

Ms. Heard's Motion, which seeks to impose a draconian gag order and extraordinary sanction on one of Mr. Depp's attorneys, is breathtaking in its hypocrisy, and is not warranted by the circumstances. The one-sided sanction sought by Ms. Heard would be particularly unjust, given that Ms. Heard and/or her attorneys have repeatedly violated the operative Protective Order. Indeed, *Ms. Heard's third and current lead counsel deliberately disclosed the entirety of Mr. Depp's "confidential" productions to a third party tabloid in the United Kingdom, without Mr. Depp's consent.* Ms. Heard also disclosed the entirety of her "confidential" productions to the same UK tabloid despite having no obligation to do so. Like Ms. Heard's false counterclaim allegations that Mr. Waldman controls "inauthentic accounts" online and an army of Russian bots and trolls, Ms. Heard's motion is a purely tactical filing calculated to suppress speech and to deprive Mr. Depp of his attorney of choice.

I. Ms. Heard's Proposed Gag Order Is Unwarranted

As this Court is aware, gag orders in civil cases are rare and implicate "two disfavored forms of expressive limitations: prior restraints and content-based restrictions." *In re Murphy-Brown, LLC*, 907 F.3d 788, 796-97 (4th Cir. 2018). See *Hirschkop v. Snead*, 594 F.2d 356, 373 (4th Cir. 1979) ("The dearth of evidence that lawyers' comments taint civil trials and the courts' ability to protect confidential information establish that the rule's restrictions on freedom of speech are not essential to fair civil trials."). Any gag order must therefore be "narrowly drawn," and no "less restrictive alternatives" should be available, such as *voir dire*, enlarged jury pools, cautionary jury instructions, or other devices. *Gentile v. State Bar of Nevada*, 501 U.S. 1030, 1075 (1991); *In re Murphy-Brown*, 907 F.3d at 799. "Further and crucially, a gag order must actually 'operate to prevent the threatened danger.'" *In re Murphy-Brown*, 907 F.3d at 798 (citing *Neb. Press Ass'n v. Stuart*, 427 U.S. 539, 562 (1976)).

“Sometimes the inevitability of publicity surrounding civil proceedings will render a gag order entirely superfluous.” *In re Murphy-Brown*, 907 F.3d at 798. That is particularly true where, as here, the parties are both known celebrities. There has already been a great deal of unavoidable press attention surrounding the disputes involving Mr. Depp and Ms. Heard recently, in part because of Mr. Depp’s litigation in the UK against *The Sun*, which went to trial in July, and garnered substantial media attention. Indeed, the majority of the public utterances by Mr. Waldman cited in the Motion relate to the UK action against *The Sun*, not this case.

Notably, Mr. Waldman’s Twitter posts in defense of Mr. Depp, cited or attached to the Motion, also feature publicly available press articles. A crucial consideration in an analysis of an attorney’s extrajudicial statements is whether such statements would taint the jury pool. *Gentile*, 501 U.S. at 1039 (reversing the lower court’s finding that the attorney violated the relevant state rule governing pretrial publicity, which was almost identical to ABA Model Rule 3.6, because any finding of substantial prejudice to the proceeding as a result of the attorney’s comments made during a press conference six months before trial “*is, to say the least, most unconvincing*” (emphasis added)). Given that this case attracted enormous media attention from the outset, Mr. Waldman’s mere reference to documents that are already in the public domain and easily accessible to any potential jury pool more than six months before trial, would not have had any such undesirable effect. *See e.g., In U.S. v. Scarfo*, 263 F.3d 80, 94-95 (3rd Cir. 2001) (statements made to the press about litigation by an attorney, who was so involved in the case that he was akin to counsel of record, were “unbalanced” and even “irritating,” but did not pose a threat to the jury pool even where the case had gained great publicity). In short, a gag order under the circumstances here would not serve any legitimate purpose.

Moreover, each of Ms. Heard's three successive lead attorneys has sought to litigate this case and indeed make grossly defamatory statements towards Mr. Depp through the press. Ms. Heard and her counsel made abundantly clear their intention of using this case as a P.R. campaign from the very start, when they filed a salacious, self-serving declaration attaching hundreds of pages of unnecessary, embarrassing photographs of Mr. Depp, in connection with a venue motion. *See* Def.'s Decl. dated April 10, 2019. Ms. Heard's former lead attorneys Eric George and Roberta Kaplan have frequently posted on their Twitter accounts about this action and have given a litany of inflammatory statements directly to the press about this Virginia action. *See Exhibit A* (“The evidence in this case is clear: Johnny Depp repeatedly beat Amber Heard,” Heard’s attorney Eric George – of Los Angeles-based firm Browne George Ross – said in a statement Monday.”); *Exhibit B* (“Kaplan said in a statement. ‘Now that the facts in his own lawsuit are making him uncomfortable, Mr. Depp wants to hide evidence commonly understood to be connected to incidents of domestic violence: his decades-long abuse of drugs and alcohol, his past history of violence, and medical records showing among other things the laundry list of prescription medications he takes daily and injuries from his drug-induced rages.’”);¹ *Exhibit C*. And, as noted above, Ms. Heard’s current counsel knowingly disclosed to the UK tabloid, *The Sun*, every single document Mr. Depp has produced in this action, for the transparent purpose of manipulating the outcome of Mr. Depp’s litigation against *The Sun*. Egregiously and directly in contravention of the Protective Order, Ms. Heard’s attorneys included Mr. Depp’s medical records and communications with his doctor—without Mr. Depp’s consent, and without following the procedures to de-designate documents as “confidential.”

¹ Ms. Heard’s former counsel, Ms. Kaplan, made these statements to the press in response to the Court’s granting of Ms. Heard’s Motion to Compel and the substance of Ms. Kaplan’s comments were directly related to Mr. Depp’s medical history, a subject that the Court had issued protected under the Protective Order.

Ms. Heard's former New York lead counsel was also admonished by the Court for violating the Court's explicit directive not to provide misstatements to the press: "...[W]e're not going to have something inaccurate placed in the press for advantage." **Exhibit D**. Before the Court issued the first continuance in this matter, the Court directed both parties not to "spin" the reasons for the continuance in the press. Contrary to their agreement to do otherwise, Ms. Heard's counsel and/or agents leaked false information to the press as to the reason for the continuance. As such, Ms. Heard's requested gag order is a blatantly hypocritical overreach.

II. Revoking Pro Hac Vice Counsel's Admission Would Be Unwarranted

"Revocation of an attorney's *pro hac vice* admission is an extreme sanction. As a result, it should be exercised sparingly and only in particularly egregious cases." *In re Davis*, No. CA 11-07525-DD, 2012 WL 3782548, at *1 (Bankr. D.S.C. Aug. 30, 2012); *see e.g., Al Procurement, LLC v. Thermcor, Inc.*, 2015 WL 13733927, at *19 (E.D. Va. Nov. 18, 2015). Here, Ms. Heard cites two instances in which Mr. Depp's counsel allegedly disclosed "confidential" documents. However, Ms. Heard neglects to inform the Court that she disclosed all of the documents she produced in this case to *The Sun*, and *voluntarily waived* the "confidential" designation of every document and deposition transcript, including that of Mr. Drew, for use in the UK proceeding (an action which she was not a party to and which she had no disclosure obligations). It is clear Ms. Heard's sole purpose in disclosing and authorizing the use of her production in this litigation was to intervene in Mr. Depp's case against *The Sun*. Simply put, Ms. Heard wants it both ways—she seeks to punish Mr. Waldman for publicizing

documents that were already destined to become public as a result of her explicit waiver in the UK proceeding.²

The sanction sought by Ms. Heard is greatly disproportionate, especially since those documents should not have been marked confidential in the first place pursuant to the narrow terms of the Protective Order. *See Exhibit E.* During the September 13, 2019 hearing on Ms. Heard's motion for entry of the Protective Order, the parties and the Court spoke at length about the categories of information to be confidential. The Court clearly stated that the materials subject to protection by the Protective Order are **"only identifying information, personal information, and medical records, also the personal diary."** *See Exhibit F* (emphasis added). Despite the explicit directives of the Court, Ms. Heard's counsel then over-designated the documents produced in this case by apparently marking as "confidential" every single email and text message she has produced. Most of these documents clearly fall outside the scope of documents that were intended by the parties and ordered by the Court to be confidential, including the documents at issue (a deposition transcript and a document that did not contain financial or medical information).³

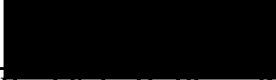
Conclusion

For all the foregoing reasons, the Court should deny Ms. Heard's motion.

² Once a document is used in the UK proceedings, it enters the public domain and is available to the public and the press—as such, by authorizing the use of her "confidential" documents by *The Sun*, Ms. Heard certainly knew that she was authorizing their ultimate public disclosure. *See e.g., Exhibit G* (*The Mirror* published an article after documents disclosed by Ms. Heard were referenced by the parties in the UK proceeding and before any statements were made by Mr. Waldman).

³ Mr. Depp has commenced the process of requesting Ms. Heard to de-designate her improperly designated production.

Respectfully submitted,


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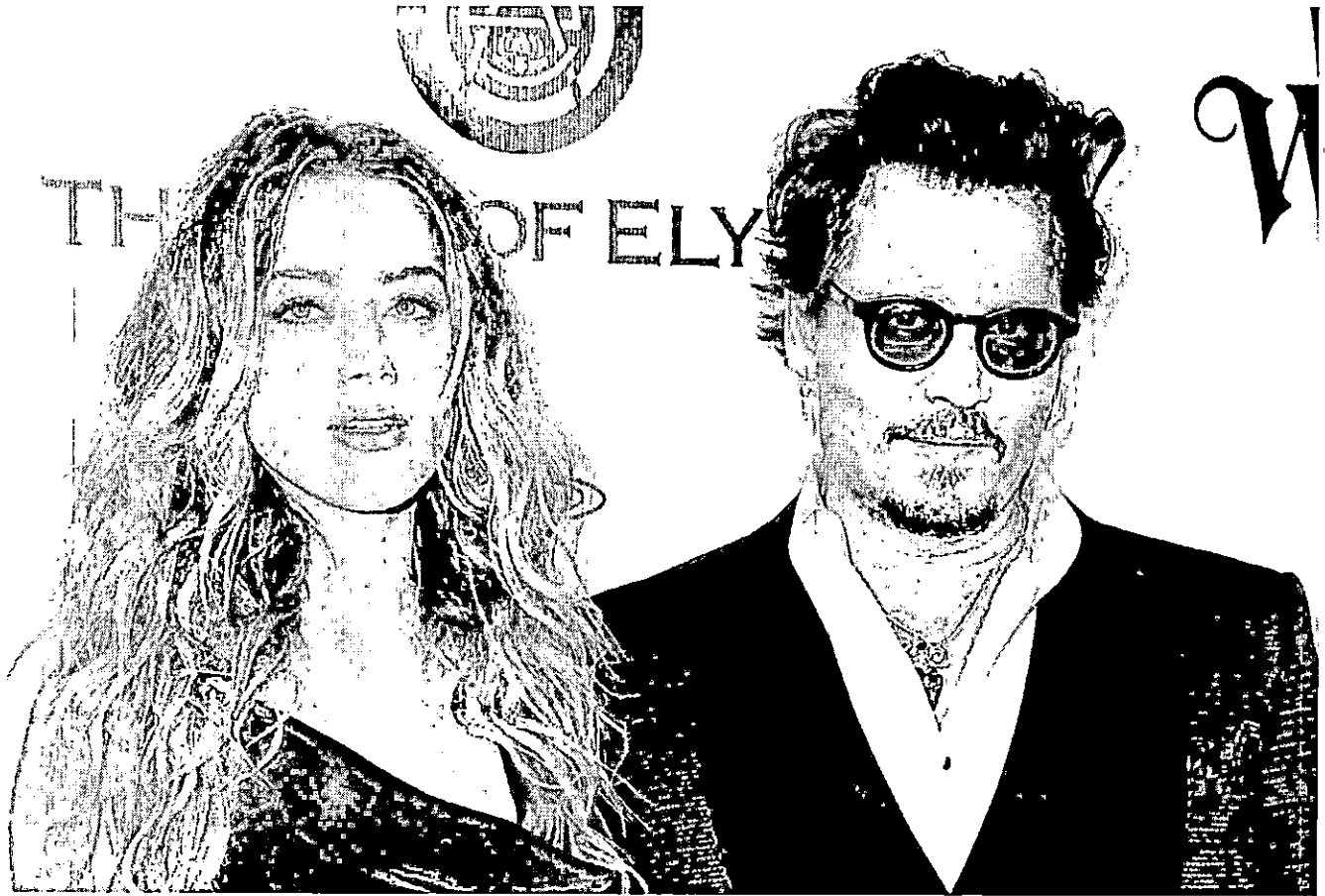
Dated: October 16, 2020



Johnny Depp Files \$50 Million Defamation Lawsuit Against Amber Heard

"This frivolous action is just the latest of Johnny Depp's repeated efforts to silence Amber Heard. She will not be silenced," actress' lawyer says

By DANIEL KREPS



Johnny Depp filed a \$50 million defamation lawsuit against Amber Heard, claiming the actress made "hoax" allegations of domestic abuse. Rich Fury/Invision/AP/REX/Shutterstock

Johnny Depp has filed a \$50 million defamation lawsuit against his ex-wife Amber Heard, claiming the actress made "hoax" allegations of domestic abuse against Depp.

The lawsuit stems from a December 2018 op-ed that Heard penned for the *Washington Post* where she described her own experience as the victim of domestic abuse; Depp was not mentioned in the op-ed, but the lawsuit claims that it is insinuated that the actor was the perpetrator, *People* reported.

Heard "purported to write from the perspective of 'a public figure representing domestic abuse' and claimed that she 'felt the full force of our culture's wrath for women who speak out' when she 'spoke up against sexual violence,'" the lawsuit states. "The op-ed depended on the central premise that Ms. Heard was a domestic abuse victim and that Mr. Depp perpetrated domestic violence against her."



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In a statement to *Rolling Stone*, Heard's lawyer Eric George said, "This frivolous action is just the latest of Johnny Depp's repeated efforts to silence Amber Heard. She will not be silenced. Mr. Depp's actions prove he is unable to accept the truth of his ongoing abusive behavior. But while he appears hell-bent on achieving self destruction, we will prevail in defeating this groundless lawsuit and ending the continued vile harassment of my client by Mr. Depp and his legal team."

SEE ALSO



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Johnny Depp Proclaims the 'Truth Will Come Out' in New Profile

Representatives for Depp did not respond to *Rolling Stone's* request for comment at press time.

Depp and Heard divorced in August 2016; the actress filed for divorce and a restraining order two days after a May 2016 domestic incident between the two; the alleged incident is detailed in *Rolling Stone's* profile of the tumultuous past few years in Depp's life.

Following their divorce settlement, Depp and Heard both signed non-disclosure agreements and issued a joint statement, "Our relationship was intensely passionate and at times volatile, but always bound by love. Neither party has made false accusations for financial gain. There was never any intent of physical or emotional harm. Amber wishes the best for Johnny in the future."

Depp's lawyers claim that Heard's op-ed, published just days before the release of *Aqua Man* to maximize exposure, has "negatively affected" Depp's career. The actor last appeared in 2018's *Fantastic Beasts: The Crimes of Grindelwald*; *City of Lies*, with Depp portraying Notorious B.I.G. murder investigator Russell Poole, was shelved months before its release following allegations of a physical confrontation on set.

In This Article: Amber Heard, Johnny Depp



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Amber Heard Has Filed New Allegations That Johnny Depp Abused Her During Drug-Fueled Rages

"We called that version of Johnny, 'the Monster,'" Heard says in new court documents.

By Amber Jamieson

Posted on April 12, 2019, at 5:40 p.m. ET



BuzzFeed News

Amber Heard Has Filed New Allegations That Johnny

Actors Amber Heard and Johnny Depp on Jan. 9, 2016, in Culver City, California.

Jason Merritt / Getty Images

Amber Heard has filed new allegations against her ex-husband Johnny Depp, saying in court documents that he choked, hit, and

head-butted her during violent drug-fueled rages.

The 32-year-old *Aquaman* actor said Depp abused alcohol and drugs — both illegal and prescription — during their relationship and became a "totally different person, often delusional and violent," including threatening to kill her, according to documents filed in Virginia's Fairfax Circuit Court on Thursday and first reported by Page Six.

"We called that version of Johnny, 'the Monster,'" she said.

After consuming eight MDMA tablets in Australia in 2015, Depp choked Heard and then slammed her into a countertop, Heard says. Depp also accidentally cut off the tip of his fingertip on broken glass in the aftermath, and then wrote messages on a mirror in blood using his severed finger, the court documents state.



Facial injuries Heard said she suffered when Depp attacked her.

Amber Heard

Heard outlined the new allegations of abuse in a motion asking to dismiss the defamation lawsuit that Depp, 55, filed against her over an op-ed published in the Washington Post. In it, she wrote about being a public survivor of abuse, although Depp is not named.

In May 2016, a week after filing for divorce from the *Pirates of the Caribbean* star, Heard obtained a restraining order against Depp, alleging physical abuse.

During their divorce proceedings in 2018, Heard accused Depp of hitting her in the face with a cellphone and pulling her hair. He

said in a counterclaim that she punched him in the face, twice. The abuse allegations were later dropped.

But the court documents filed on Thursday outline new accusations and reveal the extent of Depp's alleged behavior and addiction problems.

"Since their divorce, Mr. Depp has continued to publicly harass Ms. Heard, and attempted to gaslight the world by denying his abuse," Eric George, Heard's lawyer, said in a statement. "It is long past time for Mr. Depp's despicable conduct to end. Today, we presented to the court irrefutable evidence of Mr. Depp's abuse. It is regrettable that it will take a judge to finally end the persistent harassment of Ms. Heard by Mr. Depp, but Ms. Heard will take whatever action is necessary to vindicate the truth."

Representatives for Depp did not immediately respond to BuzzFeed News' request for comment.

In March 2013, Depp tried to set fire to a painting given to Heard by a former love interest, and later hit her in the face, leaving her with a bleeding lip, the court documents state.

Heard also says that Depp got drunk on a private plane in May 2014 and started throwing things at her because he was angry about a romantic scene she filmed with actor James Franco for the 2015 film *The Adderall Diaries*.

"Instead of reacting to his behavior, I simply moved seats," Heard states in the court documents. "That didn't stop him. He provocatively pushed a chair at me as I walked by, yelled at me, and taunted me by yelling out the name 'James Franco.'"

"At some point, I stood up, and Johnny kicked me in the back, causing me to fall over. Johnny threw his boot at me while I was on the ground."

Depp allegedly wrote an apology text message — Depp appeared as "Steve" in her phone as a privacy measure — after the plane incident, saying that his "illness somehow crept up and grabbed" him.

No Service

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< Messages to Steve

Details

Once again, I find myself in a place of shame and regret. Of course, I am sorry. I really don't know why, or what happened. But I will never do it again. I want to get better for you. And for me. I must. My illness somehow crept up and grabbed me. I can't do it again. I can't live like that again. And I know you can't either. I must get better. And I will. For us both. Starting today. I love you. Again, I am so sorry. So sorry... I love you and feel so bad for letting you down... Yours

I see that understanding and forgiveness ain't on the menu. I'm disappointed to see that, but, not too surprised, I suppose...

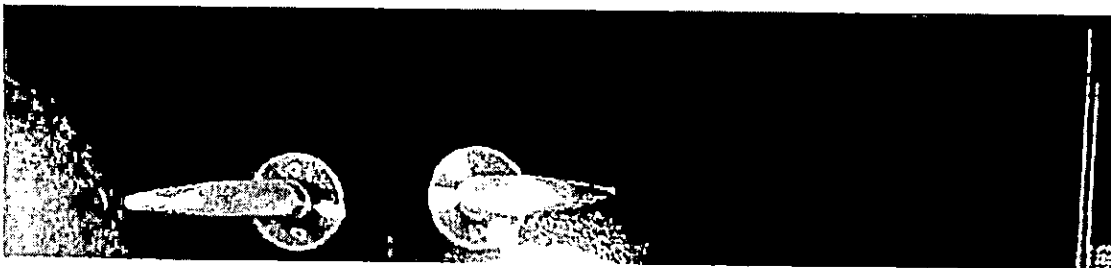


An alleged text message from Johnny Depp in Amber Heard's phone, which lists him as "Steve."
Amber Heard

"Once again, I find myself in a place of shame and regret. Of course, I am sorry. I really don't know why or what happened. But I will never do it again," Depp allegedly wrote.

In Heard's court filing, she says that throughout the last three years of their relationship, Depp received medical treatment for his drug and alcohol addiction, including a live-in nurse at times.

During a vacation to the Bahamas in August 2014, Heard says Depp kicked and slapped Heard during a fight, before kicking a hole in the door. Later, his live-in nurse and private doctor flew to the Bahamas to help handle his "manic episodes," the court documents state.



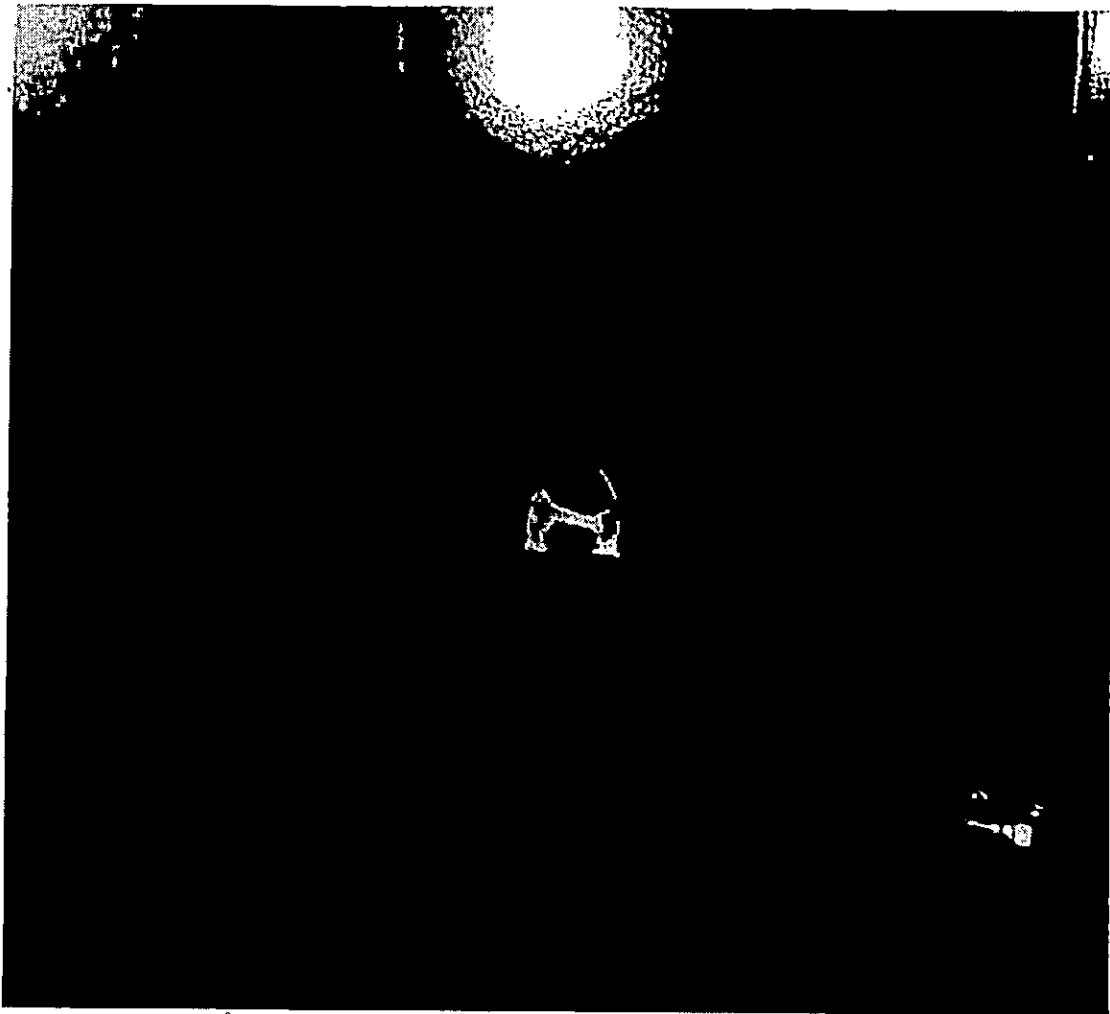


Photo of the door that Heard claims Depp kicked in.

Amber Heard

Heard also alleges that Depp went on an ecstasy and alcohol binge in March 2015 during a trip to Australia, where she says he violently assaulted her over three days, including choking and shoving her, spitting in her face, and throwing glass bottles at her.

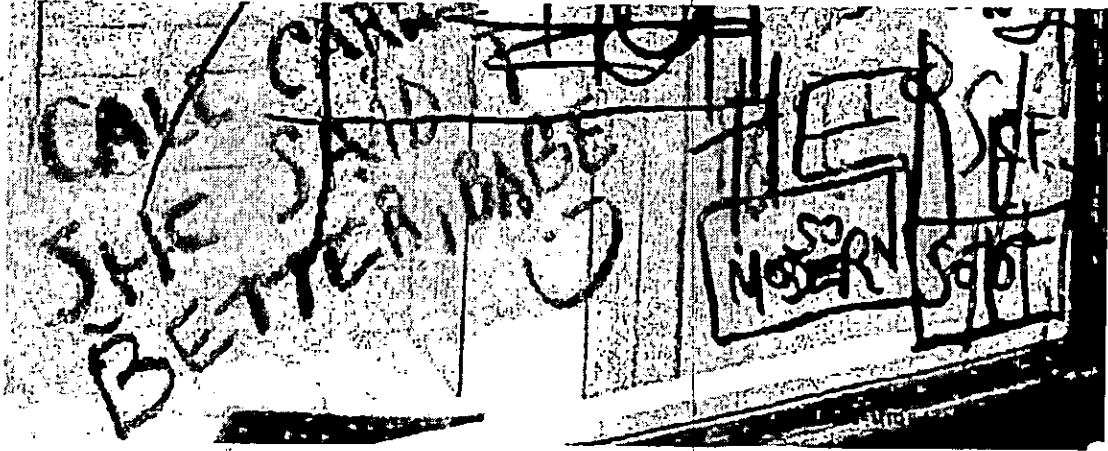
Heard says that she still has scars on her arms and feet from the trip, stating in court documents:

In one of the most horrific and scariest moments of this three-day ordeal, Johnny grabbed me by the neck and collarbone and slammed me against the countertop. I

struggled to stand up as he strangled me, but my arms and feet kept slipping and sliding on to the spilled alcohol and were dragged against the broken glass on the countertop and floor, which repeatedly slashed my feet and arms. Scared for my life, I told Johnny, "You are hurting me and cutting me." Johnny ignored me, continuing to hit me with the back of one closed hand, and slamming a hard plastic phone against a wall with his other until it was smashed into smithereens.

While allegedly smashing the phone, Heard says Depp cut off the tip of his finger. The next morning, Heard awoke to messages scrawled on a mirror, allegedly by Depp in oil paint and the blood from his injured finger.





Photos of the messages scrawled in blood and paint.

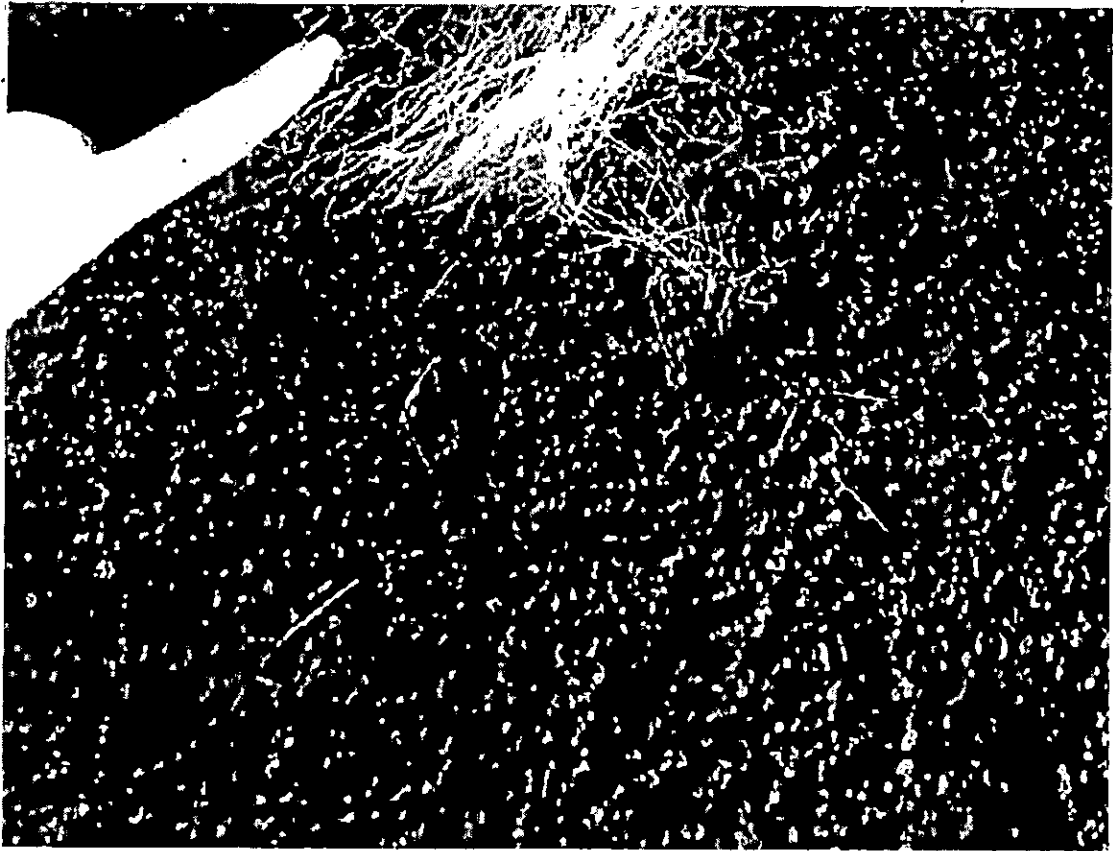
Amber Heard

Heard admitted in the documents that shortly after their return to Los Angeles, she punched Depp when she feared he would hurt her sister.

During another fight in their Los Angeles apartment in December 2015, Heard says, "He slapped me hard, grabbed me by my hair, and dragged me from a stairwell to the office to the living room to the kitchen to the bedroom and then to the guest room. In the process, he pulled large chunks of hair and scalp out of my head."

Photos from the incident show clumps of hair on the ground.





Photos of hair Heard claims that Depp ripped out.

Amber Heard

Heard states in the court documents, "each time he knocked me down, I chose to react by simply standing up and looking him in the eye. Johnny responded by yelling, 'Oh, you think you're a fucking tough guy?'"



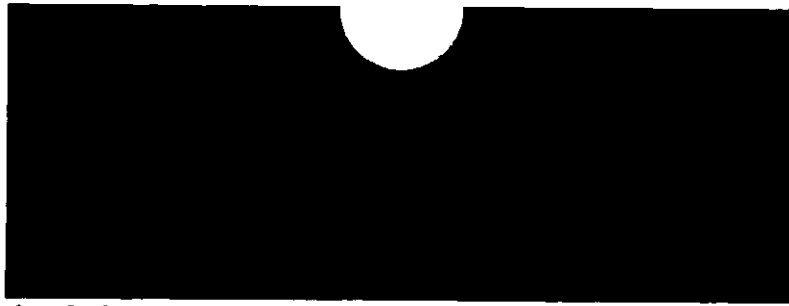


Heard pictured after the December 2015 incident.

Amber Heard

When she told Depp she was leaving him, Heard says he began threatening to kill her, punching her in the face and pushing her into a mattress.

"For a while, I could not scream or breathe," she states in the court filing. "I worried that Johnny was in a blacked-out state and unaware of the damage he was doing, and that he could actually kill me."



video-player.buzzfeed.com

In a video from Heard's 2016 deposition, she describes Depp throwing a phone at her, hitting her face near her eye, before grabbing her head and pulling a fistful of her hair.

A visibly shaken Heard then says Depp yanked her head side to side by grabbing her hair.

"He's yelling at me, he's screaming ... and I'm screaming at the top of my lungs, 'Help, help, please help!'" she says, adding that she hoped the security guards would hear her. "Even though they never respond when I'm screaming 'help' — ever."



Amber Jamieson is a reporter for BuzzFeed News and is based in New York.

Contact [Amber Jamieson](mailto:Amber.Jamieson@buzzfeed.com) at amber.jamieson@buzzfeed.com.


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May 21 2019 - 3:56PM

Depp accuses Heard of painting on bruises

• Keiran Southern



 Amber Heard and Johnny Depp remain locked in a bitter court battle.

Johnny Depp has accused ex-wife Amber Heard of having "painted-on bruises", as he denied being physically abusive in newly filed court documents.

Hollywood actors Depp and Heard married in 2015 before an acrimonious divorce two years later, with both sides accusing the other of violence.

After Aquaman star Heard wrote an op-ed in the Washington Post in December last year, describing herself as a victim of domestic abuse, Depp launched a \$US50 million (\$A72.3 million) defamation lawsuit against her.

Heard asked a judge in Virginia to dismiss the lawsuit, drawing a new response from Depp.

The 55-year-old Pirates Of The Caribbean star wrote in a declaration: "I have denied Ms Heard's allegations vehemently since she first made them in May 2016 when she walked into court to obtain a temporary restraining

order with painted-on bruises that witnesses and surveillance footage show she did not possess each day of the preceding week.

"I will continue to deny them for the rest of my life."

Depp added: "I never abused Ms Heard or any other woman." He then went on to allege Heard was the aggressor in the relationship.

He said: "She was the perpetrator, and I was the victim. While mixing prescription amphetamines and non-prescription drugs with alcohol, Ms Heard committed innumerable acts of domestic violence against me, often in the presence of a third-party witness, which in some instances caused me serious bodily harm."

A lawyer for Heard, 33, denied the allegations and alluded to other legal actions Depp is involved in, with former lawyers and managers.

In a statement to People magazine, Eric George said: "The evidence in this case is clear: Johnny Depp repeatedly beat Amber Heard.

"The increasingly desperate attempts by Mr Depp and his enablers to revive his career by initiating baseless litigation against so many people once close to him - his former lawyers, former managers, and his former spouse - are not fooling anyone."

George added: "In light of the important work done by the #TimesUp movement highlighting the tactics abusers use to continue to traumatise survivors, neither the creative community nor the public will be gaslit by Mr Depp's baseless blame-the-victim conspiracy theories."

Depp and Heard started dating after meeting on the set of 2011 comedy *The Rum Diary*. They married in Los Angeles in February 2015.

In May 2016 Heard obtained a restraining order against Depp after accusing him of abuse, which he denied.

The couple settled their divorce out of court in 2017, with Heard donating her \$7US million settlement to charity.

Both actors signed non-disclosure agreements barring them from discussing their relationship publicly.

In a joint statement, they said their relationship was "intensely passionate and at times volatile, but always bound by love".

They added: "Neither party has made false accusations for financial gain. There was never any intent of physical or emotional harm."

Australian Associated Press



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ENTERTAINMENT

Johnny Depp's lawyers subpoena James Franco over elevator ride he took with Amber Heard: report

By NANCY DILLON
NEW YORK DAILY NEWS | JUL 02, 2019



FEEDBACK



Johnny Depp, James Franco and Amber Heard, left to right.

Johnny Depp wants to grill James Franco under oath about an elevator ride he took with Amber Heard a day after the actress claims Depp hurled a cell phone at her head.

The ride was captured on surveillance video published Tuesday by TheBlast.com.

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It reportedly shows Franco boarding the elevator with his "Adderall Diaries" costar at 11 p.m. on May 22, 2016 in the Los Angeles apartment building where she shared a penthouse with Depp before their tumultuous divorce.

According to Heard, it was about 24 hours earlier that Depp chucked the phone at her face with "great force" during a drunken rage.

Depp's lawyer Adam Waldman told The Blast he was subpoenaing Franco because he's someone who "saw Amber Heard's face in the days and nights between when she claimed Mr. Depp smashed her in the face on May 21" and when she walked into court for her restraining order six days later.

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Waldman said his client, who's now suing Heard for defamation, believes Heard "painted" the bruise that was visible on her right cheek at the Los Angeles courthouse that May 27.

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Heard's lawyer, meanwhile, accused Depp's camp of trying to "spread deliberately misleading information" about the "Aquaman" actress and Franco so Depp "can continue to attack and abuse his ex-wife."

"Amber Heard and James Franco once lived in the same apartment complex and were simply taking an elevator at the same time. Period. Johnny Depp and his team have been trying — and failing — to place a salacious story based on this irrelevant footage for weeks. It's pathetic," her lawyer Eric George said.

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Reps for Franco did not immediately respond to a request for comment.

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Heard, 33, won her restraining order against Depp after she [appeared in court with a visible bruise on her right cheek](#) and called the actor "physically dangerous" in her petition paperwork.

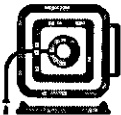
She said in a sworn declaration that Depp "wound up his arm like a baseball pitcher and threw the cell phone at me striking my cheek and eye with great force."

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Depp, 56, denied any wrongdoing, and the couple settled the matter before the divorce battle went to trial.

The "Pirates of the Caribbean" actor filed his \$50 million defamation lawsuit against Heard in March after she wrote an op-ed for the Washington Post about being a survivor of domestic violence.

In recent paperwork filed in response to the Virginia lawsuit, Heard claimed Depp also kicked her in the back in May 2014 when he allegedly lost it over a romantic scene she was filming with Franco for their movie.



Nancy Dillon
New York Daily News



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ENTERTAINMENT

Amber Heard Denies Putting Out Cigarette On Johnny Depp's Face

The "Aquaman" actress' lawyer calls the allegation "absurd, offensive and categorically untrue."

By **David Moye**
27/07/2019 01 45pm IST



A lawyer for actress Amber Heard is denying accusations from ex-husband Johnny Depp that she once shoved a cigarette into his cheek.

The Blast is reporting Depp made the allegations as part of an amended response to a libel lawsuit against News Group



wine-dealer.

Depp claims the incident happened during a March 2015 argument in Australia.

Heard's lawyer, Eric George, denied the allegations in a statement to HuffPost.

"This allegation is absurd, offensive and categorically untrue," George said. "This photograph proves nothing - apart from the fact that Johnny Depp is desperate to throw out any outlandish allegation to deflect attention from his physical and ongoing psychological abuse of Amber Heard."

Depp is alleging that during the argument in Australia, Heard went "into a rage" after she learned from the actor's attorney about his "intention to enter into a post-nuptial agreement."

Depp said that he tried to avoid Heard by going to the downstairs bar in his house, but she followed him and screamed at him.

The actor claims that after he drank some vodka, Heard threw two bottles. He says one missed him and the other caused what the website calls his "infamous severed finger."

Depp then accused Heard of allegedly putting out a cigarette on his right cheek. The Blast article includes a photo of Depp on a gurney with a napkin loosely wrapped around his right middle finger and what looks like a blemish on his cheek.

Depp and Heard were married between 2015 and 2017. The actress has accused him of more than a dozen abusive incidents before and during their brief marriage. Heard has accused Depp of punching, slapping, choking and kicking her while under the influence of drugs or alcohol.



Suggest a correction

MORE: [AMBER HEARD](#) [JOHNNY DEPP](#)

Johnny Depp Ordered to Hand Over Medical Records to Ex-Wife

JOAN HENNESSY October 18, 2019

FAIRFAX, Va. (CN) – Johnny Depp’s lawyers describe the actor as upfront about his past substance abuse, a man with nothing to hide. That may be more true than ever after a Virginia judge ruled Friday that he must give his ex-wife’s attorneys access to medical records related to his alcohol and drug use.



(Photo credit: Angela George)

Lawyers for Amber Heard, co-star of the 2018 blockbuster movie “Aquaman,” contend that Depp has refused access to records they need to help the actress fight her ex-husband’s \$50 million defamation lawsuit.

Depp, 56, sued Heard, 33, in March over a 2018 editorial published in The Washington Post in which Heard wrote of the repercussions she faced after speaking out about domestic abuse. While she never named Depp, he claims the editorial was clearly about him and sought \$50 million in damages. The complaint was filed in Fairfax County, Virginia Circuit Court because The Post is printed there.

Heard has claimed Depp was violent during their marriage and that his outbursts were inextricably intertwined with substance abuse. But Depp has so far refused to produce communications with his doctor about such abuse, according to a Sept. 27 memo filed by Heard’s lawyers supporting her motion to compel.

In his lawsuit, Depp charged that Heard threw a vodka bottle at him and that it struck the middle finger on his right hand and shattered the bones. This is the sort of charge Heard’s lawyers seek to counter.

“Ms. Heard deserves the right to test those allegations,” her attorney, Benjamin Rottenborn with Woods Rogers, said in court Friday.

Depp’s attorney, Robert Gilmore of Stein Mitchell, countered that the Oscar-nominated actor “has owned his past struggles.” Gilmore argued that Heard’s lawyers are on a fishing expedition.

But Fairfax County Chief Judge Bruce White ruled from the bench in favor of Heard’s motion to compel Depp to produce the relevant records and documents, saying her lawyers should have access to them.

After the hearing, another one of Depp’s attorneys, Benjamin Chew with Brown Rudnick, said they would comply.

“We look forward to discovery,” he said.

Another member of Heard’s legal team, Roberta Kaplan of Kaplan Hecker & Fink, said they are “very pleased” with the ruling and called Depp’s discovery arguments “nonsensical, as if he were the one being sued.”

“But it is Mr. Depp who started this lawsuit on the theory that Ms. Heard somehow made up all the abuse that forced her to obtain a restraining order against Mr. Depp back in 2016,” Kaplan said in a statement. “Now that the facts in his own lawsuit are making him uncomfortable, Mr. Depp wants to hide evidence commonly understood to be connected to incidents of domestic violence: his decades-long

10/13/2020

Johnny Depp Ordered to Hand Over Medical Records to Ex-Wife

abuse of drugs and alcohol, his past history of violence, and medical records showing among other things the laundry list of prescription medications he takes daily and injuries from his drug-induced rages.”

Heard’s court filing from last month notes that Depp’s attorneys said at a Sept. 13 hearing that the actor “has nothing to hide.” But the memo claims that, in addition to the medical records, he has also not produced “evidence of violence, abuse, or destruction of property with his other romantic partners.”

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Amber Heard renews demand for biz records allegedly showing Johnny Depp 'violently abused' her, paid 'hush money'

By NANCY DILLON
NEW YORK DAILY NEWS | OCT 30, 2019




FEEDBACK


In this Jan. 9, 2016 file photo, Amber Heard, left, and Johnny Depp arrive at The Art of Elysium's Ninth annual Heaven Gala at 3LABS, in Culver City, Calif. (Rich Fury/Rich Fury/Invision/AP)

Amber Heard is asking a judge to enforce her subpoena seeking records that allegedly show Johnny Depp "violently abused" her and pressured employees to keep quiet.

In a new court petition filed Tuesday night, the "Aquaman" actress claims Depp's ex-management firm is sitting on a treasure trove of evidence and refusing to fork it over as she defends against the "Pirates of the Caribbean" star's \$50 million defamation lawsuit filed in Virginia.

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Heard says the firm, known as The Management Group (TMG), handled Depp's business dealings from 1999 until a falling out in 2016 that led to a bitter lawsuit.

She said TMG revealed during its now-settled legal battle with Depp that it was aware the actor "violently abused Ms. Heard" and pushed his employees to cover up his alleged misconduct.

FEEDBACK

"For example, when text messages were published showing that Mr. Depp's longtime assistant apologized to Ms. Heard for Mr. Depp's 'disgusting' behavior, Mr. Depp pressured the assistant to falsely and publicly accuse Ms. Heard of 'manufacturing' those messages," her filing in Los Angeles County Superior Court states.

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"According to TMG, Mr. Depp 'knew full well that the text messages were genuine but pressured and berated his assistant to falsely challenge the texts publicly,'" Heard's paperwork states.



She further claims a TMG executive was informed by Depp's staff that he "violently kicked Heard during an incident that took place in or around 2014."

"TMG was aware that Mr. Depp abused Ms. Heard and pressured his employees to make false public statements denying that abuse. TMG also paid millions of dollars to various members of Mr. Depp's staff, many of whom are witnesses in Mr. Depp's lawsuit against Ms. Heard," Heard's lawyer Roberta Kaplan said in a statement to the Daily News.

"Assuming the court in Virginia permits this case to proceed, trial is scheduled for early February. As a result, TMG needs to produce these documents now," she said.

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Heard's camp is urging the judge to reject TMG's claims that protective orders governing its now-dismissed Depp dispute. The actress and her lawyers have even offered to self-collect and copy the requested files so TMG doesn't have to shoulder the alleged \$5,575 cost.

"TMG's baseless and boilerplate objections must be rejected," her petition states.

Lawyers for TMG had "no comment" when reached by The News on Wednesday.



Depp's lawyer Adam Waldman called the filing a "smear."

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In a lengthy statement, Waldman tried to discredit Heard by highlighting the fact she's working with Kaplan, a co-founder of the Time's Up Legal Defense Fund who previously defended Harvey Weinstein in an unrelated matter before his sexual misconduct scandal exploded.

Kaplan has since said she had no knowledge of Weinstein's serial sexual misconduct when she worked with him years ago.

Still, Waldman knocked Kaplan along with others representing Heard and slammed Heard's petition as untruthful.

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"Their latest Weinsteinian smear is to insinuate that Johnny Depp is paying all the dozens of eyewitnesses, including all the absolute strangers so disgusted by injustice that they have voluntarily come forward to tell the truth they witnessed," Waldman said.

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He then claimed Heard is trying to classify Depp as what she herself "is accused of" being, "a violent domestic abuser."

Waldman did not immediately respond to a request for clarification of his statement.

In 2009, Heard was arrested on suspicion of domestic battery after fighting with her ex-girlfriend Tasya van Ree in an airport. Charges were never filed.

"Amber was wrongfully accused for an incident that was misinterpreted and over-sensationalized by two individuals in a power position," van Ree said [in a statement previously obtained by The News](#).

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Depp sued Heard for defamation earlier this year after she published an Op-Ed in the Washington Post last December calling for "changes to laws and rules and social norms" surrounding the issue of domestic violence.



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The star claimed the piece, which did not mention him by name, "revived" Heard's claims of domestic abuse and hurt his reputation and career.

During the couple's contentious 2016 divorce battle, Heard claimed Depp [hurled a cell phone at her face](#), pulled her hair and smashed bottles of wine.

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Heard was on the verge of testifying about the alleged abuse at a follow-up court hearing when the couple reached a private settlement that August.

"Our relationship was intensely passionate and at times volatile, but always bound by love," the former couple said in a joint statement announcing the deal. "Neither party has made false accusations for financial gain."

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Their carefully worded statement added that "there was never any intent of physical or emotional harm."

**CELEBRITIES**

Johnny Depp's lawyer says Amber Heard 'perpetrated serial violence'; she fires back with abuse claims

Hannah Yasharoff USA TODAY

Published 2:47 p.m. ET Feb. 2, 2020 | Updated 12:22 p.m. ET Feb. 3, 2020

Johnny Depp and ex-wife Amber Heard are both standing by their accusations of abuse toward each other after audio recordings surfaced of the then-couple arguing about physical altercations.

The audio, shared by the Daily Mail and confirmed to USA TODAY by Depp's lawyer Adam Waldman as a real recording from 2015, includes Heard and Depp discussing an incident that got physical.

The two debate the degree to which Heard injured Depp. At one point, Heard tells Depp she was hitting him: "Babe, you're not punched ... I don't know what the motion of my actual hand was, but you're fine. I did not hurt you, I did not punch you, I was hitting you."

At another point, Depp can be heard saying, "I do not want to leave you. I do not want a divorce, I do not want you out of my life. I just want peace. If things get physical, we have to separate."

Heard replied she couldn't promise that she would "be perfect, I can't promise you I won't get physical again."

"God, I (expletive) sometimes get so mad I lose it," she added. "I can (expletive) promise you I can do everything to change."

In a statement to USA TODAY, Waldman noted that Heard "recorded her conversations" with Depp.

"The first confessional tape she made reveals a conversation any real abuse victim will recognize all too well," Waldman added. "It exposes that Ms. Heard perpetrated serial violence against Mr. Depp, and then concocted an elaborate abuse hoax to cover it up. Ms. Heard gives a motive for her violence: Mr. Depp was always trying to 'split' to escape her abuse."

In a statement to USA TODAY, Heard's lawyer, Roberta Kaplan, did not address the audio recordings and did not deny the allegations of physical violence but argued that Heard was also a victim of abuse.

"The fact that a woman fights or talks back does not mean that she has not been the subject of repeated domestic violence and abuse," the statement read. "It's a myth to say, as Mr. Depp apparently is implying, that if Ms. Heard slapped him, then she can't also be a victim. That is just not true."

Kaplan shared excerpts from Heard's "formal discovery responses in the Virginia case from more than a month ago," in which the actress said that she used her "body and limbs" and would "throw objects in Mr. Depp's direction" to protect herself when Depp "would violently assault her."

More: Johnny Depp sues Amber Heard for defamation seeking \$50 million

Since reaching a divorce settlement in August 2016, Depp and Heard have battled against each other in civil court with allegations of domestic abuse and defamation.

In March 2019, Depp filed a civil lawsuit against Heard seeking \$50 million and accusing her of defaming him by setting herself up as a "domestic abuse" victim in an opinion column she published in The Washington Post the previous December.

Heard shot back by filing more than 300 pages of documents, expanding on the abuse allegations she lodged against Depp during their divorce in 2016.

In the documents, Heard claimed Depp regularly beat her up before she married him in 2015 and continued during their 18-month marriage.

More: Johnny Depp claims Amber Heard put out a cigarette on his face early in their marriage

She attached multiple pages of photos of herself with bruises on her face, scars on her arms and hair allegedly torn from her head, plus pictures of wrecked rooms – broken glass and overturned furniture – that she says Depp inflicted on their home. She included screenshots of dozens of text messages describing these incidents at the time, and excerpts of her divorce deposition describing shocking abuse.

Heard's California lawyer, Eric George, in a statement to USA TODAY at the time, said what she had submitted constituted "irrefutable evidence" of the alleged monstrous behavior of Depp, whom she refers to as "the monster" in the documents.

More: Amber Heard donates \$7M divorce settlement from Johnny Depp to charity

But Depp went a step further in May 2019, saying that "while mixing prescription amphetamines and non-prescription drugs with alcohol," Heard "hit, punched and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls and paint thinner cans, which severely injured me."

As evidence, he submitted a photo of his black and puffy eyes and scratches. The actor also detailed an alleged attack by Heard one month after their marriage in Australia during his described efforts to get Heard to sign a post-nuptial agreement. Depp said the conversation resulted in the severing of his fingertip from a shattered glass bottle thrown by his then-wife.

Contributing: Maria Puente and Andrea Mandell, USA TODAY

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Mar 27, 2020 1:27pm PT

Johnny Depp Allowed to Pursue Defamation Suit Against Amber Heard

By Gene Maddaus

26 f t g



Michael Buckner/Variety/REX/Shutterstock

A Virginia judge on Friday refused to dismiss Johnny Depp's lawsuit against Amber Heard, allowing him to proceed with a claim that she defamed him in a Washington Post opinion piece.

In the piece, published in December 2018, Heard alluded to her previous claims that Depp had assaulted her during their marriage, though she did not identify him by name.

Judge Bruce D. White ruled on Friday that Depp can proceed under the theory that Heard's statements clearly implied that Depp had assaulted her.

"Plaintiff has pleaded circumstances that would reasonably cause three of the four statements at issue to convey the alleged defamatory meaning that Mr. Depp abused Ms. Heard, and this alleged meaning is in fact defamatory," White wrote.

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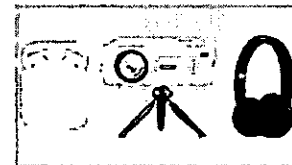
Depp filed the \$50 million suit in March 2019, taking issue with the headline of the piece and several statements within it that implied he was an abuser.

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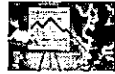
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The headline was: "Amber Heard: I spoke up against sexual violence – and faced our culture's wrath. That has to change."

In the body of the column, she wrote: "Then two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture's wrath for women who speak out." She also wrote: "I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse."

Heard first accused Depp of abusing her in 2016, in the context of their divorce. Depp has said throughout that the allegations are false, and are a hoax conjured to help Heard's career.

Heard's attorney, Roberta Kaplan, urged the court last fall to throw out the suit, arguing that the column was fundamentally not about Heard's allegations against Depp.

"It was about her and what happened to her after she came forward," Kaplan argued.

White rejected that argument, finding that the column "relied on the factual underpinning that Ms. Heard was abused by Mr. Depp."

White did throw out Depp's defamation claim with regard to a fourth statement in the piece. In that statement, she wrote about receiving death threats, and being followed by paparazzi on the rare occasions when she left her home.

"I felt as though I was on trial in the court of public opinion – and my life and livelihood depended on myriad judgments far beyond my control," she wrote.

White held that the statement carried no defamatory implication against Depp. White also rejected Heard's attorneys' claim that the suit was barred by the one-year statute of limitations, because Heard was merely alluding to statements that had first been made in 2016.

Heard's attorneys have said that if necessary, they intend to show that she was, in fact, abused.

"Today's decision leaves it to a jury to decide the meaning of Ms. Heard's op-ed and the truth of what she said," Kaplan said Friday. "As we have said all along, the courts have strong mechanisms in place for determining the truth. Here, we remain confident that Ms. Heard will prevail at trial when the jury is presented with evidence on the question that the Court identified – namely, whether 'Ms. Heard was abused by Mr. Depp.'"

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Adam Waldman, one of Depp's attorneys, responded that the ruling speaks for itself.

"Roberta Kaplan's suggestion that losing their own motion to dismiss was what they had planned all along also speaks for itself," he said. "As for Amber Heard's mythical 'evidence' that Ms. Kaplan confidently cites, we and reality both look forward to seeing it."

26 COMMENTS

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Home / Hollywood / 911 call made on night of Johnny Depp and Amber Heard's violent confrontation released

911 call made on night of Johnny Depp and Amber Heard's violent confrontation released

A 911 call reportedly made the night Amber Heard and Johnny Depp had a violent fight has been released.

HOLLYWOOD Updated: Apr 28, 2020, 18:18 IST

 HT Correspondent
Hindustan Times



Johnny Depp and Amber Heard were married from 2015 to 2017.

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A 911 call believed to have been made by a friend of actor Amber Heard's, in which she says that the actor was assaulted, has been released. The tape is said to be a part of Heard's ongoing court proceedings against ex-husband Johnny Depp, who has sued her for \$50 million.

According to Page Six, Depp's lawyers claim that the tape is evidence of a set-up. "Quite simply, this was an ambush, a hoax. They set Mr Depp up by calling the cops but the first attempt didn't do the trick," Depp's lawyer Adam Waldman told Daily Mail.

In the tape, a person, "Hi, I need to report an assault right now happening at 849 Broadway at the Eastern building, it's penthouse three." The caller is referring to a house shared by Heard



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'One should not say nonsense about Salman'

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and Depp, and says in the tape that her friend Amber called to say that her boyfriend was assaulting her. "Send somebody up there please," the caller says.

Also read: Johnny Depp says ex-wife Amber Heard sliced his finger off, and it 'erupted like Vesuvius'

"So what did she say? That this guy assaulted her or hit her?" the LAPD operator asks. "Physically assaulting her, yeah," the caller says. The caller is believed to be Heard's friend, iO Tillett Wright, who'd previously said that they'd made the call in a statement via the actor's lawyer. "I then heard Amber crying in fear and begging Johnny to stop his attack, thereafter I heard Amber scream out 'Call 911' before the call got disconnected. I called 911 to save Amber's life," the caller said.

Heard's lawyer, meanwhile, dismissed Depp's lawyer's claims. "Mr Depp's representations about the 911 calls on the night of May 21, 2016 are false, and Mr Depp and his lawyers should know better," Roberta Kaplan said.

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Johnny Depp says ex-wife Amber Heard sliced his finger off, and it 'erupted like Vesuvius'



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Robbie Kaplan @kaplanrobbie · Jul 11

To those who say #MeToo has served its purpose, read this. Since their divorce, Johnny Depp has dragged @realamberheard through legal proceedings on two continents, all the while convincing his fans that she is crazy and made it all up.



The 14 times Amber Heard claims she was attacked by Johnny Depp... SCANDALOUS details of Johnny Depp and Amber Heard's tumultuous relationship has this week been revealed in dramatic claims at the Hi... thesun.co.uk

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But court proceedings, applying longstanding rules like the rules of evidence, have a way of shining the light on what really happened. As Justice Brandeis once said, "sunlight is the best disinfectant."

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That is exactly what is happening right now during the trial of the defamation claims Johnny Depp brought in the U.K. The truth is coming out.

43 32 68



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I believe Amber and I believe in Amber. @realamberheard @TIMESUPNOW

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Transcript of Hearing

Date: December 13, 2019

Case: Depp, II -v- Heard

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Transcript of Hearing
Conducted on December 13, 2019

1 (1 to 4)

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<p>1 Hearing held at: 2 3 Fairfax County Circuit Court 4 4110 Chain Bridge Road 5 Courtroom 5D 6 Fairfax, Virginia 22030 7 (703) 691-7320 8 9 Pursuant to notice, before Theresa R. 10 Hollister, Certified Court Reporter and Notary 11 Public for the Commonwealth of Virginia. 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 PROCEEDINGS 2 (Court reporter duly sworn by the Court.) 3 THE COURT: Would everybody please note 4 their appearances for the record. 5 MR. CHEW: Good morning, Your Honor. May 6 it please the court. Ben Chew for Plaintiff Johnny 7 Depp. 8 MR. ROTTENBORN: Good morning, Your 9 Honor. Ben Rottenborn from Woods Rogers here on 10 behalf of Defendant Amber Heard. 11 MR. QUINN: Good morning, Your Honor. 12 John Quinn from Kaplan Hecker on behalf of 13 Ms. Heard. 14 THE COURT: Good morning. All right. 15 MR. CHEW: As the court is aware, Your 16 Honor, we are here on Mr. Depp's motion to use the 17 testimony of Melissa Saenz and Tyler Hadden, 18 officers of the L.A.P.D. force. As Your Honor is 19 aware from the papers, both testified on July 18th, 20 2016, which was less than 2 months after the court 21 incident at issue, both in the divorce case and in 22 this defamation case, which is what happened on May</p>


Transcript of Hearing
Conducted on December 13, 2019

8 (29 to 32)

29
1 opposed to coming to trial four years later, those
2 are things for everybody to be mindful of.
3 This is not to preclude either party from
4 taking the deposition of the officers and that can
5 be presented in whatever fashion is consistent with
6 the rules. So we need to do an order that reflects
7 that.
8 Now, before you all go, at our last
9 hearing in calendar control, we talked about whether
10 or not someone was going to try to make press
11 releases about why the case was continued. And
12 representation I had from both counsel was that they
13 could control everybody and those representations
14 would not be in the press. Yet, that turned out not
15 to be correct. So does anybody have some
16 explanation they'd like to give me for that?
17 MR. ROTTENBORN: Your Honor, I don't have
18 an explanation that I'd like to give you, other than
19 we sent a letter to the court when we believed --
20 you know, part of what we're fighting here is that
21 every time something happens in this case --
22 THE COURT: What I'm referring to

30
1 specifically is, and I didn't read it, but it was
2 conveyed to me that there was something put in the
3 press that the reason it was continued was because
4 Mr. Depp was late providing his medical records.
5 That wasn't the subject of our conversations at all.
6 That wasn't the reason that the court granted the
7 continuance. It was granted at the request of both
8 parties because of what were reported to me to be
9 difficulties taking depositions of people taken in
10 California. So I can only suspect that it is
11 someone on the defense's side that made that press
12 release.
13 MR. ROTTENBORN: Your Honor, I have no
14 idea how that statement was conveyed to anyone in
15 the press. I certainly did not convey that.
16 THE COURT: Well, if that type of thing
17 happens and it's pro hac vice counsel responsible
18 for it, their pro hac vice privileges will be
19 revoked. And it may be the entire firm would be
20 revoked if it's only one person from that firm.
21 We're going to make that clear that if I tell you
22 something, and then if counsel agrees to something,

31
1 and that those things are accurate, we're not going
2 to have something inaccurate placed in the press for
3 advantage.
4 MR. QUINN: Your Honor, if I may, John
5 Quinn from Kaplan Hecker. I can assure the court
6 that no statement was made by defense counsel to the
7 press. I can't speak to what reporters may have
8 concluded from papers that have been filed. But I
9 can assure the court that there were indeed
10 inquiries. The categorical response from all
11 defense counsel was no comment, consistent with our
12 discussion, Your Honor. There was no other
13 statement provided to the court [sic] by defense
14 counsel. I can assure the court of that.
15 THE COURT: Well, you are well aware of
16 my position on this.
17 MR. QUINN: Absolutely, Your Honor.
18 MR. ROTTENBORN: Yes, Your Honor.
19 THE COURT: Thank you all.
20 (The hearing was concluded at 11:30 a.m.)
21
22

32
1 CERTIFICATE OF SHORTHAND REPORTER
2 I, Theresa R. Hollister, the court
3 reporter before whom the foregoing hearing was
4 taken, do hereby certify that the foregoing
5 transcript is a true and correct record of the
6 testimony given; that said testimony was taken by me
7 stenographically and thereafter reduced to
8 typewriting under my supervision; and that I am
9 neither counsel for, related to, nor employed by any
10 of the parties to this case and have no interest,
11 financial or otherwise, in its outcome.
12
13
14
15 
16
17 Theresa R. Hollister
18 Court Reporter
19
20
21
22

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

Civil Action No.: CL-2019-0002911

AMBER LAURA HEARD

Defendant.

PROTECTIVE ORDER

To expedite the flow of discovery materials, to facilitate the prompt resolution of disputes over confidentiality of discovery materials, to adequately protect information the Parties (as defined below as to both "Parties" and "Party") are entitled to keep confidential which should not be generally available to the public, to ensure that only materials the Parties are entitled to keep confidential are subject to such treatment, and to ensure that the Parties are permitted reasonably necessary uses of such materials in preparation for and in the conduct of these proceedings, it is HEREBY ORDERED THAT:

I. INFORMATION SUBJECT TO THIS ORDER

This Protective Order governs all "Confidential Information" produced in this litigation, including all copies, excerpts or notes thereof whether produced by the Parties or by non-Parties. Discovery materials produced in this case may be designated as CONFIDENTIAL, as set forth in Section A below, and/or may be redacted as set forth in Section B below. Any documents derived from or containing CONFIDENTIAL documents or information must also be designated CONFIDENTIAL in accordance with the terms of this Order. All CONFIDENTIAL information shall be used only for purposes of this litigation and not for any other purpose and shall be disclosed only in accordance with the terms of this Protective Order.

A. Information Designated as Confidential

1. For purposes of this Order, "CONFIDENTIAL" information shall mean all documents, materials, items, deposition testimony or information produced for or disclosed to a receiving Party that consist of or include any of the following: (i) personally identifying information, including but not limited to contact information, addresses, phone numbers, email addresses, social security numbers, identification card numbers, driver's license numbers, passport numbers, or other government identification numbers, and any other similar information, but excluding Financial Information (as defined in Section I.B below); (ii) medical records, including documents containing medical and/or psychological conditions, diagnoses, or treatment, communications with health care providers and their staff (including any doctor, surgeon, psychiatrist, dentist, nurse, psychologist, therapist, counselor, medical advisor, mental health provider, or specialist), and any information that would be protected under The Health Insurance Portability and Accountability Act of 1996 ("HIPPA"); and (iii) information in the nature of private journals or journal entries.

2. Any document or tangible thing consisting of or including any "CONFIDENTIAL" information may be designated as such by the producing Party by marking it "CONFIDENTIAL" prior to or at the time copies are furnished to the receiving Party. All "CONFIDENTIAL" information not reduced to documentary, tangible, or physical form, or which cannot be conveniently designated by marking it shall be designated by the producing Party informing the receiving Party of the designation in writing.

3. Information designated "CONFIDENTIAL" and information contained therein shall be available only to:

- a. The Plaintiff and Defendant (collectively "Parties" and at times referred to individually as a "Party");

b. Counsel and supporting personnel employed in or by the law firm(s) of counsel of record, such as attorneys, paralegals, legal translators, legal secretaries, legal clerks, paralegals, litigation support personnel, and third-party vendors retained by the Parties or law firm(s) to assist in connection with this litigation;

c. experts and/or consultants retained to furnish expert and/or professional services specifically for this litigation or to give testimony in connection with this litigation, including independent experts hired specifically for this litigation, and employees of such experts and consultants hired specifically for this litigation and performing work in connection with this litigation;

d. judges and court personnel; the jury and alternates for any trial of this cause; certified court reporters acting as such; and to the extent necessary to prosecute any appeals of this action, the judges and court personnel of appellate courts (under seal or with other suitable precautions determined by the Court);

e. court reporters, their staffs, and professional vendors to whom disclosure is reasonably necessary in this action, including independent legal translators retained to translate in connection with this action and independent stenographic reporters and videographers retained to record and transcribe testimony in connection with this action;

f. graphics, translation, or design services retained by counsel for purposes of preparing demonstrative or other exhibits for deposition, hearing, trial, or other court proceedings in this action;

g. non-technical jury or trial consulting services;

h. mock jurors retained to prepare for trial or other court proceedings in this action;

- i. external vendors retained by counsel for purposes of this action;
- j. trial and deposition witnesses (including their attorneys) during the course of or in preparation for depositions or testimony in this lawsuit, to the extent reasonably necessary;
- k. representatives of any insurer providing a defense to any of the Parties.
- l. any person who is (i) identified on the face of the document as an author or recipient, or (ii) has been identified or designated to testify regarding a topic of the document; and
- m. any other person with the prior written consent of the producing Party or by agreement of the Parties.

4. Before disclosing documents pursuant to this Section (I)(A), and/or any information contained or reflected in the documents, designated as Confidential Information to any persons enumerated in paragraph 3 (c), (f)-(i), (k)-(l) above, Counsel must first inform each such person that the Confidential Information to be disclosed is confidential, to be held in confidence, to be used solely for the purpose of this litigation, and further, that these restrictions are imposed by a court order and obtain the person's signature on Attachment A hereto.

B. Information Subject to Redaction

5. A producing Party must redact unique identifiers pertaining to financial records, including bank account numbers, credit card numbers, usernames and passwords ("Financial Information"). Documents containing Financial Information shall be redacted but shall not be designated as CONFIDENTIAL in full solely on the grounds that they contain Financial Information.

II. CHALLENGES TO CONFIDENTIALITY DESIGNATIONS AND REDACTIONS

1. Nothing in this Order shall prevent a receiving Party from contending that any documents or information designated as Confidential Information or redacted have been improperly designated and/or redacted. A receiving Party may at any time request that the producing Party remove or modify the Confidential Information designation or redaction with respect to any document or information contained therein.

2. A Party shall not be obligated to challenge the propriety of a designation of any category of Confidential Information, or redaction of Financial Information, at the time of production, and a failure to do so shall not preclude a subsequent challenge thereto. Any challenge to the propriety of a designation of any category of Confidential Information, or redaction of Financial Information, shall be written, shall be served on counsel for the producing Party, and shall particularly identify the documents or information that the receiving Party contends should be differently designated or unredacted. The Parties shall use their best efforts to confer to resolve promptly and informally such disputes. If an agreement cannot be reached, the receiving Party may request that the Court remove or modify a designation or redaction. The burden of demonstrating the confidential nature of any information shall at all times be and remain on the designating Party.

3. Until a determination is made by the Court, the information in issue shall be treated as having been properly designated and/or redacted and subject to the terms of this Order.

III. NONPARTY USE OF THIS PROTECTIVE ORDER

1. A non-Party producing information or material voluntarily or pursuant to a subpoena or a court order may designate such material or information as Confidential Information, or may redact Financial Information, pursuant to the terms of this Protective Order.

2. A non-Party's use of this Protective Order to protect its Confidential Information and/or Financial Information does not entitle that non-Party access to the Confidential Information and/or Financial Information produced by any Party in this case.

IV. NO WAIVER OF PRIVILEGE

1. Nothing in this Protective Order shall require production of information that a Party contends is protected from disclosure by the attorney-client privilege, the work-product immunity, or other privilege, doctrine, right, or immunity. Moreover, if information subject to a claim of attorney-client privilege, work-product immunity, or other privilege, doctrine, right, or immunity is nevertheless inadvertently or unintentionally produced, such production shall in no way prejudice or otherwise constitute a waiver or estoppel as to any such privilege, doctrine, right, or immunity.

2. If any Party inadvertently or unintentionally produces materials protected under the attorney-client privilege, work-product immunity, or other privilege, doctrine, right, or immunity, any holder of that privilege, right, or immunity may obtain the return of those materials by notifying the recipient(s) promptly after the discovery of the inadvertent or unintentional production and providing a privilege log for the inadvertently or unintentionally produced materials. The recipient(s) shall (i) refrain from any further examination or disclosure of the claimed inadvertent or unintentional production material; (ii) if requested, promptly make a good-faith effort to return the claimed inadvertent or unintentional production material and all

copies thereof (including summaries and excerpts) to counsel for the producing Party, or destroy all such claimed inadvertent or unintentional production material (including summaries and excerpts) and all copies thereof, and certify in writing to that fact; and (iii) not use the inadvertent or unintentional production material for any purpose absent further order of the Court. Notwithstanding this provision, no person is required to delete information that may reside on the respective person's electronic back-up systems that are over-written in the normal course of business, provided such back-ups are not used to access or copy the inadvertently or unintentionally produced materials. Nothing herein shall preclude a party from moving for an order compelling production of the claimed inadvertent or unintentional production material, or requesting that the court review such inadvertent or unintentional production material in an in camera hearing to determine whether such material is subject to a claim of attorney-client privilege, attorney work product, or any other applicable privilege, or immunity.

V. PROVISIONS APPLICABLE TO ALL PROTECTED INFORMATION

1. No document or materials containing the "CONFIDENTIAL" stamp shall be copied in whole or in part without the "CONFIDENTIAL" designation and the identifying bates number appearing on the copy.

2. All Confidential Information shall be held in confidence by each person to whom it is disclosed, shall be used only for purposes of this litigation, and shall not be disclosed to any person who is not entitled to receive such information as herein provided. All produced Confidential Information shall be maintained with reasonable care taken to preclude access by persons who are not entitled to receive such information.

3. Except as may be otherwise ordered by the Court, any person may be examined as a witness at deposition, hearing, and trial and may testify concerning all Confidential Information of which such person is reasonably believed to have prior knowledge.

4. Any Party may designate as Confidential Information all or portions of transcripts of depositions, or exhibits thereto, containing Confidential Information, by making such designation either by statement of Counsel on the record at the deposition itself or by written notice, sent by Counsel to all Parties within twenty (20) days after receipt of the deposition transcript or other pretrial testimony and, in no event later than thirty (30) days after the date on which the deposition or other pretrial testimony is given, provided that only those portions of the transcripts designated as "CONFIDENTIAL" shall be deemed Confidential Information. The transcripts of any such deposition or exhibit shall be marked by the court reporter as "CONFIDENTIAL."

5. Any documents or materials that reveal Confidential Information that are to be filed with the Court shall initially be filed under seal. The Court hereby finds that, under the specific facts of this case, the categories of documents and information encompassed by this Order cannot be protected reasonably by some measure other than a protective order, and, thus restricting public access thereto is warranted. *See, e.g., Perreault v. The Free Lance-Star*, 276 Va. 375, 389–390 (2008).

6. Nothing in this Protective Order shall prevent any Party from seeking further protection with respect to the use of any such Confidential Information in connection with the trial, a hearing, or other proceeding in this litigation.

7. The provision of this Protective Order may be modified as to specified documents or other information by written agreement between counsel for the Parties. If counsel cannot

agree as to the disposition of such a request, any of them may apply to the Court for a ruling thereon after using their best efforts to confer to resolve promptly and informally such disputes.

8. Nothing in this Order shall restrict any Party or its counsel from disclosing or using, in any manner and for any purpose, its own Confidential Information .

9. Any of the notice requirements herein may be waived, in whole or in part in writing signed by counsel of record for the Party against whom such waiver will be effective.

10. Inadvertent or unintentional production of documents or things containing Confidential Information that are not designated Confidential Information, and/or inadvertent or unintentional production of documents or things containing Financial Information that are not redacted, at the time of production shall not be deemed a waiver in whole or in part of a claim for confidential treatment and/or redaction. The producing Party shall notify the receiving Party promptly after the discovery of the error in writing and, with respect to documents, provide replacement pages bearing the appropriate confidentiality legend. In the event of any unintentional or inadvertent disclosure of Confidential Information, or Financial Information, other than in a manner authorized by this Protective Order, counsel for the Party responsible for the disclosure shall immediately notify opposing counsel of all of the pertinent facts, and make every effort to further prevent unauthorized disclosure, including retrieving all copies of the Confidential Information or Financial Information from the recipient(s) thereof and securing the agreement of the recipients not to further disseminate the Confidential Information or Financial Information in any form. Compliance with the foregoing shall not prevent the producing Party from seeking further relief from the Court.

11. Within sixty (60) days after the entry of a final non-appealable judgment or order, or the complete settlement of all claims asserted against all Parties in this action, each Party

shall, at the option of the receiving Party, either return or destroy all physical objects and documents that embody Confidential Information it has received, and shall destroy, in whatever form stored or reproduced, all physical objects and documents, including but not limited to correspondence, memoranda, notes, and other work product materials that contain or refer to any category of Confidential Information. All Confidential Information not embodied in physical objects and documents shall remain subject to this Order. Notwithstanding this provision, no person is required to delete information that may reside on the respective person's electronic back-up systems that are over-written in the normal course of business, provided the files containing such Confidential Information are not accessed or copied from such back-ups. If a Party destroys Confidential Information, the destruction must be by means satisfactory to the producing Party, and the Party must provide to the producing Party a Certificate of Destruction swearing to compliance with this provision. Notwithstanding anything to the contrary, counsel of record for the Parties may retain one copy of documents constituting work product, a copy of pleadings, motion papers, discovery responses, deposition transcripts, and deposition and trial exhibits.

12. If at any time documents containing Confidential Information are subpoenaed by any court, arbitration tribunal, or administrative/legislative body, the person to whom the subpoena or other request is directed shall (a) give written notice thereof to every Party who has produced such documents and to its counsel by overnight mail and either email or facsimile within five business days of receipt of such subpoena, and (b) shall make a reasonable effort to provide each Party with five business days to object to the production of such documents. If a producing Party does not take steps to prevent disclosure of such documents within five business days of the date written notice is given, the Party to whom the referenced subpoena is directed

may produce such documents in response thereto. For the avoidance of doubt, nothing in this paragraph shall be construed as requiring any Party to subject itself to any penalties for noncompliance with any court order, subpoena, or other direction by a court, arbitration tribunal, or administrative/legislative body.

13. The Circuit Court of Fairfax County in Fairfax, Virginia is responsible for the interpretation and enforcement of this Protective Order. After termination of this litigation, the provisions of this Protective Order shall continue to be binding except with respect to those documents and information that become a matter of public record. This Court retains and shall have continuing jurisdiction over the Parties and recipients of the Confidential Information for enforcement of the provision of this Protective Order following termination of this litigation. All disputes concerning Confidential Information produced under the protection of this Protective Order shall be resolved by the Circuit Court of Fairfax County.

14. Execution of this Protective Order shall not constitute a waiver of the right of any Party to claim in this action or otherwise that any Confidential Information, or any portion thereof, is privileged or otherwise non-discoverable, or is not admissible in evidence in this action or any other proceeding.

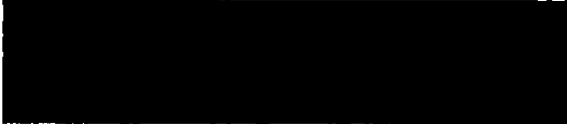
15. This Protective Order shall not apply to any document or information that is publicly available, or was, or is, independently acquired from a source other than the Parties or a non-party providing materials under this Protective Order.

16. This Protective Order shall become effective as between the Parties immediately upon submission to the Court for approval, notwithstanding the pendency of approval by the Court. If approval by the Court is ultimately denied, withheld, or made conditional, no Party shall treat any designated Confidential Information produced prior to that time in a manner

inconsistent with this Protective Order without giving the producing Party sufficient advance notice to allow for application to the Court for additional relief.

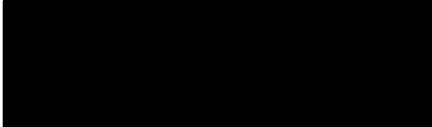
17. This Protective Order shall be binding upon the Parties hereto, their attorneys, and their successors, executors, personal representatives, administrators, heirs, legal representatives, assigns, subsidiaries, divisions, employees, agents, retained consultants and experts, and any persons or organizations over which they have direct control.

ENTERED this 25th day of September, 2019.


The Honorable Bruce D. White
Chief Judge – Circuit Court for Fairfax County

Bruce D. White

WE ASK FOR THIS:



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Julie E. Fink (*pro hac vice pending*)
John C. Quinn (*pro hac vice pending*)
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Counsel to Defendant Amber Laura Heard

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Counsel for Plaintiff John C. Depp, II

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

ATTACHMENT A
TO THE PROTECTIVE ORDER
CONFIDENTIALITY AGREEMENT

I reside at _____

My present employer is _____

My present occupation or job description is _____

1. I hereby acknowledge receipt of a copy of the Protective Order in the above-referenced matter dated _____, 20____, and have been engaged as _____ on behalf of _____ in connection with the litigation styled, *John C. Depp, II v. Amber Laura Heard*, Civil Action No. CL-2019-0002911.

2. I hereby acknowledge that I have read the Protective Order in the above captioned proceeding, and that I am fully familiar with and agree to comply with, and be bound by, the provisions of said Order. I understand that I am to retain all copies of any documents designated as CONFIDENTIAL and/or HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY in a secure manner, and that all copies are to remain in my personal custody/control until I have completed my assigned duties, whereupon the copies and any writings prepared by me containing

any CONFIDENTIAL and/or HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY information are to be returned to counsel who provided me with such material or destroyed as directed by such counsel.

3. I agree not to copy or use any Protected Information for any purpose other than in connection with this proceeding and agree not to reveal any Protected Information to anyone not authorized by the Protective Order. I will not divulge Protected Information to persons other than those specifically authorized by said Order and I will not copy or use, except solely for the purpose of this action, any information obtained pursuant to said Order, except as provided in said Order. I also agree to notify any stenographic or clerical personnel who are required to assist me of the obligations of said Order.

4. I solemnly affirm under the penalty of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.

Executed on _____, 20____.

Printed Name: _____



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Transcript of Hearing

Date: September 13, 2019

Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Transcript of Hearing
Conducted on September 13, 2019

1	3
1 VIRGINIA:	1 A P P E A R A N C E S
2 IN THE CIRCUIT COURT OF FAIRFAX COUNTY	2 ON BEHALF OF PLAINTIFF:
3 -----X	3 BENJAMIN G. CHEW, ESQUIRE
4 JOHN C. DEPP, II,)	4 ELLIOT J. WEINGARTEN, ESQUIRE
5 Plaintiff,)	5 BROWN RUDNICK, LLP
6 -vs-) NO. CL-2019-0002911	6 601 Thirteenth Street, Northwest
7 AMBER LAURA HEARD,)	7 Suite 600
8 Defendant.)	8 Washington, D.C. 20005
9 -----X	9 (202) 536-1700
10 Hearing	10
11 BEFORE THE HONORABLE BRUCE D. WHITE	11 ROBERT B. GILMORE, ESQUIRE
12 Fairfax, Virginia	12 STEIN MITCHELL BEATO & MISSNER, LLP
13 Friday, September 13, 2019	13 901 Fifteenth Street, Northwest
14 10:47 a.m.	14 Suite 700
15 Job No.: 262601	15 Washington, D.C. 20005
16 Pages: 1 - 38	16 (202) 737-7777
17 Reported by: Theresa R. Hollister, CCR	17
18	18
19	19
20	20
21	21
22	22

2	4
1 Hearing held at:	1 A P P E A R A N C E S (cont.)
2	2 ON BEHALF OF DEFENDANT:
3 Fairfax County Circuit Court	3 ROBERTA A. KAPLAN, ESQUIRE
4 4110 Chain Bridge Road	4 JOHN C. QUINN, ESQUIRE
5 Courtroom 5J	5 KAPLAN HECKER & FINK, LLP
6 Fairfax, Virginia 22030	6 350 Fifth Avenue
7 (703) 691-7320	7 Suite 7110
8	8 New York, New York, 10118
9 Pursuant to notice, before Theresa R.	9 (212) 763-0884
10 Hollister, Certified Court Reporter and Notary	10
11 Public for the Commonwealth of Virginia.	11 J. BENJAMIN ROTTENBORN, ESQUIRE
12	12 WOODS ROGERS, PLC
13	13 10 South Jefferson Street
14	14 Suite 1400
15	15 Roanoke, Virginia 24011-1319
16	16 (540) 983-7600
17	17
18	18
19	19
20	20
21	21
22	22

21	23
1 THE COURT: Let me hear back from you 2 all. 3 MS. KAPLAN: Your Honor, I'll be very 4 brief. Let me start with the protective orders that 5 my friend mentioned. The point of those protective 6 orders, and I think my friend just made my point for 7 me, is that, in those cases, the degree of 8 sensitivity and confidentiality of the materials are 9 far less than we're talking about here. They're 10 business disputes, either with lawyers or managers 11 or a bodyguard, not Mr. Depp. We're not talking 12 about that here. We're talking about a very, 13 very -- 14 THE COURT: But let me ask you this: 15 What difference does it make to me whether your 16 client or his client, in the past agreed to or 17 didn't agree to other protective orders? That's 18 their personal decisions based upon contact with 19 their counsel. It's not precedential. 20 MS. KAPLAN: No, no, no. I think the 21 point we're making, Your Honor, is that they're 22 routinely entered into in cases, as Your Honor	1 matter of public record when they're filed. 2 MS. KAPLAN: Okay. Let me check on the 3 other. 4 (Pause.) 5 MS. KAPLAN: So here are the other 6 categories, Your Honor. 7 THE COURT: Okay. 8 MS. KAPLAN: She has a personal diary 9 that she kept during the course of their marriage. 10 Again, it has very intimate details about her and 11 their marriage, standard material that is subject to 12 a protective order. 13 THE COURT: Let me ask you to follow up 14 on that question. The personal diary was not 15 subject to a protective order in the course of the 16 divorce, but became subject to one at the time that 17 the final decree was entered? Is that correct or 18 incorrect? 19 MS. KAPLAN: No, I don't think anything 20 became subject to a protective order. 21 THE COURT: Oh, I thought you said that. 22 I must not have heard you right.
22	24
1 knows, particularly cases like this. Mr. Heard 2 [sic] has entered into them in cases far less 3 sensitive than this. And particularly, as Your 4 Honor noted already, when it comes to medical 5 records, the idea their medical records would be out 6 there for public consumption, before all the 7 discovery is in and we get to trial, is really, 8 would be way outside the bounds of any standard -- 9 THE COURT: Well, I can help a little 10 bit. Medical records and the identifying 11 information, that's subject to the protective order. 12 That's out. Are there any other special areas that 13 you want me to address other than those? 14 MS. KAPLAN: May I consult with my 15 co-counsel for a second, Your Honor? 16 THE COURT: Sure. 17 MS. KAPLAN: And one more thing before I 18 get there. This text or tweet that I showed you 19 before, we didn't release these deposition dates. 20 We didn't go to the press and say -- 21 THE COURT: Well, deposition notices are 22 routinely filed in court cases. They become a	1 MS. KAPLAN: No, no, no. We can talk 2 about the divorce case, but it's a completely 3 separate proceeding with a completely different 4 scope, Your Honor. And so I'm not sure I 5 understand -- that's certainly not precedential. 6 THE COURT: The reason I'm asking you the 7 question is not about precedential or not. But if 8 it was not subject to a protective order at the time 9 of the divorce, I suspect it may have been out in 10 the ether at the time of the divorce. 11 MS. KAPLAN: Oh, no, Your Honor -- 12 THE COURT: I don't know. 13 MS. KAPLAN: -- it was not subject -- it 14 was not out to the ether. There was no trial -- 15 (Mr. Chew standing.) 16 THE COURT: Give her a chance to respond. 17 MS. KAPLAN: There was no trial in the 18 divorce. There was no discovery in the divorce. 19 None of those materials would have been public. 20 Did you even produce it to the other 21 side? 22 Never been produced to Mr. Depp or his

Transcript of Hearing
Conducted on September 13, 2019



9 (33 to 36)

<p style="text-align: right;">33</p> <p>1 this, how a reasonable person would read Ms. Heard's 2 op-ed and whether it was in fact could be found to 3 be defamatory as a matter of law, frankly, much less 4 a matter of fact, is at the heart of this case. 5 THE COURT: Okay. But we're not dealing 6 with that today. 7 MS. KAPLAN: No, I understand. So -- 8 THE COURT: I'm not sure why you're 9 sharing that with me. 10 MS. KAPLAN: Because my point is the 11 question is when we're trying that issue, if we're 12 going to get factually to that issue, we have to do 13 a lot of discovery. And to have that be tried 14 before we get to a trial, I don't think we need a 15 trial, but before we get to a trial, in the public 16 arena, is going to make it so much -- and it's not 17 only prejudice to my client, I think he can say 18 whatever he wants, I think it would be very 19 prejudicial to Mr. Depp. But I think even most 20 importantly, Your Honor, it would be prejudicial to 21 the administration of justice into having a fair 22 trial with a jury who is not infected by this kind</p>	<p style="text-align: right;">35</p> <p>1 psychiatrist, Your Honor, what she said in her 2 diaries, photos of herself, and what her assets are, 3 and where her bank accounts are, et cetera. 4 THE COURT: Okay. Thank you. 5 I'll add to the protective order that 6 would cover identifying information, personal 7 information, and medical records, also the personal 8 diary. There may be some parts of that might, at 9 some point, not be subject to that. But certainly 10 there will be, I suspect, a significant part of that 11 that would be subject to the protective order. So 12 we start with the premise that it's all under the 13 protective order. 14 I don't think -- I suspect that you all 15 don't have a problem in the manner you're going to 16 craft that order that takes care of this. I don't 17 think I have to do the minutia for you. If I'm 18 mistaken, you all let me know and we'll deal with 19 that, but I think you all are well experienced in 20 that sort of thing. 21 MR. CHEW: And, Your Honor, just for 22 point of clarification, should the motion be denied</p>
<p style="text-align: right;">34</p> <p>1 of craziness that is out there. 2 I can promise you -- one thing about the 3 protective order. We're not saying everything 4 should be protected. We're not -- want to produce 5 every single thing and have it be protected, but 6 things like diaries, medical records, photographs, 7 of that sort surely should be and almost always are 8 in every case. 9 I was not counsel for the divorce, Your 10 Honor. But what Ms. Heard has just informed me is 11 that the minute she filed for divorce, she sought 12 the divorce from Mr. Depp on grounds of abuse, the 13 very next day -- that day there were articles in the 14 paper all over that she was a gold digger, that she 15 was abusive, all the kinds of things that you are 16 seeing floating around this case now. There has 17 been efforts by both sides to go to try this case in 18 the press. That should stop, Your Honor, and it 19 will stop certainly on our side, and if you enter a 20 protective order on their side, at least with 21 respect to private, confidential information like 22 what her doctors said, what she said to her</p>	<p style="text-align: right;">36</p> <p>1 in part and granted in part? 2 THE COURT: Yeah. Okay. 3 Anything else then before we wrap up for 4 the day? When can you all get that order to me? 5 MR. CHEW: We'll try to do that right 6 now, Your Honor. 7 THE COURT: Good. 8 MR. ROTTENBORN: So, Your Honor, just to 9 clarify, we can get that order to you as soon as 10 possible, but the order would include the medical 11 records, identifying information of both parties and 12 other witnesses or potential witnesses, Ms. Heard's 13 personal diary. And then would it include 14 confidential financial records -- 15 THE COURT: No. 16 MR. ROTTENBORN: -- and photographs of 17 her body? 18 THE COURT: No. 19 MR. ROTTENBORN: Your Honor, can certain 20 aspects of the financial records be redacted, you 21 know, outside of the context of a global protective 22 order?</p>

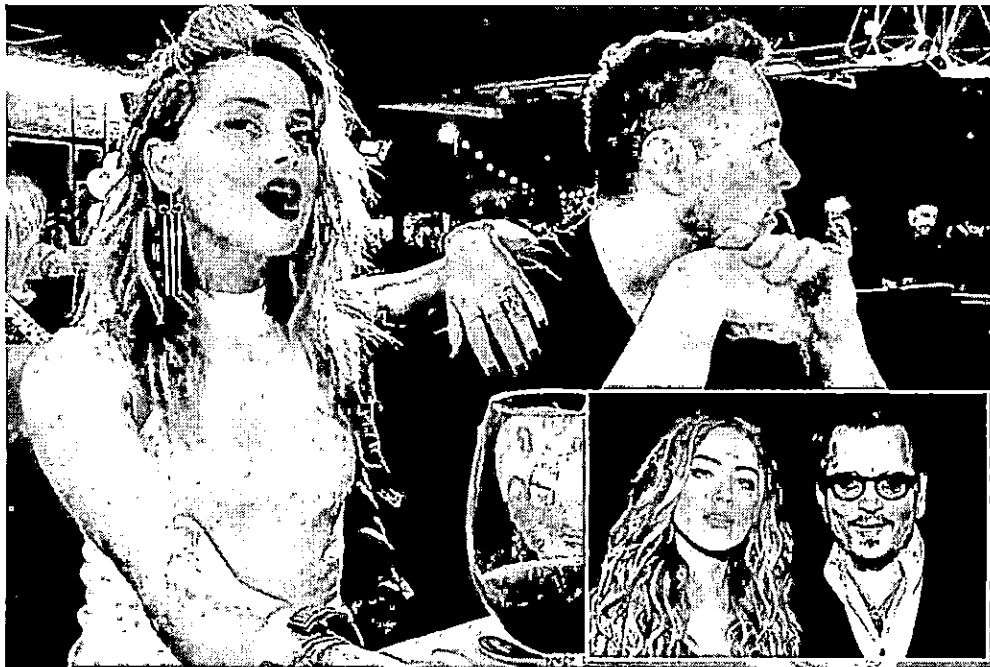
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1 THE COURT: Social Security numbers,
2 addresses, those type of things, sure.
3 MR. ROTTENBORN: Bank account numbers?
4 THE COURT: If that's what you're talking
5 about, yeah.
6 Okay. If you all would just pass that
7 order up when you're done. Thank you.
8 MR. CHEW: Thank you, Your Honor.
9 THE COURT: Hope everybody has a good
10 weekend.
11 (The hearing was concluded at 11:19 a.m.)
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2 CERTIFICATE OF SHORTHAND REPORTER
3 I, Theresa R. Hollister, the court
4 reporter before whom the foregoing hearing was
5 taken, do hereby certify that the foregoing
6 transcript is a true and correct record of the
7 testimony given; that said testimony was taken by me
8 stenographically and thereafter reduced to
9 typewriting under my supervision; and that I am
10 neither counsel for, related to, nor employed by any
11 of the parties to this case and have no interest,
12 financial or otherwise, in its outcome.
13
14
15
16  
17
18 Theresa R. Hollister
19 Court Reporter
20
21
22

Amber Heard called billionaire Elon Musk her “Rocketman” while she was married to Johnny Depp.



Amber Heard pictured with Elon Musk

The actress used the nickname in texts passed to Depp's legal team as part of a defamation case against her.

Tesla chief Musk last week denied he was involved in an alleged “three-way affair” with his ex Heard and model Cara Delevingne.

He also insisted they only started going out “about a month after her divorce filing”, on May 23, 2016.

But the texts were sent on May 22, 2016 – a day after Heard claims Pirates of the Caribbean star Depp assaulted her with a phone, which he strenuously denies.



Amber Heard and Elon Musk (Image: Instagram)

Heard saved Musk's number on her phone as Rocketman, a reference to his SpaceX rocket programme.

In the messages, Musk also offers "to engage 24/7 security" because she had "talked about J being violent in the past".

The actress replies that she is filing for divorce and a restraining order.

Cara Delevingne and Amber Heard (Image: Getty)

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The claim heard, Musk and Delevingne were in a secret relationship in 2016 surfaced in legal depositions.

Musk responded: "Cara and I are friends, but we've never been intimate. Amber and I only started going out about a month after her divorce filing!"

Depp is alleged to have hurled a phone at Heard on May 21, 2016.

Amber Heard filed for divorce from Johnny Depp in 2016 (Image: Getty)

He sued after Heard portrayed herself as a domestic abuse survivor in a newspaper article.

Their High Court battle begins on July 7. Heard declined to comment.

Depp's lawyer Adam Waldman said: "Last week, Elon Musk publicly claimed his relationship with Amber Heard did not start until late June 2016, a date that was conveniently later than the May execution of Ms. Heard abuse hoax in which she claimed that Mr. Depp threw a phone into her face and further beat her.

"These messages between Ms Heard and Mr Musk profoundly contradict Musk's statement that he wasn't "ever in the vicinity of Amber during their marriage."

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of October, 2020, I caused true and correct copies of the foregoing Opposition to be served via email (per written agreement between the Parties) on the following:

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