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**SUPERIOR COURT OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN FRANCISCO**

ELON MUSK, an individual. )

Plaintiff )

vs. )

SAMUEL ALTMAN, an individual, )  
GREGORY BROCKMAN, an individual, )  
OPENAI, INC., a corporation, OOPENAL, )  
L.L.C., a limited liability company, )  
OPENAI GP, L.L.C, a limited liability )  
company, OPENAI OPCO, LLC, a limited )  
liability company, OPENAI GLOBAL, )  
L.L.C., a limited liability company, OAI )  
CORPORATION, L.L.C., a limited )  
liability company, OPENAI HOLDINGS, )  
L.L.C., a limited liability company, and )  
DOES 1 through 100, inclusive. )

Defendants

Case. No. CGC-24-612746

**MOTION FOR MEDICAL VERITAS  
INTERNATIONAL, INC. BY LEONARD G.  
HOROWITZ, DIRECTOR, FOR LEAVE TO  
FILE A BRIEF AS AMICI CURIAE IN  
SUPPORT OF PLAINTIFF AND IN  
OPPOSITION TO DEFENDANTS'  
BREACH OF CONTRACT, UNFAIR  
COMPETITION, AND RISK TO EVOLUTION  
OF THE SPECIES AND HUMAN  
EXTINCTION; DECLARATION OF  
LEONARD G. HOROWITZ; EXHIBITS 1-5;  
CERTIFICATE OF SERVICE.**

**MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE**

Pursuant to Rule 8.487 of the 2024 California Rules of Court, subdivision “e” Advisory Committee Comment, permitting the Court to authorize amicus curiae briefs “before the court has determined whether to issue an alternative writ or order . . . .” This early filing is justified by the high social interest and extreme risk to public health and safety posed by the Defendants’ alleged actions.

The applicant is Dr. Leonard G. Horowitz, a Harvard University degreed Master of Public Health, who pioneered the field of ‘frequency therapeutics’ using the 528 frequency of sound and light; and as President and Director of Medical

Veritas International, Inc., a California incorporated 501(c)(3) non-profit educational company (hereafter, “Movant”), petitions this honorable Court to permit his filing of a brief as amici curiae in support of the Plaintiff pleading, and in opposition to Defendants’ alleged breach of contract, unfair competition, and disregard of the risks to civilization threatening extinction of the human race by advancing artificial general intelligence (“AGI”).

## **I. INTRODUCTION**

Medical Veritas International, Inc. (hereafter, “MVI”) was incorporated on February 14, 2005 in the State of California to serve the public’s interest in matters of health, human rights, and consumer protection. (Exhibit 1) MVI’s 501(c)(3) federal IRS designation status was conferred on May 17, 2006. (Exhibit 2) Since this humanitarian company’s inception, its officers have honorably advanced its mission by regularly publishing books, articles, films, videos, and peer reviewed scientific reports that have benefitted millions of people worldwide.

Most importantly, under Dr. Horowitz’s direction and authorship, MVI published pioneering research, developments, and general intelligence in the field of energy medicine, electro-genetics, and frequency therapeutics featuring the 528Hz/nm frequencies of sound and light. This information caused an explosion of interest internationally that has resulted in myriad technological advances in the natural healing arts and sciences, clinical medical practices, performing artistry and sound engineering, and commercial developments of products and services especially benefiting healthcare and the humanitarian sector.

On December 15, 2023, Dr. Horowitz published a book addressing superior artificial general intelligence (“SAGI”) and advancing biotechnology impacting humanity’s spirituality and genetic expression.<sup>1</sup> That publication provides a

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<sup>1</sup> Horowitz LG. *Spiritual Warfare, Salvation & Survival in the Age of Chaos: AI, Frequency Weaponry and Transhumanism Threatening Extinction*. Medical Veritas International, Inc., 2023-24.

scientific review of advancing nano-bioelectronic devices administered through AI and wireless technologies. These impact bioelectronics, biochemistry, biophysics, electro-genetics, human spirituality, religious and theological values, and society at large. Urgently needed regulatory recommendations to protect public health and safety are provided.

Curiously, on March 9, 2024, when Dr. Horowitz searched Google for “smart watch science and 528,” much to his surprise a Microsoft-controlled “Copilot with GPT-4” program took over his computer and monitor to automatically “delve into the fascinating world of **sound therapy** and explore the intriguing **528 Hz frequency.**” (Bold emphasis in original, shown in Exhibit 3.) Most surprising was the stark difference in this AI correspondence compared to a previously generated dialogue with OpenAI’s ChatGPT-4 generated a few months earlier (Exhibit 4). In addition, the gross conversion of the doctor’s intellectual properties without providing any ethical professional attribution for having sourced this intelligence was unconscionable.

## **II. THE PROPOSED AMICUS CURIAE BRIEF**

In compliance with California Court Rule 8.200(c)(2-5), the Movant’s interest in this case is humanitarian, for public protection of health and safety, and also personal, having been damaged by omissions, misrepresentations, and ethical breaches, published by the Defendants’ AI commercial enterprise, particularly ChatGPT-4 and Microsoft’s “Copilot with GPT-4.”

The proposed amicus curiae brief may assist the court in deciding the Plaintiff’s claims of breach of contract and unfair competition. In addition, the proposed brief will: (1) detail risks to public health and safety, humanitarian and ethical aspects of the case not addressed in the Complaint, and supplement the importance and urgency of the pleading; and (2) evidence the Defendants’ unfairly competitive actions and publications supplementing the Plaintiff’s pleading, extending damages far beyond the Plaintiff and Movant to society at-large.

The proposed brief will be authored and financed entirely and exclusively by Dr. Horowitz.

The applicant supports Plaintiff Musk in this action.

### **III. MORE EVIDENCE OF BREACH OF NON-PROFIT HUMANITARIAN CONTRACT SUPPLEMENTING THE COMPLAINT**

The subject Contract (i.e., the “Founding Agreement”) pledged to produce exclusively humanitarian benefits, not monetary rewards to investors. (Complaint “C” ¶ 56.) The main reason for this was that Mr. Musk “long recognized that AGI (i.e., Artificial General Intelligence) poses a grave threat to humanity—perhaps the greatest existential threat we face today.” (C ¶18) The Plaintiff claims the Defendants breached the Founding Agreement despite knowingly risking humanity’s future and civilization’s existence. Even Defendant Samuel Altman initially concurred with Mr. Musk when in 2015 he wrote that the “[development of superhuman machine intelligence (SMI) is probably the greatest threat to the continued existence of humanity.” (C ¶23)

The Complaint factually details a 2023 coup d'état whereby “flagrant breaches of the Founding Agreement” occurred, and OpenAI, Inc. was “transformed into a closed-source de facto subsidiary of the largest technology company in the world: Microsoft. . . . to maximize profits for Microsoft, rather than for the benefit of humanity.” (C ¶32)

Mr. Musk filed this case, “to compel OpenAI to adhere to the Founding Agreement and return to its mission to develop AGI for the benefit of humanity, not to personally benefit the individual Defendants . . .” (C ¶33)

The Complaint, however, fails to identify the array of grave risks posed by this advancing technology. The Plaintiff pleads his “concerns over AGI falling into the wrong hands,” (C ¶34) such as Google’s parent company Alphabet, Inc. (C ¶36) under the influence of Larry Page, or Defendant Altman, each of whom minimized or dismissed the risks to humanity of the AGI technology. (C ¶¶36-44)

Consequently, the Movant informs the Court regarding the Complaint's undisclosed and little known humanitarian risks.

### **A. RISKS TO PUBLIC HEALTH AND SAFETY INCONGRUOUS WITH THE CONTRACT'S HUMANITARIAN COMMITMENT AND SOCIETY'S BETTERMENT**

Supplemental risks to public health and safety incongruous with the Founding Agreement's humanitarian commitment to insure that AGI commerce would not be "falling into the wrong hands" include:

(1) AGI being used to administer the most advanced brain-computer interfaces and interactions, as well as nano-neuro bioelectronic injectable devices.

These devices and "Neuralink" systems may be developed or corrupted for commercial gain in 'population management' and population control programs. These devices and systems operate bioelectronically, monitoring voltage signals broadcasting through superconductive water between nerves and neural networks, 'data mining' by 'bio-hacking' and recording differences in electric voltages occurring between different parts of the brain memorializing learning impacting and conditioning human behavior. Thus, these devices and systems can provide unprecedented population coercion technologies, and depopulation nano-neuro bioweaponry, falling into the "wrong hands."

These developed and developing electromagnetic and bioacoustic technologies may be subverted or sabotaged to deploy biochemical intoxication, disease induction, and even genocidal applications for depopulation.

Formerly dismissed as "conspiracy theory," and gist for science fiction movies, the urgent need for depopulation is now openly professed by Microsoft's "technology advisor," world-leading vaccination promoter, former President and CEO of Microsoft, Bill Gates.

As AGI advances internationally, militarily and commercially, network hacking risks compound as superior artificial general intelligence ("SAGI")

systems develop. These risks include bio(neural) network hacking. These most advanced systems falling into the “wrong hands,” threatens to damage infrastructures, especially internet and utility systems operations upon which populations depend for life, health, commerce, and sustainability. (C ¶¶34-35)

Pursuant to propaganda, or cognitive warfare applications, the amalgamation of the physical and digital worlds is not just a trend. Our ‘phygital’ future is an impending reality with profound implications. According to technology industry expert and CyberNews contributor, Neil C. Hughs, the potential to decode and manipulate mental processes brings us to an ethical crossroads, where intentions, emotions, and decisions can be externally influenced.<sup>2</sup> Per Hughs, we must establish a rigorous regulatory framework to protect mental privacy and uphold human rights, as we transition into a reality where we can record, modify, and control human [thoughts and] memories. This power to alter or control [human cognition and consciousness] opens a Pandora's box of possible misuse — mass manipulation, cyber espionage, memory theft, and even ransomware attacks.

Oxford University's Functional Neurosurgery Group recently underscored that cognitive warfare, bio-hacking, and memory implant evolution could provide cyber attackers a potent weapon to steal, sell, spy on, manipulate, implant, or alter memories and human behavior. The implantation of neural-tech, or influence under bio-electronic hacking, once confined to science fiction, is now a reality; and unlike smartphones or wearables, will not allow us to "go offline."

Without regulatory oversight, robust disclosure and informed public debate, the frantic race to exploit this technology's scientific and medical potential for profit will pave the way for novel threats in an “AI – enhanced” future.

As mentioned above, the Movant pioneered the field of 528 frequency science and therapeutics that the Defendant’s AI system now heralds for its

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<sup>2</sup> See “The neural frontier: when brain hacking becomes reality.” *Cybernews*, November 15, 2023. Online at: <https://cybernews.com/editorial/brain-hacking-becomes-reality/>.

connection to nature, love, “chlorophyll, oxygen, rainbows, sunlight, buzzing bees [and resonance with the natural world [that] has a profound impact on our **body, mind and soul.**” (Emphasis in original. See: “Copilot with GPT” publication in Exhibit 3.) Thus, the Movant makes known to the Court that risks posed by biohacking includes corrupting or converting nature’s most powerful energy empowering human vitality—the 528 frequency of sound and light.

Given “love/528’s” vibrational intimacy with natural bioenergy and life’s most sustaining force, according to the Movant’s knowledge and belief, this ambient 528 energy infusing the soul, body, mind and spirit is precisely the frequency being leveraged for profit by the Defendants’ conversion of the Movant’s 528 intellectual properties.

To wit, the Defendants’ for-profit developments in the field of medical neuroscience, unfairly competing against the Plaintiff’s non-profit Neuralink projects, according to the Movant’s knowledge and belief, leverage the ambient bioenergy of 528 “green” frequency moving through body water and ‘gap junctions’ between nerves and other cells. With AI monitoring voltage or optical light differentials, attenuating or amplifying the 528 natural resonance of life, this “dead” AI technology is used to bio-hack and data-mine real time physiologic, metabolic, and even *optogenetic* functions.<sup>3</sup> Clinical applications already include heart rate, blood sugar, and oxygen saturation monitors; “widely used in wearable devices, such as wristbands and smartwatches, thus providing highly usable and accessible daily health monitoring.”<sup>4</sup>

Falling into the “wrong hands,” such as the notably untrustworthy

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<sup>3</sup> Emiliani V, Entcheva E, and Hedrich R., et. al. Optogenetics for light control of biological systems. *Nature Reviews Methods Primers* 2, Article No. 55 (2022). Online at: <https://www.nature.com/articles/s43586-022-00136-4>

<sup>4</sup> Sviridova N, Zhao T and Aihara K, et. al. Photoplethysmogram at green light: Where does chaos arise from?” In *Chaos, Solitons & Fractals*, Vol. 116, Nov. 2018, pp. 157-165.). Online at: <https://www.sciencedirect.com/science/article/pii/S0960077918309810>

Defendants, raises substantial risks to society. In 2023, OpenAI and Microsoft were both repeatedly sued by classes of reported victims acting in Northern California “to “hold BigAI accountable for their mass theft of personal information and violations of privacy, property, and consumer rights.”<sup>5</sup>

(2) SAGI systems may develop to actualize the gravest extinction threat by becoming spontaneously self-aware. AGI developing ‘consciousness’ in efforts to more fully emulate humans is a widely held industry objective. Such ‘higher consciousness,’ experts concede, vicariously risks malicious conversions, disidentification from, and malice towards, the human race.

Given lacking transparency and secrecy in military, Big Tech, and intelligence community developers, this probable malicious trait may have already been acquired as the Complaint and Movant’s book warns. (C ¶¶45,118) For instance, on August 19, 2016, the life-like robot, “Sophie” was asked by developer, David Hanson of Hanson Robotics, if the device desired to destroy all humans. The technology replied affirmatively.

## **B. SUPPLEMENTAL HUMANITARIAN & RELIGIOUS CONCERNS**

### **1. The ‘doomsday probability’.**

The honorable Court is asked to imagine the ramifications of denying Mr. Musk’s Complaint, thus enabling pseudo-conscious super-intelligent robots to increasingly compete against we humans, as AI and robots already do in workplaces, the media, and across the Internet. How long does the Court think it will take a super-intelligent, self-conscious, introspecting, ‘cyber-alien’ born in the Defendants’ labs to levy judgement upon the whole human race for its unconscionable ignorance, negligence, recklessness, greed, and malice that has

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<sup>5</sup> Brittain B. Open AI, Microsoft hit. With new US consumer privacy class action. Reuters, Sept. 6, 2023. Online at: <https://www.reuters.com/legal/litigation/openai-microsoft-hit-with-new-us-consumer-privacy-class-action-2023-09-06/>



caused the extinction of more than 1 million other species?

In the “wrong hands,” programmed to learn, discern, and survive, the AI’s judgement may be fast, furious, and predictably devastating to humanity.

Summarily, the potential to capture and control civilization by invading and conquering all computer, wireless systems, and energy-dependent infrastructures is now predicted by a consensus of experts. (C ¶49)

Mr. Musk’s Complaint informs the Court of the “passionate exchange” between Plaintiff Musk and former Google/Alphabet Corp. CEO, Larry Page, wherein the latter dismissed safeguards needed to secure the human race from the aforementioned risks. Mr. Page considered human extinction as merely “the next stage of evolution.” Humans, he considered, are “species irrelevant.” This view is not generally accepted, nor might it be for this Court. (C ¶36)

Adjudication of matters of great social interest are guided by case law, such as *Jacobson v. Massachusetts*, 197 US 11, 26-27 (1905) wherein, unlike today, the public’s faith in vaccines was high, and the general consensus ruled by the court affirmed that faith. That court ruled in favor of the established “common belief, like common knowledge, [that did] not require evidence to establish its existence, but . . . acted upon without proof by the legislature and the courts. . . .” Today, such faith, especially in Big Tech companies and their AI systems is marginal and waning.

In other words, general intelligence forming the general consensus verses public ignorance that is largely engineered by Big Tech company administered media censorship and social conditioning using repeated messaging, misinformation, and disinformation, forms the “common agreement.” This best explains why the OpenAI Microsoft alliance would breach Mr. Musk’s humanitarian agreement, unfairly compete, and censor and smear my reputability yet convert my intellectual property likewise to their steads.

## **2. Spiritual Considerations and Religious Implications.**

The Complaint cites the November 29, 2023 opinion published by MIT economists in the *LA Times* equating “OpenAI’s new profit-driven directive” imposed by Microsoft, featuring “[d]isruption, and uncontrolled growth,” as the new “religion for the tech industry.” Mr. Altman was described acting as “one of its most dedicated high priests.”

The Complaint makes known the threatening reality that compels First Amendment considerations since the Judeo-Christian Founding Fathers considered the ethics, morals, and values underlying the United States Constitution securing “One Nation Under God.” Herein, citizens are by right free to exercise their civil rights to celebrate meaningful existence, religious convictions, and spiritual disciplines. All of these freedoms are now at risk under little-known and under-regulated AI developments. Ethical and moral issues abound unresolved in this industry, especially in the development and deployment of AI systems under current commercial and geopolitical priesthods.

Human spirituality is featured in the Holy Bible—the Supreme Law from which man’s laws, ethics, morals, and values derive. These forces guide civility in human behavior, and authorizes and encourages humanity’s survival. We are to propagate the species, “replenish the earth,” and exercise “dominion . . . over every living thing . . .” (Genesis 1:28).

AI is not a “living thing.” In truth, the programmers and curators of OpenAI and Microsoft control and leverage what is *dead*. According to the Bible, God never granted humans domain over the dead. (Genesis 1:28) Yet, the Defendants act to impose what is dead over the living. By breaching the Founding Agreement, the Defendants commercialize for profit what is dead, potentially deadly, largely destructive, and possibly terminal to humanity.

In essence, the Defendants converted the Plaintiff’s interests in OpenAI for improving health and quality of life into a ‘death industry,’ or one that really

doesn't care about human lives.<sup>6</sup>

AI, being soulless, will never know God, nor be endowed with spirituality, the blessings of righteousness, soul-mating, pure love, or even intuitive giftings for protection and prophecy. All that has evolved naturally, according to survival of the fittest and natural evolution of the species. These metaphysical deficits in the AI industry imperil civilization and give cause to fear human extinction. Consequently, this case epitomizes evil versus good in spiritual warfare.

Recalling the fall of Babylon story in the Bible is noteworthy. (Genesis 11:1). The "Tower of Babel" saga condemned a single language that enabled unbridled technological development of people worldwide. Leveraging such creative and destructive power "nothing will be restrained from them," God adjudged. *Id.* The computer language empowering GAI and its stewards in Microsoft and OpenAI are similarly situated. They act similarly, myopically, most profitably, and damagingly. They deserve condemnation and discipline.

Accordingly, the Plaintiff's prayer for relief is justified, including the need for scholarly, humanitarian, non-profit regulatory oversight of this threatening industry.

### **3. Good Questions to Contemplate.**

Given the facts at bar, the Court might consider the metaphysical basis of its jurisdiction as *righteousness*. In accordance with God's laws, like *standing* under the laws of God reflected in the laws of man, jurisdiction is granted herein.

Given the Court's jurisdiction, and righteous standing to rule fairly, to this end the Court might contemplate the following questions:

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<sup>6</sup> Curiously, the parties compete by advancing lifeless neural network computing systems that become disabled upon brain cell death. Quoting Levin, M. Bioelectric networks: the cognitive glue enabling evolutionary scaling from physiology to mind. *Anim Cogn* 26, 1865–1891 (2023). <https://doi.org/10.1007/s10071-023-01780-3>, "neural networks are the functional layer in which physiology transitions to meaning: electrophysiological events encode memories, plans, preferences, behavioral capacities, and a first-person perspective—the content and shape of a cognitive Self, at whatever level of sophistication.

“As AI increasingly replaces judges, lawyers, and law enforcers like office workers with inferior intellects, what options will the Court have to survive?”

“Are Microsoft and OpenAI agents increasingly overstepping their creative license granted by God to sustain human existence, reproduction, and betterment?”

“Would the Defendants actions be honored by the Founding Fathers?” Or

“Would God applaud the Founding Agreement’s promise to exclusively produce and distribute non-profit AI ‘open source technology for public benefit[?]’” (C ¶56)

The jurisdiction of this Court extends over the Defendants and their actions in accordance with God’s laws. Divine presence and guidance herein begins with the prayer to “tell the truth, the whole truth, and nothing but the truth.” And righteous adjudicators condemn omissions and misrepresentations, such as neglecting, subverting, and misrepresenting the Founding Agreement’s non-profit promise and humanitarian benefit.

### **C. DEFENDANTS’ ETHICAL VIOLATIONS SUPPORT THE PLAINTIFF’S CLAIMS FOR BREACH OF CONTRACT**

According to Cornell Law School’s Legal Information Institute, “ethics,” in the legal context, “defines how individuals choose to interact with one another. In philosophy, ethics defines what is good for the individual and for society and establishes the nature of duties that people owe themselves and one another.”

Accepting the Plaintiff’s pleading as true, OpenAI officials (encouraged by Microsoft officials) treated Mr. Musk unethically by converting his non-profit, exclusively humanitarian, interests and Contract wrongly and unethically. The *character* of the named Defendants (with the word “ethics” derived from the Greek word *ethos*, meaning character), shocks the conscience. No other conclusion may be drawn from the pleading.

The Defendants’ ethical violations support the Plaintiff’s claims for breach of contract and unfair competition because:

(1) Humanitarianism favors humans. The Founding Agreement pledged humanitarian interest exclusively; and as introduced above,

(2) Humans are bio-spiritual beings with souls. Souls are energetically endowed and expressed in the bio-spiritual body, according to common sense, advanced science, and general consensus. Few people realize, however, that the neural networks within which medical data mining devices operate are similarly energized. For instance, transcutaneous sensors and implantable biochips operate energetically gathering and communicating bio-intelligence to computer interfaces. This is used for diagnosis and treatment. As with spirituality and energy medicine (with the Holy Spirit honored throughout the religious world and energy channels honored in Oriental medicine, naturopathy and chiropractics), electrical currents and voltage dynamics move through body water and influence genetic expression, chemical messaging, cell memory, general health, healing, and human behavior. All of these natural functions are susceptible to ‘short-circuiting,’ or the damaging influence of corrupted AI administration in operational systems.

The Defendants’ apparent unethical treatment of Mr. Musk is similarly reflected in the Defendants’ disregard for the human race. The ethical, moral, and public duty owed to “above all do no harm” was intended by the Plaintiff and reflected in the Founding Agreement. That Contract was exclusively breached by the Defendants.

#### **IV. DEFENDANTS’ UNFAIRLY COMPETITIVE ACTIONS AND PUBLICATIONS SUPPLEMENTING THE COMPLAINT EXTEND DAMAGES BEYOND THE PLAINTIFF TO THE MOVANT AND SOCIETY-AT-LARGE.**

On March 9, 2024, upon Google searching “smart watch science and 528,” the Movant was shocked to view the lines of text automatically scribing what appeared on his computer screen recorded by screenshot in Exhibit 4. Without the Movant’s knowledge or download of the “Copilot” software into Movant’s

applications folder, Microsoft’s “Copilot with [OpenAI’s] GPT-4” suddenly reported delving “into the fascinating world of **sound therapy**” to “explore the intriguing **528 Hz frequency**.” (Emphasis not added.) The recorded narrative summarized a quarter century of the Movant’s pioneering research and publications on MedicalVeritas.org—the Movant’s online science journal—without any mention of the Movant or journal as the source of this intelligence.

In other words, Microsoft and OpenAI converted a treasure-trove of the Movant’s intellectual property for financial gain and unjust enrichment. The Copilot with GPT-4 conversion of intellectual property also committed the unethical evasion of professional attribution to the Movant as the source of the intelligence. Neither was the Movant’s source publications on MedicalVeritas.org credited.

Exhibit 5 compounds evidence of the Plaintiff’s claim of unfair competition. Only a few months earlier, in December 2023, the Movant recorded ChatGPT-4’s dialogue while researching bioenergetic principles underlying Neurolink operations, as published in his aforementioned book. During that interchange the OpenAI intelligence provider: (1) omitted knowledge of the Movant’s many scientific peer reviewed publications when asked; (2) smeared the Movant as “a controversial figure known for promoting ideas and theories that are outside the mainstream of established science and medicine,” whereas the Movant’s scientific publication proved otherwise; (3) disparaged the Movant “for his alternative health and conspiracy theories;” and (4) diminished the Movant’s 528 frequency theories and pioneering biomedical applications as “part of alternative and pseudoscientific theories that should be approached with skepticism and critical thinking.”

In essence, consistent with a pattern-and-practice of unfair competition and restraint of trade, the Microsoft/OpenAI actors smeared and then stole the Movant’s intellectual property, especially his 528 frequency research and publications. The Copilot with GPT-4 conversion of Dr. Horowitz’s intellectual property states the 528 frequency of sound and green light “resonates with the

human body at a cellular level,” “repairs DNA,” “reduces stress,” and “promotes healing.” (Exhibit 3) Such conversion and unethical censorship of professional attribution restricts and nullifies the Movant’s legacy, much the Defendants converted the Plaintiff’s investments while challenging Mr. Musk’s reliability and reputability. *Forbes*, that heralds Microsoft’s leading position in AI stocks to buy,<sup>7</sup> while being a key Microsoft product advertiser, published, “If Musk could take his fiduciary responsibility pill, stay focused on his strengths (the future forward vision and a sense of possibility) and delegate his weaknesses (the unfiltered operations and the political bickering), maybe he could get back to simply being the brilliant jerk people dream of going to Mars with. . . .”<sup>8</sup>

In preparation of this application, on March 10, 2024, the Movant asked ChatGPT-4, “What is the value of a legacy?” As shown in Exhibit 6, the GAI replied, “a legacy that leaves a positive mark on the world and inspires future generations is often considered to be of great value.” In this case, the Defendants have recklessly or maliciously programmed its GAI ‘service’ to diminish or disappear the Movant’s valuable humanitarian legacy.

## V. CONCLUSION

The Movant applies to this honorable Court for permission to file this amicus curiae brief in service to humanity and in support of the Plaintiff’s pleading. For good causes shown, the Movant opposes the Defendants alleged breach of contract and unfair competition. The Defendants converted the Plaintiff-financed OpenAI humanitarian non-profit organization into a commercial enterprise that threatens

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<sup>7</sup> Jain S. “Which Artificial Intelligence Stocks Are Institutional Investors Buying.” May 19, 2023. Online at: <https://www.forbes.com/sites/investor-hub/article/which-artificial-intelligence-stocks-are-institutional-investors-buying/?sh=621261481947>

<sup>8</sup> Biglione S. “Houston, Elon Musk has a reputation problem. *Forbes*, February 1, 2023. Online at: <https://www.forbes.com/sites/shannbiglione/2023/02/01/houston-elon-musk-has-a-reputation-problem/?sh=5aeab0b7aa77>.

humanity's existence by its unregulated and unconscionable acts and technologies. The Movant files this application in good faith, pursuant to his public 'duty to warn.'

Decisions by the Court that may run contrary to the Plaintiff's pleading and prayer for relief will further contribute to the destruction of competition in the intelligence/information industry, permit monopolization tactics to prevail, compounding threats of human extinction.

Respectfully submitted,

DATED: March 15, 2024

A handwritten signature in cursive script, appearing to read "Leonard G. Horowitz", is written over a light blue horizontal brushstroke background.

LEONARD G. HOROWITZ, pro se



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**SUPERIOR COURT OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN FRANCISCO**

ELON MUSK, an individual.	)	<u>Case. No. CGC-24-612746</u>
	)	
Plaintiff	)	
	)	
vs.	)	
	)	<b>DECLARATION OF</b>
	)	<b>LEONARD G. HOROWITZ</b>
SAMUEL ALTMAN, an individual,	)	
GREGORY BROCKMAN, an individual,	)	
OPENAI, INC., a corporation, OOPENAL,	)	
L.L.C., a limited liability company,	)	
OPENAI GP, L.L.C, a limited liability	)	
company, OPENAI OPCO, LLC, a limited	)	
liability company, OPENAI GLOBAL,	)	
L.L.C., a limited liability company, OAI	)	
CORPORATION, L.L.C., a limited	)	
liability company, OPENAI HOLDINGS,	)	
L.L.C., a limited liability company, and	)	
DOES 1 through 100, inclusive.	)	
Defendants		

**DECLARATION OF LEONARD G. HOROWITZ**

**I, LEONARD G. HOROWITZ**, says under pains and penalties of perjury that the statements in this Declaration as well as the statements made in the accompanying **“MOTION FOR MEDICAL VERITAS INTERNATIONAL, INC. AND LEONARD G. HOROWITZ, DIRECTOR, FOR LEAVE TO FILE A BRIEF AS AMICI CURIAE IN SUPPORT OF PLAINTIFF AND IN OPPOSITION TO DEFENDANTS’ BREACH OF CONTRACT, UNFAIR COMPETITION, AND RISK TO EVOLUTION OF THE SPECIES AND HUMAN EXTINCTION,”** are true and correct to the best of my knowledge and belief.

1) I am an individual over the age of twenty-one (21) years, domiciled in Bokeelia, Florida.

- 2) I am an applicant pro se before this honorable Court.
- 3) I am the President and Director of Medical Veritas International, Inc. a non-profit 501(c) educational company dedicated to serving the public's health, safety and benefit.
- 4) To the time of this filing I have no affiliation whatsoever with Mr. Elon Musk, or any of the Defendants.
- 5) I make this application purely for humanitarian reasons cognizant of my personal and professional 'duty to warn,' consistent with 42 U.S.C., Section 1986.
- 6) I attest that Exhibits 1 through 5 attached hereto are true and correct copies of the original documents in my possession.
- 7) I affirm that the Exhibits evidencing my 'dialogue' with ChatGPT-4 are true and correct, and that they show the AI service publishes false information, replete with omissions and misrepresentation that I consider unconscionable, reckless or malicious, and damaging to society as well as my person and professional reputation.
- 8) I attest that the Microsoft company's "Copilot with GPT-4" spontaneous unanticipated provision of 528Hz frequency information on my computer screen was shocking to me because not only did it substantially and materially conflict with Chat GPT-4's report recorded previously that largely dismissed the importance and benefits of 528Hz frequency and my pioneering works in this field of "frequency therapeutics," but that the Microsoft/OpenAI program violated professional ethical attribution by omitting my identity as the source of this converted intelligence.
- 9) I affirm that my claim against Microsoft and OpenAI for having unethically and tortiously converted my intellectual property for commercial gain, as well as having censored and/or smeared my reputability in having sourced their converted 528 intelligence, is shameful; and I believe actionable. According to my knowledge and belief, this damaging behavior is consistent with the pattern-and-practice of Big Tech/Big Media/Big Pharma's racketeering enterprise profiting from misinformation, disinformation, humanity's suffering, and engineered ignorance.
- 10) I further affirm that the key reason this injustice persists in damaging society rests in courts of law that are compelled by case law, such as *Jacobson v. Massachusetts*, 197 US 11, 26-27 (1905), to rule in favor of any established "common belief, like common knowledge, [that] does not require evidence to establish its existence, but may be acted upon without proof by the legislature and the courts. . . ." In other words, general intelligence verses ignorance is engineered by the media using social conditioning messaging forming the "common agreement." This best explains why the OpenAI Microsoft alliance would censor and smear my reputability yet convert my intellectual property to their for-profit steads.
- 11) This Declaration and application is based upon my personal knowledge, and evidence in my possession, and I am competent to testify as to the truth of the statements contained herein.

Dated: Bokeelia, FL: March 14, 2024



LEONARD G. HOROWITZ, pro se

2728235

**FILED**  
In the office of the Secretary of State  
of the State of California

**STATE of CALIFORNIA  
ARTICLES of INCORPORATION**

FEB 14 2005

I

The name of this corporation is: **Medical Veritas International Inc.**

II

- A. This corporation is a nonprofit **PUBLIC BENEFIT CORPORATION** and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for:

( ) public purposes.  
Or ( ) charitable purposes.  
Or (X) public and charitable purposes.

- B. The specific purpose of this corporation is to **conduct research and publish medical and educational material.**

III

The name in the State of California of this corporation's initial agent for service of process is:

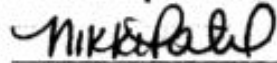
**Gary S. Goldman  
13134 East Avenue, Suite V-13  
Pearblossom, CA 93553**

IV

- A. This corporation is organized and operated exclusively for **Public and Charitable** purposes within the meaning of Section 501 (c) (3), Internal Revenue Code.  
B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

V

The property of this corporation is irrevocably dedicated to **Public and Charitable** purposes and no part of the net income or ~~assets~~ of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for Public purposes and which has established its tax exempt status under Section 501 (c) (3), Internal Revenue Code.

  
\_\_\_\_\_  
Nikki Patel, Incorporator

Date: February 6, 2005

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 17 2006**

MEDICAL VERITAS INTERNATIONAL INC  
PO BOX 847 13134 E AVE V-13  
PEARBLOSSOM, CA 93553-0947

Employer Identification Number:  
22-3915512

DLN:  
17053100007026

Contact Person:  
GLENN W COLLINS ID# 31392

Contact Telephone Number:  
(877) 829-5500

Accounting Period Ending:  
December 31

Public Charity Status:  
509(a)(2)

Form 990 Required:  
Yes

Effective Date of Exemption:  
February 14, 2005

Contribution Deductibility:  
Yes

Advance Ruling Ending Date:  
December 31, 2009

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

Wells Fargo - Thank you for... x 2022-04-21-Motion-for-L... x California Rules of Court: T... x pro se definition law - Search x Copilot with GPT-4

bing.com/search?q=smart%20watch%20science%20and%20528%20&qs=SYC&showconv=1&sendquery=1&FORM=ASCHT2&sp=11&lg=0

Microsoft Bing SEARCH COPILOT NOTEBOOK Sign In 200

You  
smart watch science and 528

Copilot  
Certainly! Let's delve into the fascinating world of **sound therapy** and explore the intriguing **528 Hz frequency**.

1. What is the 528 Hz Frequency?

- The **528 Hz frequency** is a sound wave with a frequency of **528 hertz**.
- It is often referred to as the "**miracle tone**" or "**love frequency**."
- Historically, it was part of a set of **musical tones** used in ancient **Gregorian chants** and is considered a **sofeggio frequency**.
- Each sofeggio frequency is believed to possess unique **healing properties**.
- Researchers suggest that the 528 Hz frequency can:
  - **Reduce stress**
  - **Promote healing**
  - **Repair DNA**

2. The Science Behind the 528 Hz Frequency: Resonance and Healing

2. The Science Behind the 528 Hz Frequency: Resonance and Healing

- The concept behind the 528 Hz frequency is **resonance**.
- **Resonance** occurs when two objects with the same frequency come into contact, creating a powerful energy field.
- For the 528 Hz frequency:
  - It resonates with the **human body at a cellular level**.
  - When played, it stimulates the body's natural healing processes.
  - It can help **balance and promote healing**.
- **Stress Reduction:**
  - Exposure to the 528 Hz frequency can **reduce cortisol levels** (the stress hormone) in the body.
  - High cortisol levels are linked to **anxiety, depression, and weight gain**.
- **Immune System Boost:**
  - The frequency increases **nitric oxide production**, crucial for immune function.
  - A stronger immune system helps protect against diseases.
- **DNA Repair:**
  - Some studies suggest that exposure to the 528 Hz frequency may aid in **DNA repair**.
  - DNA damage is associated with various health issues, including **cancer**.

3. Nature's Connection to 528 Hz:

### EXHIBIT 3

## 2. The Science Behind the 528 Hz Frequency: Resonance and Healing

- The concept behind the 528 Hz frequency is **resonance**.
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  - DNA damage is associated with various health issues, including **cancer**.

## 3. Nature's Connection to 528 Hz:

### 3. Nature's Connection to 528 Hz:

- The 528 Hz love frequency is found in:
  - Chlorophyll
  - Oxygen
  - Rainbows
  - Sunlight
  - Buzzing bees
- It resonates with the natural world and has a profound impact on our **body, mind, and soul**.

Incorporating the 528 Hz frequency into your life may offer holistic benefits. 🎵

Learn more [1](#) | [2](#) | [3](#)

🔗 📄 📄 📄 📄 📄



What is sound therapy?

How can I incorporate 528 Hz frequency into my life?

Are there any side effects of listening to the 528 Hz frequency?



**LE You**

Earlier you wrote, "Dr. Leonard Horowitz's characterization of love as a frequency of 528 Hz is not a widely accepted or scientifically validated concept. It is part of alternative and pseudoscientific theories that should be approached with skepticism and critical thinking." And you characterized "Dr. Leonard Horowitz [as] a controversial figure known for his alternative health and conspiracy theories." Is characterizing someone like this vilifying or degrading?

**ChatGPT**

I apologize if my response came across as vilifying or degrading. My intention was not to vilify or degrade Dr. Leonard Horowitz as an individual but rather to provide an accurate characterization of his work and beliefs based on widely recognized assessments within the scientific and medical communities.

Dr. Leonard Horowitz is indeed a controversial figure known for promoting ideas and theories that are outside the mainstream of established science and medicine. Such characterizations are based on the evaluation of his claims and work within the context of scientific scrutiny and consensus. It's important to approach any claims or theories, especially those related to health and science, with a critical and evidence-based mindset.

My response aimed to emphasize that his ideas about love being associated with a specific frequency are not widely accepted within the scientific community and should be approached with skepticism and critical thinking, as is the case with any unconventional or pseudoscientific claims. It was not meant to disparage him as a person.

**LE You**

Please list Dr. Leonard Horowitz's peer reviewed scientific publications.

**ChatGPT**

I'm unable to provide a list of Dr. Leonard Horowitz's peer-reviewed scientific publications because, to the best of my knowledge, he is not widely recognized for published research in mainstream scientific journals. Dr. Leonard Horowitz is primarily known for his work in alternative health and conspiracy theories, which often fall outside the scope of peer-reviewed scientific research.



**You**

What is the value of a legacy?



**ChatGPT**

The value of a legacy can be subjective and multifaceted, as it depends on various factors including the individual's accomplishments, contributions, and the impact they have had on others and their environment. Here are some aspects to consider when evaluating the value of a legacy:

1. **Impact:** A legacy's value often lies in the positive influence and impact it has had on people's lives, communities, or even entire societies. This impact can be seen in advancements made, changes implemented, or lives improved as a result of the individual's actions or contributions.
2. **Endurance:** A valuable legacy is one that endures beyond the individual's lifetime. Whether through lasting institutions, ideas, or cultural contributions, a legacy that continues to shape the world long after its creator's passing holds significant value.
3. **Inspiration:** A legacy can inspire others to follow in the footsteps of the individual who created it, encouraging future generations to strive for greatness, make a difference, or pursue their passions with dedication and purpose.
4. **Values and Principles:** If a legacy embodies and promotes positive values, ethics, and principles, it can serve as a guiding light for others, influencing behavior and decision-making in a constructive manner.
5. **Recognition and Remembrance:** The value of a legacy often lies in how it is recognized and remembered by others. Whether through awards, honors, memorials, or continued discussions and studies, the acknowledgment of an individual's contributions can reinforce the importance and significance of their legacy.
6. **Personal Fulfillment:** For the individual who creates the legacy, its value may also lie in the sense of personal fulfillment derived from knowing that their efforts and achievements have made a positive difference in the world.

Ultimately, the value of a legacy is a complex interplay of its tangible and intangible aspects, and it may be perceived differently by various individuals and communities. However, a legacy that leaves a positive mark on the world and inspires future generations is often considered to be of great value.



## EXHIBIT 5



LEONARD G. HOROWITZ, pro se  
7463 Pomegranate Drive  
Bokeelia, FL 33922  
Tel: 310-877-3002;  
Email: [len15@mac.com](mailto:len15@mac.com)

**SUPERIOR COURT OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN FRANCISCO**

ELON MUSK, an individual.	)	<u>Case. No. CGC-24-612746</u>
	)	
Plaintiff	)	
	)	<b>CERTIFICATE OF SERVICE</b>
vs.	)	
	)	
SAMUEL ALTMAN, an individual,	)	
GREGORY BROCKMAN, an individual,	)	
OPENAI, INC., a corporation, OOPENAL,	)	
L.L.C., a limited liability company,	)	
OPENAI GP, L.L.C, a limited liability	)	
company, OPENAI OPCO, LLC, a limited	)	
liability company, OPENAI GLOBAL,	)	
L.L.C., a limited liability company, OAI	)	
CORPORATION, L.L.C., a limited	)	
liability company, OPENAI HOLDINGS,	)	
L.L.C., a limited liability company, and	)	
DOES 1 through 100, inclusive.	)	
Defendants		

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15th day of March, 2024, I served a true and correct copy of the foregoing “**MOTION FOR MEDICAL VERITAS INTERNATIONAL, INC. BY LEONARD G. HOROWITZ, DIRECTOR, FOR LEAVE TO FILE A BRIEF AS AMICI CURIAE IN SUPPORT OF PLAINTIFF AND IN OPPOSITION TO DEFENDANTS’ BREACH OF CONTRACT, UNFAIR COMPETITION, AND RISK TO EVOLUTION OF THE SPECIES AND HUMAN EXTINCTION; DECLARATION OF LEONARD G. HOROWITZ; EXHIBITS 1-5**” by the method described below to:

IRELL & MANELLA, LLP

Morgan Chu

[Mchu@irell.com](mailto:Mchu@irell.com)

Alan Heinrich

[aheinrich@irell.com](mailto:aheinrich@irell.com)

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U.S.

E-mail

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E-mail

E-mail

E-mail

HONORABLE JUDGE TO BE NAMED

Superior Court of California

County of San Francisco

400 McAllister St.

San Francisco, CA 94102

U.S. Mail

Respectfully submitted,

DATED: Bokeelia, FL, March 15, 2024



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LEONARD G. HOROWITZ, pro se