

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CIVIL MINUTES

Date: November 7, 2023	Time: 11 minutes 2:15 p.m. to 2:26 p.m.	Judge: WILLIAM H. ORRICK
Case No.: 23-cv-00201-WHO	Case Name: Andersen v. Stability AI Ltd.	

Attorneys for Plaintiff: Joseph R. Saveri and Matthew Butterick,

Attorneys for Stability: Paul M. Schoenhard and Nicole M. Jantzi

Attorney for Deviant Art: Andrew M. Gass

Attorney for Midjourney: Angela L. Dunning

Deputy Clerk: Jean Davis

Court Reporter: Jennifer Coulthard

PROCEEDINGS

Case Management Conference conducted via videoconference. The parties and Court discuss discovery. The Court agrees to the issuance of third party subpoenas to ensure preservation of evidence as long as the third party is notified that service at this time is solely for preservation purposes, that production is not required yet and that any litigation over protective orders/motions to quash must await resolution of the next round of pleadings motions and further order of the Court.

Counsel for Stability asks for clarification regarding the viability of certain theories asserted regarding direct infringement. The Court has determined that plaintiff has a plausible cause of action for direct infringement and will not rule on theories that plaintiff may assert within that cause of action against Stability until a later stage of the case. Stability has correctly identified portions of the Order that indicate the challenge for plaintiff in succeeding on those theories.

Schedule for Amended Complaint/Motions adopted as follows:

November 29, 2023	Amended Complaint to be filed
January 12, 2024	Motions to Dismiss (or answers) due
February 23, 2024	Oppositions to motions due
March 22, 2024	Replies to oppositions due
April 10, 2024	Hearing on Motion to Dismiss set for 2:00 p.m.