

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re Mosaic LLM Litigation

In re Mosaic LLM Litigation · No. 24-cv-01451-CRB (LJC) · Decided June 26, 2025

SUMMARY

The United States District Court for the Northern District of California granted Plaintiffs’ request to designate Databricks CEO Ali Ghodsi as a document custodian in the Mosaic LLM litigation. The Court concluded that Ghodsi likely possessed relevant and potentially unique information concerning Databricks’ acquisition and integration of MosaicML, and found no undue burden in searching his custodial files.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Lisa J. Cisneros
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 26, 2025
DOCKET	24-cv-01451-CRB (LJC)
DISPOSITION	other
PROCEDURAL POSTURE	The parties submitted a joint discovery letter brief concerning whether Databricks CEO Dr. Ali Ghodsi could be designated as a document custodian under the parties' stipulated ESI Protocol.
STANDARD OF REVIEW	The court evaluated the custodian designation under the stipulated ESI Protocol and considered the executive's access to relevant information, the uniqueness of that information, and the burden of production.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Plaintiffs v. Defendants, including Databricks

TOPICS

- discovery dispute
- copyright infringement
- civil procedure
- intellectual property
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiffs could designate Databricks CEO Dr. Ali Ghodsi as an additional document custodian under the parties' ESI Protocol.
2. Whether the apex considerations of relevance, unique knowledge, and burden justified designation of Ghodsi despite likely overlap with other custodians' documents.

HOLDINGS

1. Plaintiffs may designate Ghodsi as a document custodian because his substantial role in Databricks' acquisition and integration of MosaicML made it credible and highly plausible that he possessed relevant documents and information.

KEY QUOTATIONS

“The apex doctrine “is essentially the courts’ recognition that deposing high-level officers of large corporate and governmental entities imposes meaningful burdens on those entities and witnesses, in part because in the absence of any restrictions, sitting for depositions could quickly become a full-time job for leaders of entities that face extensive litigation.”” (at 1)

“The idea that responsive documents will necessarily be found in other custodians’ records is not sufficient to defeat a search of [a custodian’s] files.” (at 4)

FACTUAL BACKGROUND

Ghodsi was the CEO of Databricks and was substantially involved in Databricks' acquisition of MosaicML, including evaluating MosaicML's generative artificial-intelligence models and integrating MosaicML into Databricks. Plaintiffs contended that Ghodsi likely possessed documents relevant to Databricks' knowledge of MosaicML's alleged infringement, the financial benefits of the alleged infringement, and the companies' post-acquisition relationship. Defendants argued that any relevant documents would overlap with corporate records, documents from MosaicML's former CEO, or documents held by other custodians, but did not contend that producing Ghodsi's custodial file would be uniquely burdensome.

PROCEDURAL HISTORY

Plaintiffs selected Ghodsi as one of three additional document custodians. Defendants objected on apex-doctrine grounds, arguing that Plaintiffs had not shown Ghodsi would possess unique relevant documents and that other custodians or corporate records would contain the same information. The court resolved the discovery letter by granting Plaintiffs' request.

DISPOSITION

other

CASES CITED

- In re Uber Techs., Inc., Passenger Sexual Assault Litig., No. 23-md-03084-CRB (LJC), 2025 WL 896412 (N.D. Cal. Mar. 24, 2025)
- Apple v. Samsung, 282 F.R.D. 259, 263 (N.D. Cal. 2012)
- In re Facebook, Inc. Consumer Priv. User Profile Litig., No. 3:18-MD-02843, 2021 WL 10282213, at *10 (N.D. Cal. Nov. 14, 2021)
- In re Glumetza Antitrust Litig., No. 19-cv-05822, 2020 WL 3498067, at *7 (N.D. Cal. June 29, 2020)
- Kadrey v. Meta
- Shenwick v. Twitter, No. 16-cv-05314, 2018 WL 833085, at *1 (N.D. Cal. Feb. 7, 2018)
- In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Pracs. & Antitrust Litig., No. 17-md-2785, 2018 WL 1440923, at *2 (D. Kan. Mar. 15, 2018)
- Tremblay v. OpenAI, Inc., 23-cv-03223 (N.D. Cal. Oct. 18, 2024), ECF No. 191