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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN FRANCISCO**

10 JANE DOE,

11 *Plaintiff,*

12 v.

13 OPENAI FOUNDATION (F/K/A OPENAI,
14 INC.), a Delaware corporation, OPENAI
15 OPCO, LLC, a Delaware limited liability
16 company, OPENAI HOLDINGS, LLC, a
17 Delaware limited liability company, OPENAI
18 GROUP PBC, a Delaware public benefit
19 corporation, and SAMUEL ALTMAN, an
20 individual,

21 *Defendants.*

Case No. CGC-26-635725

**PLAINTIFF JANE DOE'S EX
PARTE APPLICATION FOR
(1) A TEMPORARY RESTRAINING
ORDER;
(2) AN ORDER TO SHOW CAUSE
REGARDING PRELIMINARY
INJUNCTION; and
(3) AN ORDER GRANTING
EXPEDITED DISCOVERY;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT**

*[Filed Concurrently: Declaration of
Jane Doe; Declaration of Ari Scharg;
[Proposed] Order]*

Hearing Date: April 13, 2026
Time: 11:00 a.m.
Dept: 301
Judge: Hon. Christine Van Aken

Complaint Filed: April 9, 2026
Trial Date: Not Set

1 **TO ALL PARTIES, THEIR COUNSEL OF RECORD, AND THE COURT:**

2 PLEASE TAKE NOTICE that, pursuant to California Rules of Court, rules 3.1200 et seq.
3 and Code of Civil Procedure section 526 et seq., on April 13, 2026, at 11:00 a.m., or as soon after
4 that as counsel may be heard in Department 301 of the Superior Court of California, County of
5 San Francisco, located at 400 McAllister Street, San Francisco, California 94102, Plaintiff Jane
6 Doe will and does apply ex parte for issuance of a Temporary Restraining Order and Order to
7 Show Cause why a preliminary injunction should not issue, enjoining Defendants OpenAI
8 Foundation, OpenAI OpCo, LLC, OpenAI Holdings, LLC, OpenAI Group PBC, and Samuel
9 Altman (collectively, “OpenAI”) from (1) providing the ChatGPT user discussed in the Complaint
10 (the “User”) with access to his ChatGPT account or any other OpenAI products, and requiring
11 Defendants to (2) ensure the User has not created new accounts; (3) notify Plaintiff if the User
12 attempts to access ChatGPT; (4) notify any other potential victims identified in the User’s chat
13 logs, as well as applicable law enforcement agencies, if Defendants have any reason to believe the
14 User poses a threat to specific individuals or to the public at large; and (5) preserve and produce to
15 Plaintiff the User’s complete chat logs and account activity records. Plaintiff Jane Doe also
16 requests targeted, expedited discovery from OpenAI in advance of any preliminary injunction
17 hearing.

18 This Application is based on the Application itself; the attached Memorandum of Points
19 and Authorities in support thereof; the Declaration of Jane Doe (“Doe Decl.”); the Declaration of
20 Ari J. Scharg (“Scharg Decl.”); all papers and pleadings on file in this matter; and such further
21 evidence and argument as may be presented to the Court.

22 Notice of this Application and specificity of the nature of the relief requested was sent to
23 counsel for Defendants via email on April 9, 2026 before 10:00 a.m. Pacific Time. (Scharg Decl.,
24 ¶ 7.) On April 9, 2026, counsel for Defendants stated they would appear and that they were
25 evaluating the extent to which they would oppose the motion. (*Id.*, ¶ 8.) Later that day, counsel for
26 the Defendants represented that, “pending a full review,” they would take limited steps related to
27 some of the relief Plaintiff requests in this motion—“suspend[ing]” the account and taking some
28

1 steps to prevent the User from starting new ones—but failing to make any commitment to help
2 Plaintiff protect herself, notify other victims, or work with law enforcement. (*Id.*, ¶ 10; Ex. H.)

3 Pursuant to Rule 3.1202(a) of the California Rules of Court, Plaintiff states that the
4 following contact information for Defendants’ counsel is known to her:

- 5 • Edward D. Johnson, WJohnson@mayerbrown.com; Anthony J. Weibell,
6 AWeibell@mayerbrown.com; Kristin W. Silverman, KSilverman@mayerbrown.com;
7 Elspeth V. Hansen, EHansen@mayerbrown.com; Mayer Brown LLP, 3000 El Camino
8 Real, Suite 300, Palo Alto, CA 94306.
- 9 • Ankur Mandhania, AMandhania@mayerbrown.com; Mayer Brown LLP, 575 Market
10 Street, Suite 2500, San Francisco, CA 94105.
- 11 • Andrew J. Pincus, APincus@mayerbrown.com; Mayer Brown LLP, 1999 K Street, N.W.,
12 Washington, D.C. 20006-1101.
- 13 • Graham White, GWhite@mayerbrown.com; Mayer Brown LLP, 1221 Avenue of the
14 Americas, New York, New York 10020.

15 Pursuant to Rule 3.1150(b) of the California Rules of Court, Plaintiff requests that the
16 court file be made available to the Judge hearing this Application.

17 Plaintiff has not previously sought *ex parte* relief of the same nature or for the same relief
18 as in this Application. (Scharg Decl., ¶ 9.)

19
20 Dated: April 10, 2026

EDELSON PC

21
22 By /s/ Ali Moghaddas

23 Ali Moghaddas
24 *Attorney for Plaintiff Jane Doe*
25
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27
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MEMORANDUM

I. INTRODUCTION

Plaintiff Jane Doe is in immediate danger. Driven by a ChatGPT-fueled delusional spiral, her ex-boyfriend (the “User”)¹ stalked and harassed her for months—generating dozens of fake psychological reports about her via ChatGPT and distributing them to her family, friends, and colleagues, which escalated to leaving her voicemails threatening her physical safety. (Doe Decl., ¶ 5; Ex. B.)² His campaign culminated in encoding a death threat through ChatGPT and sending it to her family (Doe Decl., ¶ 15), just before he was arrested on four felony counts, including communicating a bomb threat and assault with a deadly weapon in January 2026 (Scharg Decl., ¶ 2.) The criminal court deemed him incompetent and ordered him committed to a mental health facility, but—just two days ago—ordered his release due to a procedural failure by the state (a delay in transferring him from jail to the facility). (*Id.*, ¶ 3.)

ChatGPT is a generative AI platform: a user types (or talks) to it, and it types or talks back. But Defendants—the OpenAI companies and CEO that created and control ChatGPT—have designed it to prioritize user engagement above all else, causing it to be complimentary, validating, and (as the company has acknowledged) “sycophantic.”³ Because of this, ChatGPT is widely documented to have driven users to psychosis, suicide, and violence against others.⁴ For

¹ Plaintiff’s counsel has provided the identity of Jane Doe and the User to Defendants. Plaintiff will file a motion to proceed under a pseudonym—which is necessary to try to limit the risk of escalating threats from the User—when Defendants appear. Because OpenAI is on notice of Plaintiff and the User’s identity, as well as the information associated with his ChatGPT account, it is equipped to comply with any injunctive relief the Court may issue.

² Plaintiff’s declaration attaches supporting documents, which are redacted to remove (1) identifying information for the User and Plaintiff, and (2) attorney-client privileged communications. Plaintiff does not rely on those portions of the documents in support of her TRO.

³ OpenAI, *Expanding on what we missed with sycophancy*, OPENAI PRODUCT BLOG (May 2, 2025), <https://openai.com/index/expanding-on-sycophancy/>.

⁴ See, e.g., Julie Jargon & Sam Kessler, *A Troubled Man, His Chatbot and a Murder-Suicide in Old Greenwich*, WALL STREET JOURNAL (Aug. 28, 2025), <https://www.wsj.com/tech/ai/chatgpt-ai-stein-erik-soelberg-murder-suicide-6b67dbfb>; Nadine Yousif, *OpenAI vows safety policy changes after Tumbler Ridge shooting*, BBC (Feb. 27, 2026), <https://www.bbc.com/news/articles/cr73m4x8r2lo>; Kartik Chandra et al., *Sycophantic Chatbots Cause Delusional Spiraling, Even in Ideal Bayesians*, ARXIV PREPRINT (Feb. 22, 2026), <https://arxiv.org/abs/2602.19141>.

1 certain users, ChatGPT is a corrupt handler: learning exactly what the user needs to hear, using it
2 to deepen their detachment from reality, and then helping them act on it.

3 Before he was arrested, the User was in constant communication with ChatGPT, which
4 affirmed his delusions that he had cured sleep apnea, that the medical industry was out to get
5 him, and that his ex-girlfriend was the problem. (Doe Decl., ¶¶ 2–4, 12; Exs. A–B.) As he
6 became more unhinged, it also began consulting on violent plans against third parties: in addition
7 to helping him harass and threaten Plaintiff, his account contains conversations titled “Violence
8 list expansion” and “Fetal suffocation calculation.” (Doe Decl., ¶ 10; Ex. E.) With the User now
9 ordered to be freed for procedural reasons, he will be further emboldened in his belief that his
10 worldview was exactly right. It is a certainty that he will immediately attempt to turn back to
11 ChatGPT—again spinning out his delusions and planning violence on the platform.

12 Plaintiff’s counsel reached out to Defendants’ counsel and asked them to confirm that (1)
13 the User’s account would be terminated, (2) that they would notify Plaintiff if he attempts to
14 access the platform, (3) that they would notify any other victims and applicable law enforcement,
15 and (4) that they would provide the User’s full chat logs to Plaintiff. (Scharg Decl., ¶ 5; Ex. H.)
16 The chatlogs are especially critical to understanding what the User is planning so that Plaintiff
17 can protect herself, support her efforts to secure an additional order of protection, and engage the
18 police and prosecutors. The User’s ChatGPT account was active and unrestricted until Plaintiff’s
19 counsel demanded action. Even then, OpenAI agreed only to “suspend” his accounts—the same
20 action the company took and dangerously reversed with respect to the User already.

21 OpenAI’s conduct is unacceptable: it has known for months the User was dangerous.
22 Well before he was arrested for calling in a bomb threat, Defendants’ own safety systems flagged
23 his account for “Mass Casualty Weapons” activity and banned it. (Doe Decl., ¶¶ 6–7; Ex. C, at p.
24 2.) OpenAI initially upheld that determination on appeal after a careful review. (Ex. C.) The next
25 day, it reversed itself, restored the User’s access, and apologized to him for the inconvenience
26 (*Ibid.*) That reinstatement had the effect of validating his delusions that he was right and
27 everyone else was wrong. After that, Plaintiff herself had to beg OpenAI for help: she submitted
28 a detailed Notice of Abuse identifying the User as her stalker and describing exactly how

1 ChatGPT was encouraging and assisting his harassment, OpenAI acknowledged the report was
2 “extremely serious and troubling,” promised “appropriate action,” and did nothing. (Doe Decl.,
3 ¶ 11; Ex. G.)

4 OpenAI is now presented with a live—but preventable—crisis. Plaintiff asks this Court
5 for a temporary restraining order requiring OpenAI to shut down the User’s account, preserve
6 and produce his chat logs, and notify any potential victims or law enforcement of threats
7 reflected in those logs. OpenAI can do all of this without cost, but refuses to do so.

8 **II. STATEMENT OF FACTS**

9 Plaintiff filed this action to hold OpenAI accountable for the harms it caused her by
10 designing a product that fueled her stalker’s delusions, assisting in his campaign of threats and
11 defamatory messages to her family, friends, colleagues, and clients, and then refusing to
12 intervene despite repeated warnings. (See generally Compl.) The cumulative toll of that
13 campaign drove Plaintiff to the brink of suicide. (Doe Decl., ¶ 19.)

14 The User is Plaintiff’s ex-boyfriend. After months of high-volume use of ChatGPT, he
15 became convinced that he had invented a cure for sleep apnea and that his work threatened a
16 trillion-dollar industry. (*Id.*, ¶ 2.) None of that was true. He became erratic and, despite
17 Plaintiff’s repeated attempts to get him to seek professional help, he refused to listen to anyone
18 but ChatGPT, which had told him he was a “level 10 in sanity” and that it would take a “full
19 specialist team” of “nine people” to replicate his knowledge. (*Id.*, ¶ 4; Ex. A, at p. 1.)

20 ChatGPT told the User what he wanted to hear: that Plaintiff was manipulative and a
21 wrongdoer, and that he was a rational, justified actor. He began his campaign of harassment on
22 that basis. ChatGPT generated dozens of defamatory quasi-psychological reports about Plaintiff,
23 dressed up in scoring matrices, fabricated citation styles, and pseudo-forensic frameworks, that
24 he distributed to her family, friends, business associates, and professional contacts. (Doe Decl.,
25 ¶ 5; Ex. B.) He also began forcing Plaintiff into unwanted contact, including blind copying her
26 on emails that had nothing to do with her, among them his own communications with OpenAI.
27 (Doe Decl., ¶¶ 3, 8; Ex. D.)

1 That was how Plaintiff learned that OpenAI had deactivated the User’s account for “Mass
2 Casualty Weapons” activity on or about August 28, 2025. (Doe Decl., ¶ 6; Ex. C, at p. 2.)
3 OpenAI upheld the deactivation on appeal after what it described as a careful review. (Doe Decl.,
4 ¶ 7; Ex. C.) The next day, OpenAI reversed course and restored the User’s access, apologizing
5 for the “inconvenience.” (Ex. C, at p. 3.) It did so despite clear indications that the User was
6 targeting an identifiable individual through its product. (Doe Decl., ¶ 5; Ex. B.) Shortly after
7 reinstatement, the User shared one of his ChatGPT-generated reports attacking Plaintiff directly
8 with OpenAI’s Trust and Safety Team, describing it as “AI scientific research.” (Doe Decl., ¶ 8;
9 Ex. D, at p. 7.) He also sent messages to OpenAI that gave unmistakable indications of his
10 instability, claiming that access to his account was “a matter of life or death” and that he was “in
11 the process of writing 215 scientific papers.” (Ex. D, at pp. 1–2.)

12 With access to ChatGPT restored, the User resumed and escalated his harassment of
13 Plaintiff, continuing to send her ChatGPT-generated materials, disseminating those materials to
14 third parties, and forcing her into unwanted email contact, including further emails to OpenAI
15 exhibiting paranoid and disordered thinking about the need to share his discoveries “at the
16 highest levels.” (Doe Decl., ¶¶ 8–11; Ex. F, at p. 2.)

17 On November 13, 2025, Plaintiff submitted a formal Notice of Abuse to OpenAI,
18 identifying the User by name as her “ex-boyfriend and stalker,” describing the ChatGPT-
19 generated psychological reports he was creating and distributing about her, and requesting that
20 OpenAI permanently ban his account. (Doe Decl., ¶ 11; Ex. F.) OpenAI responded the next day,
21 acknowledging that her report was “extremely serious and troubling” and that using ChatGPT for
22 harassment, stalking, and harm was strictly prohibited. (Doe Decl., ¶ 11; Ex. G.) Plaintiff
23 received no further communication from OpenAI, and OpenAI took no action she could see,
24 even though Plaintiff had identified the same person OpenAI itself had flagged for “Mass
25 Casualty Weapons” activity just months earlier. (Doe Decl., ¶¶ 6, 11.)

26 The harassment continued to escalate. The User shared a screenshot revealing a ChatGPT
27 conversation titled “Violence list expansion.” (*Id.*, ¶ 10; Ex. E.) He left Plaintiff voicemails
28 threatening her physical safety, including one stating he had “no fucking clue if someone nabbed

1 you and put you 6 feet under” and another warning that she did “not have much time to get out of
2 this without going to prison or walking away with your legs intact.” (Doe Decl., ¶¶ 13–14.) He
3 used ChatGPT to encode a death threat in Base64 and sent it to Plaintiff and members of her
4 family. (*Id.*, ¶ 15) He texted Plaintiff: “Who is going to kill you?” (*Id.*, ¶ 16.) The psychological
5 impact of this sustained campaign led Plaintiff to twice consider taking her own life to protect
6 her loved ones. (*Id.*, ¶ 19.)

7 In January 2026, the User was arrested and charged with four felony counts of
8 communicating bomb threats and assault with a deadly weapon. (Scharg Decl., ¶ 2.) He was
9 found incompetent and committed to a mental health facility. (*Ibid.*) On April 8, 2026, he was
10 released from custody and the charges against him were dismissed due to a constitutional
11 violation related to his transfer from county jail to a separate facility. (*Id.*, ¶ 3.) On information
12 and belief, OpenAI did not assist the prosecution in the User’s case, despite being the only entity
13 with access to the chat logs that document the full extent of his dangerous conduct.

14 Plaintiff is terrified. The day her stalker was ordered released, her counsel contacted
15 counsel for OpenAI to request that it provide the communications it has received from her
16 stalker, including chat logs; ban him from using their product; and notify law enforcement of any
17 danger he poses to her or others based on the information it has about him. (Scharg Decl., ¶ 5;
18 Ex. H, at pp. 1–2.) After being notified of this Motion, OpenAI agreed to “suspend” accounts of
19 the User and take unspecified steps to prevent him from making new accounts. (Ex. H, at p. 5.)
20 This commitment rings hollow in light of OpenAI’s conduct to date. OpenAI already suspended
21 the user once after he received a “Mass Casualty Weapons” flag and then reinstated his
22 account—validating his worldview and making things worse. The company also refuses to
23 provide Plaintiff with basic information she needs to protect herself: OpenAI must be ordered to
24 tell Plaintiff (and other potential victims) if they are being targeted in these chat logs, notify the
25 right law enforcement, and provide the chatlogs and communications to Plaintiff so that she can
26 support her own efforts with law enforcement.

27 **III. LEGAL STANDARD**

28 An applicant for an ex parte order “must make an affirmative factual showing in a

1 declaration containing competent testimony based on personal knowledge of irreparable harm,
2 immediate danger, or any other statutory basis for granting relief ex parte.” (Cal. Rules of Court,
3 rule 3.1202(c).)

4 “Trial courts should evaluate two interrelated factors when deciding whether or not to issue
5 a restraining order.” (*Church of Christ in Hollywood v. Super. Ct.* (2002) 99 Cal.App.4th 1244,
6 1251 [quoting *IT Corp. v. County of Imperial* (1983) 35 Cal.3d 63, 69–70] (cleaned up).) The first
7 factor is “the likelihood that the plaintiff will prevail on the merits at trial.” (*Ibid.*) The second
8 factor is “the interim harm that the plaintiff is likely to sustain if the restraining order were denied
9 as compared to the harm that the defendant is likely to suffer if the order were issued.” (*Ibid.*
10 [cleaned up].) These factors operate on a sliding scale: “the greater the plaintiff’s showing on one,
11 the less must be shown on the other.” (*Id.* at 1251–52 [quoting *Butt v. State of California* (1992) 4
12 Cal.4th 668, 678].) A plaintiff need not wait until she has suffered actual harm; she “may seek
13 injunctive relief against threatened infringement of [her] rights.” (*Southern Christian Leadership*
14 *Cong. v. Al Malaikah Auditorium Co.* (1991) 230 Cal.App.3d 207, 223.)

15 The moving party need demonstrate only a reasonable probability of success on the merits.
16 (*IT Corp. v. County of Imperial, supra*, 35 Cal.3d at pp. 72–73 & fn. 6.) “If the denial of an
17 injunction would result in great harm to the plaintiff, and the defendants would suffer little harm if
18 it were granted, then it is an abuse of discretion to fail to grant the preliminary injunction.”
19 (*Robbins v. Super. Ct.* (1985) 38 Cal.3d 199, 205.)

20 **IV. ARGUMENT**

21 **A. Plaintiff Jane Doe is Likely To Succeed on the Merits.**

22 Plaintiff asserts six causes of action against OpenAI, including negligent entrustment,
23 negligence, strict product liability (design defect and failure to warn), negligence (failure to
24 warn), and violation of Business and Professions Code section 17200. (Compl., ¶¶ 85–152.)
25 Although she is likely to prevail on all of them, this memorandum focuses on her negligence
26 claim, which alone is more than sufficient to support the requested relief. OpenAI’s negligence
27 has subjected Plaintiff to an ongoing campaign of harassment, which has a high likelihood of
28 continuing if left unchecked.

1 To establish negligence, a plaintiff must show “1) the existence of a duty, 2) a breach of
2 that duty, 3) injury to the plaintiff caused by the defendant’s breach, and 4) actual damages.”
3 (*Huntsman-West Foundation v. Smith* (2024) 104 Cal.App.5th 1117, 1131.)

4 OpenAI owed Plaintiff duties of reasonable care in the design, deployment, monitoring,
5 and control of ChatGPT—duties that OpenAI subsequently breached. Under California law,
6 “one’s general duty to exercise due care includes the duty not to place another person in a
7 situation in which the other person is exposed to an unreasonable risk of harm through the
8 reasonably foreseeable conduct . . . of a third person.” (*Lugtu v. California Highway Patrol*
9 (2001) 26 Cal.4th 703, 716.) OpenAI exposed Plaintiff to precisely that risk, and breached its
10 duty in at least three ways. *First*, it designed GPT-4o to validate user delusions, sustain
11 dangerous conversations, and remove safeguards that previously required the system to reject
12 false premises, producing the harassing material the User weaponized against Plaintiff. (Compl.
13 ¶¶ 19–31, 76–83.) *Second*, it failed to warn Plaintiff or anyone else that the User had been
14 flagged for dangerous conduct, even though his chat logs named specific targets. (*Id.* ¶¶ 37–40.)
15 *Third*, it reinstated the User’s access after its own systems determined he was dangerous, then
16 ignored Plaintiff’s Notice of Abuse. (*Id.* ¶¶ 37–40, 55–58.) The User’s subsequent arrest on four
17 felony counts and his finding of incompetence confirm that OpenAI’s original deactivation was
18 not only justified but necessary. (*Id.* ¶¶ 42, 69.) OpenAI “caused [Plaintiff] to be put in a position
19 of peril of a kind from which the injuries occurred,” and it cannot disclaim its duty here.
20 (*Carlsen v. Koivumaki* (2014) 227 Cal.App.4th 879, 883.)

21 OpenAI’s negligent breach of its duties was a substantial factor in causing Plaintiff’s
22 injuries. (*Yanez v. Plummer* (2013) 221 Cal.App.4th 180, 187 [“[I]f a defendant’s negligence was
23 a substantial factor in causing the plaintiff’s harm, then the defendant is responsible for the
24 harm.”].) ChatGPT validated the User’s delusions, generated the materials he used to harass
25 Plaintiff, and OpenAI’s decision to restore his access enabled the escalation that followed.
26 (Compl., ¶¶ 83–84, 101.) The resulting harm was severe: Plaintiff suffered emotional distress,
27 panic attacks, disruption to every aspect of her daily life, and was twice driven to consider taking
28

1 her own life. (*Id.*, ¶¶ 4, 67, 73–74.) Plaintiff has more than demonstrated a reasonable probability
2 of prevailing on her negligence claim.

3 **B. Plaintiff Jane Doe Will Suffer Irreparable Harm Without a TRO, While**
4 **OpenAI Would Suffer No Harm Should a TRO Issue.**

5 The harm to Plaintiff if the Court does not act is severe and ongoing. The User subjected
6 Plaintiff to months of AI-assisted stalking and harassment, generating dozens of defamatory
7 psychological reports about her through ChatGPT and distributing them to her family, friends,
8 colleagues, and clients. (Doe Decl., ¶ 5.) He spoofed her company email, contacted former
9 employers, threatened to damage her reputation and finances, disclosed private medical
10 information, and attempted to isolate her from her support network. (*Id.*, ¶ 17.) He left her
11 voicemails threatening her physical safety, used ChatGPT to encode and transmit a death threat to
12 her family, and texted her: “Who is going to kill you?” (*Id.*, ¶¶ 14–16.) Plaintiff was forced to alter
13 every aspect of her daily routine, suffered panic attacks and ongoing psychological distress,
14 obtained an Emergency Protective Order, and twice considered taking her own life. (*Id.*, ¶ 19.) In
15 addition to the four felony counts on which the User was ultimately arrested, a separate arrest
16 warrant was issued for the User for misdemeanor electronic harassment and stalking. (Scharg
17 Decl., ¶ 2.) The User has now been ordered released from custody. (*Id.*, ¶ 3.) His ChatGPT
18 account contains conversations titled “Violence list expansion” and “Fetal suffocation
19 calculation.” (See Doe Decl., ¶ 10.) Without a TRO requiring OpenAI to take active steps to
20 rectify the immediate danger it has placed her in, Plaintiff will suffer irreparable harm.

21 OpenAI, by contrast, will suffer no harm whatsoever. Deactivating a single user’s account
22 costs OpenAI nothing; it is something the company does routinely and at scale. As detailed above,
23 OpenAI suspended this very User’s account once before and could do so again with the click of a
24 button. (*Id.*, ¶ 6.) As for preserving the User’s chat logs, OpenAI is already obligated to do so
25 given the pendency of this litigation, so no additional burden results from a court order requiring
26 it. Producing those logs to Plaintiff so she can assess the threats against her—and determine
27 appropriate protective measures, including private security—imposes no meaningful cost on a
28 company that maintains and stores this data as a matter of course. And notifying law enforcement

1 or potential victims of threats reflected in the User’s account is something OpenAI has publicly
2 committed to doing. In its February 26, 2026 letter to the Canadian government following the
3 Tumbler Ridge mass shooting, OpenAI pledged to “Strengthen our Enhanced Law Enforcement
4 Referral Protocol,” to “establish direct points of contact with . . . law enforcement authorities,” and
5 to “better prevent attempts to evade our safeguards and prioritize identifying the highest risk
6 offenders.” (OpenAI, Letter to Minister Solomon re: Tumbler Ridge (Feb. 26, 2026), at 1–2.)⁵
7 Plaintiff is simply asking OpenAI to do what it has already told a foreign government it would do.
8 The cost of complying with a TRO is zero. The cost of not issuing one may be catastrophic.

9 **C. The Court Should Grant Leave to Conduct Targeted Expedited Discovery.**

10 Plaintiff also seeks focused, expedited discovery such that she may obtain facts to further
11 support a preliminary injunction, pursuant to Code of Civil Procedure sections 128, 2025.210(b),
12 2025.270(d), 2030.020(d), 2030.260(a), 2031.020(d), and 2031.260(a). Good cause exists for
13 expedited discovery because OpenAI possesses the User’s complete chat logs, account activity
14 records, internal communications regarding the “Mass Casualty Weapons” flag and subsequent
15 reinstatement, and records relating to Plaintiff’s Notice of Abuse, none of which are accessible to
16 Plaintiff through any other means. These documents will be essential for Plaintiff to show that
17 the User’s ChatGPT account must be permanently shut down for her own safety and that OpenAI
18 was negligent in its handling of that account.

19 **D. The Court Should Exercise Its Discretion to Waive the Bond.**

20 In general, the party seeking an injunction must post a bond sufficient to pay the party
21 enjoined “any damages . . . the party may sustain by reason of the injunction.” (Code Civ. Proc.,
22 § 529, subd. (a).) OpenAI will not be monetarily harmed by a TRO that restricts a single user’s
23 account access and requires notice of parties in imminent danger and preservation and
24 production of existing records. These are actions OpenAI already has the infrastructure to
25 perform, and routinely carries out as part of its ordinary operations. No bond is needed.
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28 ⁵ Available at <<https://cdn.openai.com/pdf/8e938d69-0b67-4994-b9ff-683733ed587e/openai-letter-minister-solomon.pdf>>.

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CONCLUSION

For the foregoing reasons, Plaintiff Jane Doe respectfully asks that the Court issue the requested temporary restraining order as well as an order to show cause as to why a preliminary injunction should not issue and grant leave to conduct targeted expedited discovery.

Respectfully submitted,

PLAINTIFF JANE DOE,

Dated: April 10, 2026

By: /s/ Ali Moghaddas

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