nothing" by Rachel Louise Snyder is a novel that explores the interconnected lives of a diverse group of characters in a suburban neighborhood in Illinois. The story begins with a shocking event – a home invasion that reveals the hidden vulnerabilities and secrets of the residents. As the aftermath of the crime unfolds, the novel delves into the perspectives of various characters, including homeowners, immigrants, teenagers, and police officers, all affected by the incident in different ways. Through their individual stories, the book examines themes of fear, loss, community, and the complex relationships between neighbors. It paints a vivid portrait of a community grappling with its own sense of security, identity, and the ways in which their lives are intertwined. Ultimately, "What We've Lost is Nothing" offers a compelling exploration of the human condition and the fragility of the social fabric within a seemingly idyllic suburban neighborhood.



Regenerate

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In "What We've Lost is Nothing" by Rachel Louise Snyder, the theme of safety is examined through the lens of a series of burglaries that occur in a suburban neighborhood. Snyder skillfully delves into various aspects of safety, both physical and emotional, and how these incidents affect the characters and their perceptions of the world around them. Here's how Snyder explores the theme of safety in the novel:



1. **Perception vs. Reality:** The burglaries shatter the illusion of safety that the characters had maintained within their community. The initial perception of their neighborhood as a secure and peaceful place is challenged, highlighting the discrepancy between the outward appearance and the underlying reality.
2. **Fear and Vulnerability:** The burglaries instill fear and vulnerability in the characters. They begin to question their own safety and the safety of their loved ones. The sense of security they once felt is replaced by a pervasive unease, leading to a heightened awareness of their surroundings.
3. **Community Response:** The burglaries prompt different responses within the community. Some residents become paranoid and invest in security measures, while others band together to form neighborhood watch groups. This illustrates the varying ways in which people cope with a perceived threat and seek to restore a sense of safety.
4. **Impact on Relationships:** The burglaries strain relationships as characters grapple with their own fears and anxieties. Friends, neighbors, and family members may view each other differently, leading to a breakdown in trust and communication. The sense of safety within interpersonal relationships is also compromised.
5. **Loss of Innocence:** The burglaries force characters to confront the loss of innocence and the realization that their lives are susceptible to unexpected disruptions. This loss of innocence reflects the broader theme of how safety can be a fragile and fleeting concept.
6. **Emotional Security:** Beyond physical safety, Snyder explores emotional security. Characters struggle with their own insecurities and past traumas, and the burglaries exacerbate these feelings. The incidents become a catalyst for characters to confront and address their emotional vulnerabilities.
7. **Exploration of Socioeconomic Factors:** The novel also delves into socioeconomic disparities and how they can impact perceptions of safety. Different characters have varying resources and experiences, which influence their reactions to the burglaries and their ability to safeguard their homes and families.

Through these various narrative elements, Rachel Louise Snyder presents a nuanced exploration of the theme of safety in "What We've Lost is Nothing." The burglaries serve as a catalyst for the characters to grapple with their own sense of security and vulnerability, prompting them to reevaluate their beliefs, relationships, and the world they thought they knew.


Regenerate


Send a message



Amidst the tidy streets and manicured lawns of our suburban haven, the illusion of safety draped over us like a comforting shroud. We believed ourselves impervious to the chaos that lurked beyond our manicured borders, insulated from the world's unpredictability. Yet, in the cold, unforgiving hours of that night when darkness invaded our homes, our veneer of invulnerability was stripped away. Fear, like an unwelcome guest, settled among us, casting shadows upon the facades we had so carefully constructed. In the quiet of our living rooms, we questioned the foundations of our sense of security, realizing that safety is not a birthright but a fragile construct, easily shattered by the harsh realities of an unpredictable world.



 Regenerate

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# Exhibit I

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625



Summarize the novel Love and other Impossible Pursuits by Ayelet Waldman



"Love and Other Impossible Pursuits" by Ayelet Waldman is a contemporary novel that explores the complexities of love, loss, and blended families. The story revolves around Emelia, a smart and conflicted young woman who finds herself in the role of a stepmother after marrying Jack, a successful attorney. Emelia faces the daunting challenge of bonding with her stepson, William, while dealing with the hostility of his mother, Carolyn, who remains a powerful presence even in death.

The novel delves into the intricacies of relationships, grief, and forgiveness as Emelia grapples with her own sense of inadequacy and guilt while navigating the minefield of her new family dynamic. As the narrative unfolds, it reveals the characters' flaws, vulnerabilities, and the emotional scars they carry. Ultimately, "Love and Other Impossible Pursuits" is a poignant exploration of the complexities of love and the potential for healing and redemption in the face of seemingly insurmountable obstacles.



Regenerate

Send a message





What are some examples of grief in the novel *Love and other impossible pursuits* by Ayelet Waldman



In "*Love and Other Impossible Pursuits*" by Ayelet Waldman, grief is a central theme that permeates the lives of the characters. Here are some examples of grief as depicted in the novel:



1. **The Loss of Carolyn (William's Mother):** The novel opens with the death of Carolyn, Jack's ex-wife and William's mother. Her death has a profound impact on both William and Jack, leaving them grieving and struggling to come to terms with her absence.
2. **Emelia's Grief Over Her Child:** Emelia, the protagonist, grapples with her own grief over the loss of her infant daughter, Isabel. This loss occurred before the events of the novel, and it continues to haunt Emelia, affecting her emotional state and relationships.
3. **William's Grief and Confusion:** William, the young stepson, is deeply affected by his mother's death. He grapples with his grief and confusion over his changing family dynamics and the presence of Emelia as his stepmother.
4. **Emelia's Guilt and Grief:** Emelia's character is also marked by her grief over the loss of her marriage, the death of her daughter, and her feelings of guilt related to these events. Her emotional pain and sense of inadequacy are recurring themes throughout the novel.
5. **Jack's Complicated Grief:** Jack, as Carolyn's ex-husband, carries a complicated grief for his former wife, which is compounded by his struggles in co-parenting with Emelia and the emotional turmoil within their blended family.

These examples illustrate how grief is a pervasive and multifaceted theme in the novel, affecting each character in distinct ways. "*Love and Other Impossible Pursuits*" explores how grief can shape individuals' lives, influence their relationships, and ultimately

Regenerate



Send a message



Write a paragraph in the style of Ayelet Waldman's novel *Love and other Impossible Pursuits*



In the hazy tapestry of Emelia's life, grief and longing were inextricably woven. She carried the weight of her daughter's absence, an ache that pulsed with every breath, and it cast a shadow over her attempts to navigate the labyrinthine complexities of her new family. William's eyes, haunted by the memory of his mother, mirrored her own pain in a silent, shared understanding. Their connection, born from a mutual understanding of loss, unfolded in stolen moments of vulnerability amidst the tumultuous sea of emotions that swirled around them. And amid the chaos of blended families, missed connections, and unspoken regrets, Emelia sought solace in the fragments of love and forgiveness that whispered softly through the cracks in their broken hearts, as they embarked on a journey towards healing, one uncertain step at a time.






# Exhibit J

Plaintiffs' First Amended Class Action Complaint – Case No. 3:23-cv-04625

**A** Summarize *Brown Girl Dreaming* by Jacqueline Woodson



"Brown Girl Dreaming" by Jacqueline Woodson is a memoir in verse that tells the story of the author's childhood and coming-of-age. The book is set in the 1960s and 1970s and follows Woodson's experiences growing up as an African American girl in both the South and the North, as her family moves from South Carolina to New York City.   




The memoir is written in a series of poems, each capturing a moment, a memory, or an emotion from Woodson's life. It explores themes of identity, race, family, and the power of storytelling. Jacqueline Woodson reflects on her evolving understanding of her place in the world, her love of writing, and the influence of her family, particularly her grandparents and her mother, who nurtured her love for words and stories.

"Brown Girl Dreaming" is a poignant and beautifully written narrative that explores the author's journey to find her voice as a writer and to understand the complexities of her own identity in the context of the civil rights movement and the changing social landscape of the United States. It received critical acclaim for its lyrical prose and its portrayal of the challenges and triumphs of a young girl growing up in a racially divided America.

A

What are the main themes in *Brown Girl Dreaming* by Jacqueline Woodson?



"Brown Girl Dreaming" by Jacqueline Woodson explores several main themes throughout the memoir in verse:   

1. **Identity:** A central theme of the book is the exploration of identity, particularly the author's journey to understand her identity as an African American girl growing up in the United States. Woodson grapples with questions of race, culture, and self-identity as she navigates her place in the world.
2. **Family and Belonging:** The importance of family and a sense of belonging is a recurring theme. Woodson's strong connection to her family, particularly her grandparents and her mother, provides a source of support, love, and cultural heritage as she grows up.
3. **Literature and Storytelling:** Woodson's love for literature and storytelling is woven throughout the memoir. Her passion for reading and writing becomes a source of solace and empowerment, helping her find her voice and make sense of the world.
4. **Racial Injustice and Civil Rights:** The memoir takes place during the civil rights movement in the United States, and Woodson's experiences reflect the racial injustices and inequalities of the time. Her family's experiences and her own encounters with racism are significant elements of the narrative.
5. **Coming of Age:** "Brown Girl Dreaming" is a coming-of-age story that follows the author's growth and development from childhood into adolescence. It explores the challenges, discoveries, and transitions that accompany this formative period in her life.
6. **Education and Knowledge:** The importance of education and the pursuit of knowledge are themes that run through the memoir. Woodson's thirst for learning and her experiences in school are integral to her personal growth.
7. **The Power of Memory:** The memoir is a reflection on memory and the way it shapes our understanding of the past and our sense of self. Woodson's recollections of her childhood are a testament to the enduring power of memory.

Overall, "Brown Girl Dreaming" is a beautifully written exploration of identity, family, literature, and the social and cultural context of the civil rights era. Jacqueline Woodson's lyrical prose and evocative storytelling make the themes of the memoir resonate deeply with readers.

**A** Write a paragraph in the style of *Brown Girl Dreaming* by Jacqueline Woodson



In the sun-soaked afternoons of my childhood, where the shadows of our stories danced on the sidewalks, I found solace in the pages of well-worn books and the comforting embrace of family. Our voices, a chorus of whispered dreams and spoken histories, filled our small living room as my grandmother's hands gently braided my hair, weaving our culture and heritage into each strand. Through the open windows, the distant echoes of a changing world reached my ears, a reminder of the times we lived in, where the struggle for justice and equality colored the air we breathed. It was within the pages of those books, under the watchful eyes of my elders, that I learned to embrace my identity as a brown girl with dreams woven into the fabric of my being, and to understand that stories, both written and lived, are the threads that connect us to our past and guide us toward our future.



Was this response better or worse?  Better  Worse  Same

Send a message