

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

Civil Action No.: CL-2019-0002911

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JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

**DEFENDANT AMBER LAURA HEARD'S MEMORANDUM
SUPPORTING MOTION FOR SANCTIONS & MOTIONS IN LIMINE**

September 4, 2020

Elaine Charlson Bredehoft (VSB #23766)
Adam S. Nadelhaft (VSB #91717)
David E. Murphy (VSB #90938)
CHARLSON BREDEHOFT COHEN & BROWN, P.C.
11260 Roger Bacon Drive, Suite 201
Reston, VA 20190

J. Benjamin Rottenborn (VSB #84796)
Joshua R. Treece (VSB #79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
(540) 983-7540

Counsel for Defendant Amber Laura Heard

Defendant brings this Motion at this early stage because Plaintiff continues to focus his efforts on litigating for the press, pushing issues not reasonably calculated to lead to the discovery of admissible evidence of the claims and defenses in this case. Defendant therefore asks this Court to issue specific rulings ripe for decision, to save the parties, and the Court, valuable time and resources. Plaintiff is simultaneously ignoring his discovery obligations, in violation of this Court's Orders. Most critically, Plaintiff has not produced ANY documents supporting his claim of \$50 million damages, despite repeated Orders to do so. After 18 months of discovery and Court Orders requiring Mr. Depp to produce this evidence, enough is enough. Plaintiff should be sanctioned by limiting his evidence at trial to the discovery he has produced in response to this Court's Orders.

ARGUMENT

I. Plaintiff is in Contempt of this Court's August 10 Orders

This Court granted portions of Defendant's Motions to Compel, and entered Orders on August 10, 2010. **Att. 1; Att. 2.** The Court compelled Plaintiff to fully respond to Int. Nos. 1, 11, 12, 14, and 16, and further compelled Plaintiff to "identify non-privileged documents responsive to this Interrogatory, if any, by Bates number following document production" as Plaintiff himself agreed.. **Atts. 1-2; Att. 3** (Depp Responses to 1st Interrogatories). Subsequently, Plaintiff repeated his overruled objections, and failed to respond as ordered. **Att. 4,** General Obj. No. 1, Interrogatory Nos. 1, 11, 12, 14, and 16; **Att. 5.** Plaintiff further failed to fully respond to Int. No. 1 by disclosing no witness knowledge, and failed to fully supplement his response to Int. Nos. 12, 14 and. 16. **Atts. 4-5.**

For Defendant's 2nd Interrogatories, the Court Ordered Plaintiff to fully respond to Int. Nos. 1 and 2. **Att. 2.** Again, Plaintiff repeated his overruled objections, and responded that he

would “identify any non-privileged documents responsive to this Interrogatory...by Bates number following document production,” yet did not produce or identify any documents, as required by Court Order. **Att. 6.**¹ For these reasons, Ms. Heard respectfully requests the Court sanction Plaintiff for this discovery conduct by restricting his evidence at deposition and trial to exactly what he has supplemented, and nothing more.

**II. Mr. Depp’s Evidence of Damages Should Be
Limited to the Scope of His Discovery Provided as of August 16, 2020**

Int. No. 16 seeks all facts supporting or related to Plaintiff’s claim for any monetary damages. **Att. 4.** Plaintiff initially only objected, indicating “Plaintiff will not be responding to this Interrogatory at this time, and reserves the right to supplement...” Id. Defendant successfully moved to compel these facts. **Att. 1; Att. 8,** 7/10/20 Tr. at 34:12-20 (The Court compelled “facts as to the damages” because “the underlying facts as to damages, those are certainly some things that are within his knowledge at this time.”). Similarly, Defendant successfully moved to compel documents “related to any other acting roles which were not provided to [Mr. Depp], or which were rescinded, as a result of the op-ed in question” and “related to any other acting roles which were not provided to [Mr. Depp], or which were rescinded, as a result of the op-ed in question.” **Att. 2; Att. 9,** Nos. 11-12.

In spite of these clear Orders, Plaintiff failed to produce a single responsive document, repeated his objections, and only supplemented the interrogatory response on damages with conclusory statements. **Att. 4,** No. 16 (his reputation and career has been severely damaged, and

¹ For Defendant’s 1st RFAs, the Court compelled Plaintiff to substantively respond to Request Nos. 11-15. **Att. 2.** Again, Plaintiff repeated his overruled objections, and qualified all of his supplemental responses, in violation of this Court’s Order. **Att. 7,** Nos. 11-15 (Depp’s Supplemental Responses to 1st Requests for Admissions).

that “the economic impact will be the subject of expert analysis and disclosure.”); **Att. 9.** Mr. Depp’s only other “facts” supporting damages are that four days after Defendant’s op-ed was first published, Disney *announced* that it was dropping Plaintiff from his role as Jack Sparrow in the sixth installment of the Pirates of the Caribbean franchise,” and that “Mr. Depp expects that his role in the sixth installment would have been worth at least \$50,000,000.” **Att. 4,** No. 16.

Thus, despite Plaintiff filing the Complaint on March 1, 2019 and Defendant seeking this discovery since July and October 2019, and despite the Court’s Order and specific instructions on the discovery Plaintiff needed to provide, Plaintiff’s only evidence of his damages in August 2020 is parroting the generalized allegations and *ad damnum* clause from his Complaint coupled with his generalized “expect[at]ions” of compensation, without a single specific fact or supporting document on why the Op-Ed caused the damage, or how those damages were computed, nor does he even attempt to respond to the Interrogatory’s request for all efforts to mitigate his damages. For these reasons, Plaintiff’s evidence of damages should be limited to the verbatim text of his supplemental Court-Ordered response to Int. No. 16, and he should further be precluded from introducing into evidence any documents supporting his damages for his repeated failure to produce.

III. Any Evidence Related to Charges Not Resulting in Any Conviction Should Be Excluded

In Virginia, only the “fact that a party in a civil case...has previously been convicted of a felony, or a misdemeanor involving moral turpitude, and the number of such convictions may be elicited during examination.” Va. Sup. Ct. R. 2:609(a)(i). In no event may “the details of prior convictions be elicited,” unless offered to rebut other evidence concerning prior convictions. *Id.* at (a)(iii). Despite Virginia’s clear rules on this type of evidence, Plaintiff has repeatedly raised and attempted to obtain in discovery far outside of the parameters of Rule 2:609 to harass

Defendant and play to the press. This includes serving extensive third-party discovery (sometimes without copying defense counsel), leading to this Motion. Evidence regarding the following should be excluded:

(1) Arrests in King County, Washington, where it is undisputed no criminal charges were brought.

(2) Evidence that Plaintiff and Defendant unlawfully brought their dogs to Australia, where “there is no conviction recorded” because the Australian Court instead “discharge[d] the person without proceeding to conviction.” **Att. 10** (Confidential); **Att. 11** (Australian Crimes Act 1914, § 19B). This includes claims by a third-party witness that Defendant asked him to make false statements, which is inadmissible for the same reasons, as well as because it is an improper attempt to introduce collateral evidence for impeachment.

(3) Evidence related to the employment status of Savannah McMillen with Defendant and statements made to the government regarding the same, where no charges were ever brought against Defendant.

IV. Evidence of the Amount of Ms. Heard’s Charitable Donations Should Be Excluded

Despite having no relevance to this case, Plaintiff has repeatedly sought documents from third-parties respecting the amount of Defendant’s charitable donations. **Att. 12** (ACLU Subpoena); **Att. 13** (Children’s Hospital Subpoena). But the existence and amount of Defendant’s charitable donations have absolutely no relevance to the claims and damages. The Plaintiff contends such discovery is relevant to “test the veracity” of Defendant in general, but in Virginia “specific instances of the conduct of a witness may not be used to attach or support credibility,” and also “specific instances of the conduct of a witness may not be proved by extrinsic evidence.” Va. Sup. Ct. R. 2:608(b); Haas v. Commonwealth, 71 Va. App. 1, 11-12

(Va. Ct. App. 2019) (“Rule 2:608 provides that “impeaching the truthfulness of any witness . . . can only be done by *reputation* proof and not by cluttering the record with evidence of specific instances of that prior witness’ lying or false behavior,” and that “admitting evidence of “reputation formed as a result of one single incident is not proper.”).

V. Claims by Third Parties of Hearsay Statements of Paige Heard Should Be Excluded

Plaintiff obtained a “Declaration” from Jennifer Howell that bears this Court’s heading, was never produced to Defendant and was procured by false subpoenas never served on Defendant’s counsel. Instead, Plaintiff’s counsel Adam Waldman “leaked” this Declaration created by him on his twitter account. **Att. 14.** The Court Ordered Plaintiff to produce this document and all documents transmitted to the press or social media users, but consistent with his conduct in this case Plaintiff refused to produce it, so Defendant only possesses the screenshot from Mr. Waldman’s tweet. **Att. 1; Att. 14.** Because of the violation of this Court’s Order, the Declaration and all information included, should be excluded as a sanction. Separately, in this Declaration, Jennifer Howell repeatedly includes hearsay statements regarding Defendant’s deceased mother. **Att. 14, ¶ 8.** All of this evidence is hearsay, and none of Virginia’s exceptions to the hearsay rule apply. For these reasons, this evidence purporting to reflect Paige Heard’s statements, should be excluded from deposition and trial. Va. Sup. Ct. Rs. 2:803-804.


CONCLUSION

For the reasons set forth above, Defendant respectfully requests that this grant the Motion.

September 4, 2020

Respectfully submitted,

Amber L. Heard

By Counsel: 

Elaine Charlson Bredehoft (VSB #23766)
Adam S. Nadelhaft (VSB #91717)
David E. Murphy (VSB #90938)
CHARLSON BREDEHOFT COHEN & BROWN, P.C.
11260 Roger Bacon Drive, Suite 201
Reston, VA 20190
(703) 318-6800
ebredehoft@cbcblaw.com
anadelhaft@cbcblaw.com
dmurphy@cbcblaw.com

J. Benjamin Rottenborn (VSB #84796)
Joshua R. Treece (VSB #79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
(540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Counsel to Defendant Amber Laura Heard

CERTIFICATE OF SERVICE

I certify that on this 4th day of September 2020, a copy of the foregoing was served by email, by agreement of the parties, addressed as follows:

Benjamin G. Chew, Esq.
Andrew C. Crawford, Esq.
BROWN RUDNICK LLP
601 Thirteenth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 536-1700
Facsimile: (202) 536-1701
bchew@brownrudnick.com
acrawford@brownrudnick.com

Camille M. Vasquez, Esq.
BROWN RUDNICK LLP
2211 Michelson Drive
Irvine, CA 92612
Telephone: (949) 752-7100
Facsimile: (949) 252-1514
cvasquez@brownrudnick.com

Adam R. Waldman, Esq.
THE ENDEAVOR LAW FIRM, P.C.
1775 Pennsylvania Avenue, N.W., Suite 350
Washington, DC 20006
awaldman@theendeavorgroup.com

Counsel for Plaintiff John C. Depp, II


Elaine Charlson Bredenoft (VSB #23766)

ATTACHMENT 1



VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

ORDER

2020. 8-11-20

THIS CAUSE comes at the request of Defendant Amber Laura Heard, by counsel, who has filed a Motion to Compel Production of Documents, Interrogatory Responses & Enforce this Court's October 18, 2019 Order against Plaintiff John C. Depp. II ("Defendant's Motion"). Having reviewed the parties' pleadings and heard their argument on this matter, it is hereby:

ORDERED that Defendant's Motion is **GRANTED in part and DENIED in part** as set forth below. On or before 5 p.m. on August 14, 2020, Plaintiff shall:

- (1) produce to Ms. Heard all documents (including any metadata) produced in the *Depp v. News Group Newspapers Limited, et al.* case in London, QB-2018-006323 (the "NGN Case");
- (2) produce to Ms Heard all trial bundles from the NGN Case;
- (3) produce to Ms. Heard all documents Plaintiff, his counsel or anyone acting on his behalf or in concert with Plaintiff, have provided, distributed, or otherwise transmitted to the press, both digital and paper-based, and/or social media users, including but not limited to those documents outlined in Ms. Heard's Motion and Section B of Ms. Heard's Memorandum in Support. to the extent they exist in Plaintiff's "possession, custody, or control" as defined in Va. Sup. Ct. R. 4:9(a),

even if such documents are not presently in the possession, custody, and control of Plaintiff's counsel;

(4) supplement Plaintiff's answers to Interrogatory Nos. 11, 14 and 16; and

(5) produce to Ms. Heard all remaining responsive documents pursuant to this Court's October 18, 2019 Order, including, but not limited to, any and all documents and medical records that refer or relate to the finger injury Plaintiff sustained in Australia in 2015.

(6) produce documents that Plaintiff stated would be produced in response to Interrogatory Nos. 9 & 10, to the extent agreed, and not already produced by Plaintiff, though the motion to compel further answers to these interrogatories is denied.

IT IS SO ORDERED.

ENTERED this 10th day of August, 2020.



The Honorable Bruce D. White
Chief Judge, Circuit Court for the County of Fairfax

ENDORSEMENT OF THIS ORDER BY COUNSEL OF RECORD FOR THE PARTIES IS WAIVED IN THE DISCRETION OF THE COURT PURSUANT TO RULE 1:13 OF THE SUPREME COURT OF VIRGINIA.

ATTACHMENT 2



VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

ORDER

THIS CAUSE comes at the request of Defendant Amber Laura Heard, by counsel, who filed a Motion to Compel Production of Documents and Responses to Interrogatories and Requests for Admission against Plaintiff John C. Depp, II on July 2, 2020. Having reviewed the parties' pleadings and heard their argument on this matter, it is hereby:

ORDERED that Defendant's Motion is **GRANTED in part** and **DENIED in part** as set forth below. On or before 5 p.m. on August 21, 2020, Plaintiff shall:

(1) Supplement his Answers and substantively respond to Defendant's First Requests for Admission Nos. 11, 12, 13, 14 and 15;

(2) Produce all documents responsive to Defendant's First Request for Production Nos. 11-12;

(3) Fully supplement his Answer to Interrogatory No. 1 in Defendant's First Set of Interrogatories to Plaintiff for all persons with knowledge of any information relating to claims and defenses, including but not limited to all known addresses, email addresses and telephone numbers for all individuals identified, to the extent Plaintiff has that information within his possession, custody, or control;

NO EDU. 8-11-20

(4) Supplement his Answer to Interrogatory No. 12 in Defendant's First Set of Interrogatories to "Identify each romantic partner other than Ms. Heard that [Mr. Depp has] had in the past 10 years;"

(5) Substantively and fully respond to Interrogatory No. 1 in Defendant's Second Set of Interrogatories to identify all payments, gifts or transfers of value, in monetary form, to the identified individuals and any other Romantic Partners from 2012 to present;

(6) Substantively and fully respond to Interrogatory No. 2 in Defendant's Second Set of Interrogatories to Plaintiff to identify all "fees from every Performance from 2010 to present;" and

(7) Produce all documents responsive to Defendant's Second Request for Production Nos. 10, 12 and 13.

IT IS SO ORDERED

ENTERED this 10th day of August, 2020.



Hon. Bruce D. White
Chief Judge, Fairfax Circuit Court

**ENDORSEMENT OF THIS ORDER BY COUNSEL OF RECORD FOR THE PARTIES IS
WAIVED IN THE DISCRETION OF THE COURT PURSUANT TO RULE 1:13 OF THE
SUPREME COURT OF VIRGINIA.**

ATTACHMENT 3

RESPONSE: No objection.

2. The answers You provide are to be signed by You.

RESPONSE: No objection.

3. Where knowledge or information in Your possession is requested, such request includes knowledge of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires knowledge from individuals not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

4. Whenever appropriate in these Interrogatories, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Interrogatories any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

5. Unless otherwise indicated, these Interrogatories refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

RESPONSE: No objection.

6. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

7. If You perceive any ambiguities in a question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

RESPONSE: No objection.

8. If You assert a claim of privilege as to any of Your responses to the Interrogatories, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privilege log.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to produce a privilege log in a specific manner at a specific time. Plaintiff will produce a privilege log at a time and in a manner to be negotiated with Defendant in good faith.

9. If You perceive any discovery request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

RESPONSE: No objection.

10. In answering each interrogatory:

- a state whether the answer is within the personal knowledge of the person answering the interrogatory and identify each person known to have personal knowledge of the answer; and
- b identify each document that was used in any way to formulate the answer.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge

11. If, after a reasonable and thorough investigation, using due diligence, You are unable to answer any interrogatory, or any part of an interrogatory, on the grounds of lack of information available to You, specify why the information is not available to You and what has been done to locate such information

RESPONSE: No objection.

12. These interrogatories are continuing in character so as to require You to promptly amend or supplement Your responses in accordance with the Rules of the Supreme Court of Virginia within a reasonable time if You obtain or become aware of any further information responsive to these interrogatories. Ms. Heard reserves the right to propound additional interrogatories.

RESPONSE: No objection.

Definitions

- a *Action.* The Term "Action" means the above-captioned action.

RESPONSE: No objection.

- b *And/or.* The use of "and/or" shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

c ***Chat Application.*** The term “Chat Application” means any electronic program or application, usable on any device or platform, that allows the user to communicate with another person by way of exchange of text messages and/or images, including, but not limited to, iMessage, Facebook Messenger, WhatsApp, WeChat, Slack, Twitter, Skype, Instagram, Kik, Signal, Telegram, Viber, Threema, Dust, and Wickr.

RESPONSE: No objection.

d ***Communication.*** The term “communication” means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).

RESPONSE: No objection.

e ***Complaint.*** The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

RESPONSE: No objection.

f ***Concerning.*** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

RESPONSE: No objection.

g ***Correspondence.*** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is duplicative of the terms Document and

Communication, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

h ***Defendant and/or Ms. Heard.*** The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.”

i ***Depp Declaration.*** The term “Depp Declaration” shall mean the Declaration filed by Plaintiff in this matter as Exhibit 1 to Plaintiff’s Opposition to the Motion to Dismiss.

RESPONSE: No objection.

j ***Document.*** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term “document” shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements,

circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

k ***ESI.*** “ESI” means electronically stored information.

RESPONSE: No objection.

l ***Heard Declaration.*** The term “Heard Declaration” shall mean the Declaration filed by Ms. Heard and dated April 10, 2019.

RESPONSE: No objection

m ***Identify (with respect to documents).*** When referring to documents, to “identify” means to give, to the extent known, the (i) type and title of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

n ***Identify (with respect to persons).*** When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known address, telephone number, and email address, and when referring to a natural person, additionally, the present or last known home address and telephone number. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

RESPONSE: No objection.

o ***Identify (with respect to things).*** When referring to tangible or intangible things, to “identify” means to describe, to the extent known, the (i) type of thing; (ii) any unique identifiers pertaining to that thing (including, for example, corporate registration number, registered

name, account number, username, serial number, email address, or any other unique characteristic); and
(iii) the owner or controller of the thing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules.

p ***Including.*** The term “including” means including but not limited to.

RESPONSE: No objection.

q ***Person.*** The term “person” is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

RESPONSE: No objection.

r ***Plaintiff and/or Mr. Depp.*** The terms “Plaintiff” and/or “Mr. Depp” refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.”

s ***Romantic Partners.*** The term “Romantic Partners” shall mean any persons You have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person’s genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any part of a third party’s body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, vague and ambiguous to the extent it seeks to impose burdens beyond those required by the Rules. This term is overly broad in its ten year scope, and vague and ambiguous in its use of the terms “direct contact” and “sexual manner.” Plaintiff further objects to this term to the extent that it is inflammatory and harassing, assumes facts not in evidence, lacks foundation, calls for a medical and/or legal conclusion and seeks information unrelated to this case and that is unlikely to lead to the discovery of admissible evidence. Plaintiff will agree to meet and confer with Defendant regarding this term.

t *You and/or Your*. The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

INTERROGATORIES

1. Identify each person having any knowledge or information about any of the claims or defenses in this case, including but not limited to Your (a) substance abuse, (b) damage of property, (c) acts of violence, (d) abuse in any form of any Romantic Partner, and (e) relationship with Ms. Heard. The answer to this Interrogatory should include contact information, to the extent known, for the following: Alejandro Romero, Ben King, Bobby de Leon, Brandon Patterson, Bruce Witkin, Christi Dembrowski, C.J. Roberts, Dr. Connell Cowan, Cornelius Harrell, Dr. David Kipper, Debbie Lloyd, Erin Boerum (Falati), Isaac Baruch, Joel Mandel, Kevin Murphy, Jerry Judge, Josh Drew, Keenan Wyatt, Laura Divenere, Lisa Beane, Malcolm Connolly, Melissa Saenz, Nathan Holmes, Samantha McMillan, Sam Sarkar, Sean Bett, Stephen Deuters, Tara Roberts, Todd Norman, Trinity Esparza, Trudy Salven, Tyler Hadden.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff’s purported substance abuse, damage of property, acts of violence, and “abuse in any form” are irrelevant to the claims or defenses in this case. Plaintiff further objects to the extent that this Interrogatory assumes facts not in evidence, and contains allegations that Mr. Depp intends to disprove.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following individuals with knowledge of the claims or defenses in this case:

Person	Contact Information
Isaac Baruch	Unknown
Lisa Beane	Unknown
Sean Bett	Contact through Plaintiff's counsel.
Robin Baum	901 Highland Ave, Los Angeles , CA 90038 (310) 461-0100
Erin Boerum	Unknown
Malcolm Connolly	Unknown
Dr. Connell Cowan	Unknown
Bobby de Leon	Unknown
Elisa "Christi" Dembrowski	To be contacted through counsel Dylan Ruga, Stalwart Law Group, 1100 Glendon Ave., 17th Floor Los Angeles, CA 90024, 310-954-2000
Gina Deuters	Contact through Plaintiff's counsel.
Stephen Deuters	Contact through Plaintiff's counsel.
Laura Divenere	Unknown
Josh Drew	Unknown
Trinity Esparza	Unknown
Tyler Hadden	Unknown
Cornelius Harrell	Unknown
Nathan Holmes	Unknown
Jerry Judge	Deceased
Ben King	Unknown
Dr. David Kipper	Unknown

Debbie Lloyd	Unknown
Joel Mandel	To be contacted through Michael Kump and Suann MacIsaac, Kinsella Weitzman Iser Kump & Aldisert LLP, 808 Wilshire Blvd., Santa Monica, CA 90401, 310-566-9800
Samantha McMillen	Unknown
Kevin Murphy	Unknown
Todd Norman	Unknown
Brandon Patterson	Unknown
C.J. Roberts	Unknown
Tara Roberts	Unknown
Alejandro Romero	Unknown
Anthony Romero	Unknown
Melissa Saenz	Unknown
Trudy Salven	Unknown
Sam Sarkar	Unknown
Robin Schulman	Unknown
Doug Stanhope	Unknown
Laura Wasser	2049 Century Park East, Suite 800 Los Angeles, CA 90067, (310) 277-7117
Wasser, Cooperman & Mandles, P.C.	2049 Century Park East, Suite 800 Los Angeles, CA 90067, (310) 277-7117
Jessica Weitz	Unknown
Bruce Witkin	Unknown
Keenan Wyatt	Unknown

Blair Berk	Unknown
Jacob Bloom	Unknown

2. State whether You or anyone acting on Your behalf, including Your attorneys or investigator(s), have ever taken, received or assisted in drafting or preparing any declaration, affidavit, or other written statement of any person relating to this lawsuit and/or the factual allegations that are the substance of this suit. If so, please provide the names, current addresses, telephone numbers and occupation of each such person giving a statement, and the date of each such statement.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following statements: Plaintiff's declaration in support of his opposition to the motion to dismiss and Kevin Murphy's (Plaintiff's former estate manager) declaration in support of Plaintiff's opposition to the motion to dismiss.

3. Identify all devices in Your possession, custody, or control in which ESI that relates to the claims or defenses in this case, or is reasonably likely to lead to the discovery of admissible evidence, is or is reasonably likely to be stored. For the avoidance of doubt, include in your response all devices in your possession, custody, or control that are or were owned or used by Ms. Heard.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity,

or protection. Plaintiff further objects to this Interrogatory to the extent it seeks information outside of his personal knowledge, and within the personal knowledge of Ms. Heard.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following devices: iPhone, iPad, MacBook Pro, an iCloud account, and the devices and data belonging to Stephen Deuters collected in May 2017 (iPad and iPhone) and Nathan Holmes collected in March 2018 (iPhone).

4. Identify all email addresses, social media accounts, and Chat Applications that You have used to communicate in relation to this Action or the claims and defenses therein.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following accounts: dictator3@aol.com (email account) and him@infinitum-nihil.com (email account). Mr. Depp uses his mobile phone to communicate on iMessage and WhatsApp.

5. Identify all pseudonyms, nicknames, handles, stage names, or other names that You have used in referring to Yourself, or which any person identified in Your answer to Interrogatory No. 2, has used in referring to You. For each, describe the context in which the name was used.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity,

or protection. Plaintiff further objects to this Interrogatory as referring to “any person identified in Your answer to Interrogatory No. 2” as vague and ambiguous. Plaintiff will interpret this phrase to mean “any person identified in Your answer to Interrogatory No. 1.”

Subject to and without waiving the foregoing objections, Plaintiff identifies the following: “J,” “JD,” “Johnny,” “Sparrow,” “Steve,” “Him,” “David Michael,” and “Peter D.”

6. Identify each private aircraft company that You used for travel between January 1, 2010 to the present.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Not every private aircraft used by Mr. Depp is relevant to this case.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following: TourJet, Trans-Exec Air Service, Inc., FreeSpeed Aviation, LLC, and ExecuJet Aviation Group.

7. Identify each entity (including, without limitation, corporation, company, partnership, or any other kind of business association) under Your direct or indirect control, or over which You hold a direct or indirect ownership interest.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further

objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Not every entity in which Mr. Depp holds an interest is relevant to this case.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following: A Contrario, Brave Pictures, Inc., Contre Courant, The Depp Irrevocable Trust, HST Archives, LLC, Scaramanga Bros., Inc., L.R.D. Productions, Inc., Infinitum Nihil, Inc., Infinitum Nihil Publishing, LLC, Infinitum Nihil Records, LLC, Infinitum Nihil Media, LLC, Infinitum Nihil Music, LLC, JDM Ventures, LLC, John C. Depp II Insurance Trust, John C. Depp II Living Trust, L.R.D. Productions, Inc., Le Hameau du Bebe, LLC, Stratton Films, Inc., The Mooh Investment Trust, P Music Group, LLC, Versailles Road Trust, Sweetzer Trust, LLC, SCI La Pierre, Stratton Films, Inc., and Vajoliroja, LLC.

8. Identify and describe any and all electronic systems You and/or any entities listed in Your answer to Interrogatory No. 7 use to effect, track, monitor, or create records of incoming and outgoing payments, including without limitation any system maintained with or having any relation to City National Bank. Further identify and describe any and all outgoing and incoming payments, from 2010 to the present, to or from the individuals listed in Defendant's Request for Production No. 16 made using each such system, including the amount and purpose of each such payment.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case.

In light of the foregoing objections, Plaintiff will not be responding to this Interrogatory.

9. Identify each mental and/or physical health care provider (including drug and/or alcohol addiction/dependency care or treatment providers, counselors or therapists) that You saw or consulted or who examined You or provided treatment or services to You from

January 1, 2010 to the present and state the reason and duration You saw or consulted or received treatment or services from each identified provider. The answer to this Interrogatory should include visits to emergency rooms; any addiction, drug or alcohol treatment or therapy session(s); and visits with or physical or mental health treatment from any doctor, surgeon, psychiatrist, nurse, psychologist, therapist, counselor, medical advisor, specialist, or other provider.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Not all of Mr. Depp's medical treatment is relevant to this Action. Plaintiff further objects to this Interrogatory to the extent it calls for confidential, personal business, financial, medical, or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Plaintiff further objects on the grounds that this Interrogatory calls for a medical and/or legal conclusion. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery.

Subject to and without waiving the foregoing objections, Plaintiff will identify non-privileged documents responsive to this Interrogatory, if any, by Bates number following document production, in accordance with Rule 4.8(f).

10. For each prescription drug You have been prescribed to take since 2010 or that you currently take: (a) identify the physician and/or health care provider who wrote the prescription; (b) state the name of the drug and the dosage to be taken; and (c) identify

each pharmacist who filled the prescription and such pharmacist's pharmacy and/or place of employment.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Not all of Mr. Depp's medical treatment is relevant to this Action. Plaintiff further objects to this Interrogatory to the extent it calls for confidential, personal business, financial, medical, or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Plaintiff further objects on the grounds that this Interrogatory calls for a medical and/or legal conclusion. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery.

Subject to and without waiving the foregoing objections, Plaintiff will identify non-privileged documents responsive to this Interrogatory, if any, by Bates number following document production, in accordance with Rule 4.8(f).

11. For each instance of physical violence or abuse alleged in Ms. Heard's Declaration, state whether You were under the influence of or had consumed any alcohol, medication, or drugs on the days of each such incident, and, if so, state as to each substance consumed (including alcohol) the identity of the substance consumed, the amount of the substance consumed, the date and time each such substance was consumed, the name and address of the place(s) where the substance was consumed, the location and person from which the substance was acquired or obtained, any witnesses present at the time of consumption, and the effect of the substance on You.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff further objects to this Interrogatory because it assumes facts not in evidence, and assumes the truth of Ms. Heard's Declaration. Mr. Depp disputes the allegations of Ms. Heard's allegations. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory because it calls for a legal conclusion. Plaintiff further objects to this Interrogatory because it is compound.

In light of the foregoing objections, Plaintiff will not respond Interrogatory because he denies all allegations of physical violence and abuse in Ms. Heard's declaration.

12. Identify each Romantic Partner, other than Ms. Heard, that You have had in the past 10 years.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to

this case. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case.

Subject to and without waiving the foregoing objections, none of Mr. Depp's prior Romantic Partners have ever alleged any acts of physical violence or abuse by Mr. Depp other than Ms. Heard. Notwithstanding the foregoing, Mr. Depp has had romantic relationships in the past ten years with Vanessa Paradis and Polina Glen.

13. Describe in detail any separation agreements, settlements, releases, tolling agreements, confidentiality and/or non-disclosure agreements, forbearance agreements, Mary Carter agreements, or any other agreements of any kind which You have negotiated with any Romantic Partner. Your answer should include any such agreements that have been negotiated in order to gain the assistance or compliance of another person and/or entity with regard to this or any other matter.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case.

Subject to and without waiving the foregoing objections, Plaintiff identifies the divorce settlement with Ms. Heard. As Ms. Heard is a party to that agreement, Mr. Depp will not further describe that agreement. Plaintiff also identifies the Settlement Agreement with Ms. Vanessa Paradis with respect to the parentage, custody and support of their two minor children, Lily-Rose Depp and [REDACTED]. No agreements with any Romantic Partners have ever been negotiated in order to gain the assistance or compliance of another person and/or entity with regard to this matter.

14. Identify and describe facts relating to each instance where any person, other than Ms. Heard, alleged (publicly or privately) that You engaged in any act of physical violence, abuse, or destruction of property at any point in the past 15 years, including (i) the identity of the person(s) that accused You of such conduct; (ii) the person and/or property toward which Your alleged conduct was directed; (iii) whether You were, or were alleged to have been, under the influence of alcohol, medication or illegal drugs at the time of Your alleged conduct; (iv) the date, time and location(s) of each such instance; and (v) the identity of all persons present at the time of the alleged incident.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff further objects to this Interrogatory because it assumes facts not in evidence, and characterizes Plaintiff as engaging in acts of violence. Plaintiff denies any allegation that he engaged in an act of violence. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff vehemently denies all of Ms. Heard's allegations of physical violence, abuse, and destruction of property. Plaintiff also denies Gregg "Rocky" Brooks' allegations of physical violence. Specifically, on the evening of April 12, 2017, Mr. Brooks was working as a location manager on the set of a film that has not yet been released, entitled "City of Lies." Mr. Brooks was involved in a series of altercations with persons on set, including a security guard for a nearby property whom Mr. Brooks flipped off; and a woman who was present on set, with whom Mr. Brooks became verbally abusive. Mr. Depp, who was also present on set, eventually intervened and verbally reprimanded Mr. Brooks for his misbehavior. Mr. Brooks claims that during this exchange, Mr. Depp punched him twice. That is categorically false. Mr. Depp, along with multiple eyewitnesses, including Ms. Emma Danoff, Mr. Sean Bett and Mr. Brad Furman who were standing close by and had an unimpeded view of the exchange, have either testified in deposition and/or will testify at trial that Mr. Depp never even touched (and certainly did not punch) Mr. Brooks. Plaintiff reserves his right to supplement his answer to this Interrogatory by identifying non-privileged documents responsive to this Interrogatory, if any, by Bates number following document production, in accordance with Rule 4.8(f).

15. Provide the name, address, profession, and qualifications of each expert witness who You intend to call to testify at the trial of this case, including any rebuttal experts and/or experts to address any alleged new matters raised in Defendant's designation of experts. For each such expert, state the subject matter in which the expert is expected to testify; the substance of the facts as to which the expert is expected to testify; the substance of the opinions which the expert is expected to give; a summary of the grounds for each such opinion; the terms of the expert's compensation, and attach to Your answers any available list of publications written by the expert and any written report made by the expert concerning the expert's findings and opinions in this matter.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as premature given the early stage of discovery.

In light of the foregoing objections, Plaintiff will respond to this Interrogatory in accordance with his obligations under a Stipulation and Order Governing Expert Discovery in this Action and according to a schedule to be agreed upon by the parties or entered by the Court.

16. State in detail all facts which support and/or otherwise relate to any claim for monetary relief as part of this matter. Include in Your answer: (i) an itemization of all damages, loss or injury for which You are claiming or seeking to recover in this action—including each and every employment opportunity which You claim You have lost as a result of the actions complained of; (ii) an explanation of how the damages were computed, (iii) all assumptions made in computing the damages, and the basis for such assumptions; (iv) an explanation of how the damages are attributable to Defendant; and (v) all efforts to mitigate the damages.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory because it would be more appropriately addressed by other means including expert discovery.

In light of the foregoing objections, Plaintiff will not be responding to this Interrogatory at this time, and reserves his right to supplement this response to the extent necessary following the completion of fact and expert discovery.

17. Identify each judicial or administrative proceeding (including all details needed to locate the docket) in which You have had any involvement (including as a party, witness, or

nonparty) from January 1, 2010 to the present, and include a description of (i) the nature of each proceeding; (ii) the court in which the proceeding was/is maintained; (iii) Your involvement in the proceeding, (iv) the status of the proceeding; and (v) the result, if the proceeding has concluded.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff's other legal proceedings not involving Ms. Heard are not relevant to this Action. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

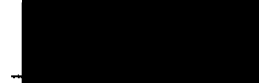
Subject to and without waiving the foregoing objections, Plaintiff identifies the divorce proceedings with Ms. Heard. Because Ms. Heard was a party to those proceedings, Mr. Depp will not describe them further. Plaintiff further identifies:

Judicial/Administrative Proceeding	Nature of Proceeding	The Court in Which the Proceeding Was/Is Maintained	Plaintiff's Involvement	Status/Result
John C. Depp, II, et al. v. The Mandel Company, Inc. dba The Management Group, et al. (Case No. BC682487)	Civil	LASC	Plaintiff and Cross-Defendant	Resolved
John C. Depp, II, et al. v. Bloom Hergott Diemer Rosenthal Laviolette	Civil	LASC	Plaintiff and Cross-Defendant	Ongoing

Feldman Schenkman & Goodman, LLP, et al. (BC680066)				
Gregg "Rocky" Brooks v. John C. Depp, et al. (Case No. BC713123)	Civil	LASC	Defendant	Trial set for May 11, 2020
Jane Doe v. John Christopher Depp, et al. (Case No. BC482823)	Civil	LASC	Defendant	Court-Ordered Dismissal
Eugene Arreola, et al. v. John C. Depp, II, et al. (BC704539)	Civil	LASC	Defendant	Resolved
John Christopher Depp II and News Group Newspapers LTD and Dan Wootton (Claim No. Hq18m01923)	Libel	In The High Court Of Justice Queen's Bench Division Media And Communications List	Claimant	Ongoing
Buckley LLP v. John C. Depp, II, et al. (Case No. 19STCV17470)	Civil	LASC	Defendant	Ongoing
Amber Heard v. John Christopher Depp II (Case No. 9DLP7)	Purported Arbitration Demand	Signature Resolution	Purported Respondent	Denied
In re the Marriage of Amber Laura Depp and John Christopher Depp II (BD641052)	Family	LASC	Respondent	Resolved

Dated: October 28, 2019

Respectfully submitted,



Benjamin G. Chew (VSB #29113)
Elliot J. Weingarten (*pro hac vice*)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
BROWN RUDNICK, LLP
601 Thirteenth Street NW, Suite 600
Washington, DC 20005
Phone: (202) 536-1785
Fax: (617) 289-0717
bchew@brownrudnick.com

- and -

Robert B. Gilmore (*pro hac vice*)
Kevin L. Attridge (*pro hac vice*)
STEIN MITCHELL BEATO & MISSNER LLP
901 15th Street NW, Suite 700
Washington, DC 20005
Phone: (202) 601-1589
Fax: (202) 296-8312
rgilmore@steinmitchell.com

Adam R. Waldman
THE ENDEAVOR GROUP LAW FIRM, P.C.
1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

Roberta A. Kaplan (*pro hac vice*)
Julie E. Fink (*pro hac vice*)
John C. Quinn (*pro hac vice*)
Joshua Matz (*pro hac vice*)
KAPLAN HECKER & FINK, LLP
350 Fifth Avenue, Suite 7110
New York, New York 10118
Telephone: (212) 763-0883
rkaplan@kaplanhecker.com
jfink@kaplanhecker.com
jqquinn@kaplanhecker.com
jmatz@kaplanhecker.com

Eric M. George (*pro hac vice*)
Richard A. Schwartz (*pro hac vice*)
BROWNE GEORGE ROSS LLP
2121 Avenue of the Stars, Suite 2800
Los Angeles, California 90067
Telephone: (310) 274-7100
Facsimile: (310) 275-5697
egeorge@bgrfirm.com
rschwartz@bgrfirm.com

A. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Counsel for Defendant Amber Laura Heard



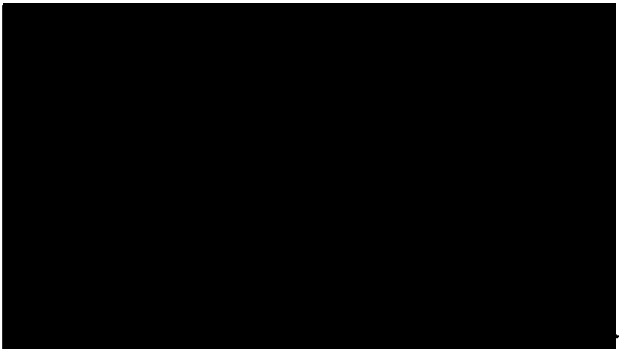
Benjamin G. Chew

CERTIFICATION

I hereby certify under penalty of perjury that the contents of the foregoing are true and accurate to the best of my knowledge, information and belief.

Dated: 28 Oct., 2019

Location: _____



John C. Depp, II

ATTACHMENT 4

RESPONSE: No objection.

2. The answers You provide are to be signed by You.

RESPONSE: No objection.

3. Where knowledge or information in Your possession is requested, such request includes knowledge of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires knowledge from individuals not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

4. Whenever appropriate in these Interrogatories, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Interrogatories any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

5. Unless otherwise indicated, these Interrogatories refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

RESPONSE: No objection.

6. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

7. If You perceive any ambiguities in a question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

RESPONSE: No objection.

8. If You assert a claim of privilege as to any of Your responses to the Interrogatories, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privilege log.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to produce a privilege log in a specific manner at a specific time. Plaintiff will produce a privilege log at a time and in a manner to be negotiated with Defendant in good faith.

9. If You perceive any discovery request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

RESPONSE: No objection.

10. In answering each interrogatory:

- a state whether the answer is within the personal knowledge of the person answering the interrogatory and identify each person known to have personal knowledge of the answer; and
- b identify each document that was used in any way to formulate the answer.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge

11. If, after a reasonable and thorough investigation, using due diligence, You are unable to answer any interrogatory, or any part of an interrogatory, on the grounds of lack of information available to You, specify why the information is not available to You and what has been done to locate such information

RESPONSE: No objection.

12. These interrogatories are continuing in character so as to require You to promptly amend or supplement Your responses in accordance with the Rules of the Supreme Court of Virginia within a reasonable time if You obtain or become aware of any further information responsive to these interrogatories. Ms. Heard reserves the right to propound additional interrogatories.

RESPONSE: No objection.

Definitions

- a *Action.* The Term "Action" means the above-captioned action.

RESPONSE: No objection.

- b *And/or.* The use of "and/or" shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

c ***Chat Application.*** The term “Chat Application” means any electronic program or application, usable on any device or platform, that allows the user to communicate with another person by way of exchange of text messages and/or images, including, but not limited to, iMessage, Facebook Messenger, WhatsApp, WeChat, Slack, Twitter, Skype, Instagram, Kik, Signal, Telegram, Viber, Threema, Dust, and Wickr.

RESPONSE: No objection.

d ***Communication.*** The term “communication” means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).

RESPONSE: No objection.

e ***Complaint.*** The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

RESPONSE: No objection.

f ***Concerning.*** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

RESPONSE: No objection.

g ***Correspondence.*** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is duplicative of the terms Document and

Communication, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

h ***Defendant and/or Ms. Heard.*** The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.”

i ***Depp Declaration.*** The term “Depp Declaration” shall mean the Declaration filed by Plaintiff in this matter as Exhibit 1 to Plaintiff’s Opposition to the Motion to Dismiss.

RESPONSE: No objection.

j ***Document.*** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term “document” shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements,

circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

k ***ESI.*** “ESI” means electronically stored information.

RESPONSE: No objection.

l ***Heard Declaration.*** The term “Heard Declaration” shall mean the Declaration filed by Ms. Heard and dated April 10, 2019.

RESPONSE: No objection

m ***Identify (with respect to documents).*** When referring to documents, to “identify” means to give, to the extent known, the (i) type and title of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

n ***Identify (with respect to persons).*** When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known address, telephone number, and email address, and when referring to a natural person, additionally, the present or last known home address and telephone number. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

RESPONSE: No objection.

o ***Identify (with respect to things).*** When referring to tangible or intangible things, to “identify” means to describe, to the extent known, the (i) type of thing; (ii) any unique identifiers pertaining to that thing (including, for example, corporate registration number, registered

name, account number, username, serial number, email address, or any other unique characteristic); and

(ii) the owner or controller of the thing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules.

p ***Including.*** The term “including” means including but not limited to.

RESPONSE: No objection.

q ***Person.*** The term “person” is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

RESPONSE: No objection.

r ***Plaintiff and/or Mr. Depp.*** The terms “Plaintiff” and/or “Mr. Depp” refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.”

s ***Romantic Partners.*** The term “Romantic Partners” shall mean any persons You have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person’s genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any part of a third party’s body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, vague and ambiguous to the extent it seeks to impose burdens beyond those required by the Rules. This term is overly broad in its ten year scope, and vague and ambiguous in its use of the terms “direct contact” and “sexual manner.” Plaintiff further objects to this term to the extent that it is inflammatory and harassing, assumes facts not in evidence, lacks foundation, calls for a medical and/or legal conclusion and seeks information unrelated to this case and that is unlikely to lead to the discovery of admissible evidence. Plaintiff will agree to meet and confer with Defendant regarding this term.

t *You and/or Your*. The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

INTERROGATORIES

11. For each instance of physical violence or abuse alleged in Ms. Heard’s Declaration, state whether You were under the influence of or had consumed any alcohol, medication, or drugs on the days of each such incident, and, if so, state as to each substance consumed (including alcohol) the identity of the substance consumed, the amount of the substance consumed, the date and time each such substance was consumed, the name and address of the place(s) where the substance was consumed, the location and person from which the substance was acquired or obtained, any witnesses present at the time of consumption, and the effect of the substance on You.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff further objects to this Interrogatory because it assumes facts not in evidence, and assumes the truth of Ms. Heard’s Declaration. Mr. Depp disputes the allegations of Ms. Heard’s allegations. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory because it calls for a legal conclusion. Plaintiff further objects to this Interrogatory because it is compound.

In light of the foregoing objections, Plaintiff will not respond Interrogatory because he denies all allegations of physical violence and abuse in Ms. Heard's declaration.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Subject to and without waiving any of the foregoing objections, Plaintiff responds that he may have consumed some amount of alcohol, medications or drugs on one or more of the days of alleged incidents. To the extent Plaintiff consumed some amount of alcohol, medications or drugs, Plaintiff does not specifically recall the exact times or types of substances consumed as the incidents alleged by Ms. Heard happened many years ago. Plaintiff also disputes Ms. Heard's allegations, and therefore has no reason to recall the details of the days of the alleged incidents. Whether or not some moderate amount of substance was consumed, Plaintiff denies the binge alleged by Ms. Heard. Plaintiff also responds that he did not and would not have engaged in the conduct alleged by Ms. Heard whether or not such substances were consumed.

14. Identify and describe facts relating to each instance where any person, other than Ms. Heard, alleged (publicly or privately) that You engaged in any act of physical violence, abuse, or destruction of property at any point in the past 15 years, including (i) the identity of the person(s) that accused You of such conduct; (ii) the person and/or property toward which Your alleged conduct was directed; (iii) whether You were, or were alleged to have been, under the influence of alcohol, medication or illegal drugs at the time of Your alleged conduct; (iv) the date, time and location(s) of each such instance; and (v) the identity of all persons present at the time of the alleged incident.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to

this case. Plaintiff further objects to this Interrogatory because it assumes facts not in evidence, and characterizes Plaintiff as engaging in acts of violence. Plaintiff denies any allegation that he engaged in an act of violence. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff vehemently denies all of Ms. Heard's allegations of physical violence, abuse, and destruction of property. Plaintiff also denies Gregg "Rocky" Brooks' allegations of physical violence. Specifically, on the evening of April 12, 2017, Mr. Brooks was working as a location manager on the set of a film that has not yet been released, entitled "City of Lies." Mr. Brooks was involved in a series of altercations with persons on set, including a security guard for a nearby property whom Mr. Brooks flipped off; and a woman who was present on set, with whom Mr. Brooks became verbally abusive. Mr. Depp, who was also present on set, eventually intervened and verbally reprimanded Mr. Brooks for his misbehavior. Mr. Brooks claims that during this exchange, Mr. Depp punched him twice. That is categorically false. Mr. Depp, along with multiple eyewitnesses, including Ms. Emma Danoff, Mr. Sean Bett and Mr. Brad Furman who were standing close by and had an unimpeded view of the exchange, have either testified in deposition and/or will testify at trial that Mr. Depp never even touched (and certainly did not punch) Mr. Brooks. Plaintiff reserves his right to supplement his answer to this Interrogatory by identifying non-privileged documents responsive to this Interrogatory, if any, by Bates number following document production, in accordance with Rule 4.8(f).

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Subject to and without waiving any of the foregoing objections, Plaintiff responds that no other person besides Mr. Brooks has accused Plaintiff (publicly or privately) that Plaintiff engaged in any act of physical violence, abuse, or destruction of property at any point in the past 15 years. The allegations by Mr. Brooks are contained in his Complaint filed in the Los Angeles Superior Court, and equally available to Ms. Heard.

16. State in detail all facts which support and/or otherwise relate to any claim for monetary relief as part of this matter. Include in Your answer: (i) an itemization of all damages, loss or injury for which You are claiming or seeking to recover in this action—including each and every employment opportunity which You claim You have lost as a result of the actions complained of; (ii) an explanation of how the damages were computed; (iii) all assumptions made in computing the damages, and the basis for such assumptions; (iv) an explanation of how the damages are attributable to Defendant; and (v) all efforts to mitigate the damages.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory because it would be more appropriately addressed by other means including expert discovery.

In light of the foregoing objections, Plaintiff will not be responding to this Interrogatory at this time, and reserves his right to supplement this response to the extent necessary following the completion of fact and expert discovery.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer, including that this Interrogatory is more appropriately addressed following the completion of fact and expert discovery. Subject to and without waiving any of the foregoing objections, Plaintiff notes that because Ms. Heard's defamatory statements constitute defamation per se, damages are presumed, and need not be specifically proven. In any event, Plaintiff responds that his claim for monetary damages is supported by, *inter alia*, the fact that Plaintiff's reputation and career has been severely damaged. Although it is obvious and inevitable that these types of allegations would have a negative impact on Plaintiff's reputation and professional standing, particularly because Plaintiff is an individual in the public eye, the economic impact of these defamatory statements will be the subject of expert analysis and disclosure according to Virginia law.

Further, just four days after Ms. Heard's op-ed was first published on December 18, 2018, Disney announced on December 22, 2018 that it was dropping Mr. Depp from his leading role as Captain Jack Sparrow in the forthcoming sixth installment of the *Pirates of the Caribbean* franchise. Based on Mr. Depp's prior earnings in connection with the *Pirates of the Caribbean* franchise, Mr. Depp expects that his role in the sixth installment would have been worth at least \$50,000,000.

Dated: August 14, 2020

Respectfully submitted,



Benjamin G. Chew (VSB #29113)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
BROWN RUDNICK, LLP

601 Thirteenth Street NW, Suite 600
Washington, DC 20005
Phone: (202) 536-1785
Fax: (617) 289-0717
bchew@brownrudnick.com

- and -

Adam R. Waldman (*pro hac vice*)
THE ENDEAVOR GROUP LAW FIRM, P.C.
1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August 2020, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

J. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Elaine Charlson Bredehoft (VSB No. 23766)
Carla D. Brown (VSB No. 44803)
Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
CHARLSON BREDEHOFT COHEN & BROWN, P.C.
11260 Roger Bacon Dr., Suite 201
Reston, VA 20190
Phone: 703-318-6800
Fax: 703-318-6808
ebredehoft@cbcbllaw.com
cbrown@cbcbllaw.com
anahelhaft@cbcbllaw.com
dmurphy@cbcbllaw.com

Counsel for Defendant Amber Laura Heard



Andrew C. Crawford

ATTACHMENT 5

VIRGINIA :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

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Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S SECOND SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANT AMBER LAURA HEARD'S
FIRST SET OF INTERROGATORIES**

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard's First Set of Interrogatories (each, an "Interrogatory" and collectively, the "Interrogatory"), dated October 7, 2019 and served in the above captioned action ("Action") as follows:

GENERAL OBJECTIONS

1. Plaintiff incorporates by reference as if fully set forth herein the General Objections contained in the Responses and Objections to Defendant's First Set of Requests for Production of Documents and Things to Plaintiff, dated September 3, 2019.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Instructions

1. In accordance with the Rules of this Court, You shall answer the following Interrogatories separately and fully, in writing, under oath.

RESPONSE: No objection.

2. The answers You provide are to be signed by You.

RESPONSE: No objection.

3. Where knowledge or information in Your possession is requested, such request includes knowledge of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires knowledge from individuals not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

4. Whenever appropriate in these Interrogatories, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Interrogatories any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

5. Unless otherwise indicated, these Interrogatories refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

RESPONSE: No objection.

6. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

7. If You perceive any ambiguities in a question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

RESPONSE: No objection.

8. If You assert a claim of privilege as to any of Your responses to the Interrogatories, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privilege log.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to produce a privilege log in a specific manner at a specific time. Plaintiff will produce a privilege log at a time and in a manner to be negotiated with Defendant in good faith.

9. If You perceive any discovery request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

RESPONSE: No objection.

10. In answering each interrogatory:

- a state whether the answer is within the personal knowledge of the person answering the interrogatory and identify each person known to have personal knowledge of the answer; and
- b identify each document that was used in any way to formulate the answer.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge

11. If, after a reasonable and thorough investigation, using due diligence, You are unable to answer any interrogatory, or any part of an interrogatory, on the grounds of lack of information available to You, specify why the information is not available to You and what has been done to locate such information

RESPONSE: No objection.

12. These interrogatories are continuing in character so as to require You to promptly amend or supplement Your responses in accordance with the Rules of the Supreme Court of Virginia within a reasonable time if You obtain or become aware of any further information responsive to these interrogatories. Ms. Heard reserves the right to propound additional interrogatories.

RESPONSE: No objection.

Definitions

- a ***Action.*** The Term "Action" means the above-captioned action.

RESPONSE: No objection.

- b ***And/or.*** The use of "and/or" shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

c ***Chat Application.*** The term “Chat Application” means any electronic program or application, usable on any device or platform, that allows the user to communicate with another person by way of exchange of text messages and/or images, including, but not limited to, iMessage, Facebook Messenger, WhatsApp, WeChat, Slack, Twitter, Skype, Instagram, Kik, Signal, Telegram, Viber, Threema, Dust, and Wickr.

RESPONSE: No objection.

d ***Communication.*** The term “communication” means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).

RESPONSE: No objection.

e ***Complaint.*** The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

RESPONSE: No objection.

f ***Concerning.*** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

RESPONSE: No objection.

g ***Correspondence.*** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is duplicative of the terms Document and

Communication, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

h *Defendant and/or Ms. Heard.* The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.”

i *Depp Declaration.* The term “Depp Declaration” shall mean the Declaration filed by Plaintiff in this matter as Exhibit I to Plaintiff’s Opposition to the Motion to Dismiss.

RESPONSE: No objection.

j *Document.* The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term “document” shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements,

circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

k ***ESI.*** “ESI” means electronically stored information.

RESPONSE: No objection.

l ***Heard Declaration.*** The term “Heard Declaration” shall mean the Declaration filed by Ms. Heard and dated April 10, 2019.

RESPONSE: No objection

m ***Identify (with respect to documents).*** When referring to documents, to “identify” means to give, to the extent known, the (i) type and title of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

n ***Identify (with respect to persons).*** When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known address, telephone number, and email address, and when referring to a natural person, additionally, the present or last known home address and telephone number. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

RESPONSE: No objection.

o ***Identify (with respect to things).*** When referring to tangible or intangible things, to “identify” means to describe, to the extent known, the (i) type of thing; (ii) any unique identifiers pertaining to that thing (including, for example, corporate registration number, registered

name, account number, username, serial number, email address, or any other unique characteristic); and
(iii) the owner or controller of the thing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules.

p ***Including.*** The term “including” means including but not limited to.

RESPONSE: No objection.

q ***Person.*** The term “person” is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

RESPONSE: No objection.

r ***Plaintiff and/or Mr. Depp.*** The terms “Plaintiff” and/or “Mr. Depp” refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.”

s ***Romantic Partners.*** The term “Romantic Partners” shall mean any persons You have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person’s genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any part of a third party’s body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, vague and ambiguous to the extent it seeks to impose burdens beyond those required by the Rules. This term is overly broad in its ten year scope, and vague and ambiguous in its use of the terms “direct contact” and “sexual manner.” Plaintiff further objects to this term to the extent that it is inflammatory and harassing, assumes facts not in evidence, lacks foundation, calls for a medical and/or legal conclusion and seeks information unrelated to this case and that is unlikely to lead to the discovery of admissible evidence. Plaintiff will agree to meet and confer with Defendant regarding this term.

t *You and/or Your*. The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

INTERROGATORIES

1. Identify each person having any knowledge or information about any of the claims or defenses in this case, including but not limited to Your (a) substance abuse, (b) damage of property, (c) acts of violence, (d) abuse in any form of any Romantic Partner, and (e) relationship with Ms. Heard. The answer to this Interrogatory should include contact information, to the extent known, for the following: Alejandro Romero, Ben King, Bobby de Leon, Brandon Patterson, Bruce Witkin, Christi Dembrowski, C.J. Roberts, Dr. Connell Cowan, Cornelius Harrell, Dr. David Kipper, Debbie Lloyd, Erin Boerum (Falati), Isaac Baruch, Joel Mandel, Kevin Murphy, Jerry Judge, Josh Drew, Keenan Wyatt, Laura Divenere, Lisa Beane, Malcolm Connolly, Melissa Saenz, Nathan Holmes, Samantha McMillan, Sam Sarkar, Sean Bett, Stephen Deuters, Tara Roberts, Todd Norman, Trinity Esparza, Trudy Salven, Tyler Hadden.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff’s purported substance abuse, damage of property, acts of violence, and “abuse in any form” are irrelevant to the claims or defenses in this case. Plaintiff further objects to the extent that this Interrogatory assumes facts not in evidence, and contains allegations that Mr. Depp intends to disprove.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following individuals with knowledge of the claims or defenses in this case:

Person	Contact Information
Isaac Baruch	Unknown
Lisa Beane	Unknown
Sean Bett	Contact through Plaintiff's counsel.
Robin Baum	901 Highland Ave, Los Angeles , CA 90038 (310) 461-0100
Erin Boerum	Unknown
Malcolm Connolly	Unknown
Dr. Connell Cowan	Unknown
Bobby de Leon	Unknown
Elisa "Christi" Dembrowski	To be contacted through counsel Dylan Ruga, Stalwart Law Group, 1100 Glendon Ave., 17th Floor Los Angeles, CA 90024, 310-954-2000
Gina Deuters	Contact through Plaintiff's counsel.
Stephen Deuters	Contact through Plaintiff's counsel.
Laura Divenere	Unknown
Josh Drew	Unknown
Trinity Esparza	Unknown
Tyler Hadden	Unknown
Cornelius Harrell	Unknown
Nathan Holmes	Unknown
Jerry Judge	Deceased
Ben King	Unknown
Dr. David Kipper	Unknown

Debbie Lloyd	Unknown
Joel Mandel	To be contacted through Michael Kump and Suann MacIsaac, Kinsella Weitzman Iser Kump & Aldisert LLP, 808 Wilshire Blvd., Santa Monica, CA 90401, 310-566-9800
Samantha McMillen	Unknown
Kevin Murphy	Unknown
Todd Norman	Unknown
Brandon Patterson	Unknown
C.J. Roberts	Unknown
Tara Roberts	Unknown
Alejandro Romero	Unknown
Anthony Romero	Unknown
Melissa Saenz	Unknown
Trudy Salven	Unknown
Sam Sarkar	Unknown
Robin Schulman	Unknown
Doug Stanhope	Unknown
Laura Wasser	2049 Century Park East, Suite 800 Los Angeles, CA 90067, (310) 277-7117
Wasser, Cooperman & Mandles, P.C.	2049 Century Park East, Suite 800 Los Angeles, CA 90067, (310) 277-7117
Jessica Weitz	Unknown
Bruce Witkin	Unknown
Keenan Wyatt	Unknown

Blair Berk	Unknown
Jacob Bloom	Unknown

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows:

Person	Contact Information
Isaac Baruch	Unknown
Lisa Beane	Unknown
Blair Berk	Unknown
Sean Bett	Contact through Plaintiff's counsel.
Robin Baum	901 Highland Ave, Los Angeles , CA 90038 (310) 461-0100
Jacob Bloom	Unknown
Erin Boerum	Unknown
Natasha Brooks	11566 Huston Street, Valley Village, CA 91601
Malcolm Connolly	Unknown
Dr. Connell Cowan	Unknown
Bobby de Leon	Unknown
Elisa "Christi" Dembrowski	To be contacted through counsel Dylan Ruga, Stalwart Law Group, 1100 Glendon Ave., 17th Floor Los Angeles, CA 90024, 310-954-2000
Gina Deuters	Contact through Plaintiff's counsel.
Stephen Deuters	Contact through Plaintiff's counsel.

Laura Divenere	c/o Lee A. Sherman, Callahan Thompson Sherman & Caudill LLP, 2601 Main Street, Suite 800, Irvine, CA 92614
Josh Drew	Unknown
Trinity Esparza	Unknown
James Franco	c/o Michael Plonsker, Plonsker Law, LLP, 100 Wilshire Blvd., #940, Santa Monica, CA 90401
Greenberg Glusker Fields Claman & Machtinger LLP	1900 Avenue of the Stars, 21 St Floor, Los Angeles, CA 90067, (310) 553-3610
Tyler Hadden	Unknown
Cornelius Harrell	Unknown
Whitney Henriquez	Unknown
Nathan Holmes	Unknown
Jennifer Howell	3278 Wilshire Blvd., Los Angeles, CA 90019
Kate James	1138 N. Poinsettia Place, West Hollywood, CA 90046
Jerry Judge	Deceased
Ben King	Unknown
Samantha Klein	Wasser, Cooperman & Mandles, PC, 2049 Century Park East, Suite 800, Los Angeles, CA 90067
Dr. David Kipper	Unknown
Debbie Lloyd	Unknown
Joel Mandel	To be contacted through Michael Kump and Suann MacIsaac, Kinsella Weitzman Iser Kump & Aldisert

	LLP, 808 Wilshire Blvd., Santa Monica, CA 90401, 310-566-9800
Elizabeth Marz	c/o Anya J. Goldstein, Summa LLP, 800 Wilshire Blvd., Suite 1050, Los Angeles, CA 90019
Samantha McMillen	Unknown
Kevin Murphy	Unknown
Elon Musk	10911 Chalon Road, Los Angeles, CA 90077
Todd Norman	Unknown
Brandon Patterson	Unknown
Raquel Pennington	c/o Anya J. Goldstein, Summa LLP, 800 Wilshire Blvd., Suite 1050, Los Angeles, CA 90019
C.J. Roberts	Unknown
Tara Roberts	Unknown
Alejandro Romero	Unknown
Anthony Romero	Unknown
Melissa Saenz	Unknown
Trudy Salven	Unknown
Sam Sarkar	Unknown
Robin Schulman	Unknown
Martin D. Singer	Lavelly & Singer, 2049 Century Park East, Suite 2400, Los Angeles, CA 90067-2906, (310) 556-3501
Samantha Spector	Spector Law, 1901 Avenue of the Stars, Suite 1020, Los Angeles, CA 90067, (424) 313-7500

Doug Stanhope	Unknown
Laura Wasser	2049 Century Park East, Suite 800 Los Angeles, CA 90067, (310) 277-7117
Wasser, Cooperman & Mandles, P.C.	2049 Century Park East, Suite 800 Los Angeles, CA 90067, (310) 277-7117
Jessica Weitz	Unknown
Bruce Witkin	Unknown
iO Tillett Wright	c/o Anya J. Goldstein, Summa LLP, 800 Wilshire Blvd., Suite 1050, Los Angeles, CA 90019
Keenan Wyatt	Unknown

12. Identify each Romantic Partner, other than Ms. Heard, that You have had in the past 10 years.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff further objects to this Interrogatory because it seeks information more readily obtained by other means, including by way to deposition testimony and/or document discovery. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case.

Subject to and without waiving the foregoing objections, none of Mr. Depp's prior Romantic Partners have ever alleged any acts of physical violence or abuse by Mr. Depp other than Ms. Heard. Notwithstanding the foregoing, Mr. Depp has had romantic relationships in the past ten years with Vanessa Paradis and Polina Glen.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Vanessa Paradis, Polina Glen and Rochelle Hathaway.

Dated: August 21, 2020

Respectfully submitted,



Benjamin G. Chew (VSB #29113)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
BROWN RUDNICK, LLP

601 Thirteenth Street NW, Suite 600
Washington, DC 20005
Phone: (202) 536-1785
Fax: (617) 289-0717
bchew@brownrudnick.com

- and -

Adam R. Waldman (*pro hac vice*)
THE ENDEAVOR GROUP LAW FIRM, P.C.
1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August 2020, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

A. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Elaine Charlson Bredehoft (VSB No. 23766)
Carla D. Brown (VSB No. 44803)
Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
CHARLSON BREDEHOFT COHEN &
BROWN, P.C.
11260 Roger Bacon Dr., Suite 201
Reston, VA 20190
Phone: 703-318-6800
Fax: 703-318-6808
ebredehoft@cbcblaw.com
cbrown@cbcblaw.com
anahelhaft@cbcblaw.com
dmurphy@cbcblaw.com

Counsel for Defendant Amber Laura Heard

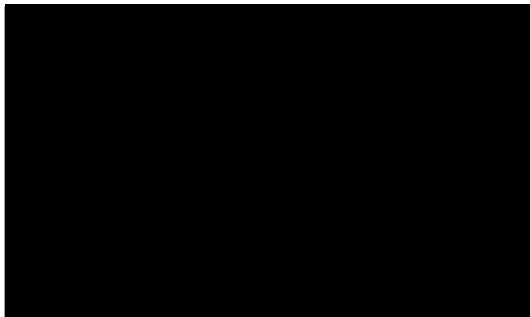


Andrew C. Crawford

CERTIFICATION

I hereby certify under penalty of perjury that the contents of the foregoing are true and accurate to the best of my knowledge, information and belief.

Date: August 21, 2020



John C. D. [Redacted]

ATTACHMENT 6

1. In accordance with the Rules of this Court, You shall answer the following Interrogatories separately and fully, in writing, under oath.

RESPONSE: No objection.

2. The answers You provide are to be signed by You.

RESPONSE: No objection.

3. Where knowledge or information in Your possession is requested, such request includes knowledge of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires knowledge from individuals not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

4. Whenever appropriate in these Interrogatories, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Interrogatories any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

5. Unless otherwise indicated, these Interrogatories refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

RESPONSE: No objection.

6. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge.

7. If You perceive any ambiguities in a question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

RESPONSE: No objection.

8. If You assert a claim of privilege as to any of Your responses to the Interrogatories, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privilege log.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to produce a privilege log in a specific manner at a specific time. Plaintiff will produce a privilege log at a time and in a manner to be negotiated with Defendant in good faith.

9. If You perceive any discovery request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

RESPONSE: No objection.

10. In answering each interrogatory:

- a state whether the answer is within the personal knowledge of the person answering the interrogatory and identify each person known to have personal knowledge of the answer; and
- b identify each document that was used in any way to formulate the answer.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to provide information from individuals and entities not under Plaintiff's control. Plaintiff will provide information based on his personal knowledge

11. If, after a reasonable and thorough investigation, using due diligence, You are unable to answer any interrogatory, or any part of an interrogatory, on the grounds of lack of information available to You, specify why the information is not available to You and what has been done to locate such information

RESPONSE: No objection.

12. These interrogatories are continuing in character so as to require You to promptly amend or supplement Your responses in accordance with the Rules of the Supreme Court of Virginia within a reasonable time if You obtain or become aware of any further information responsive to these interrogatories. Ms. Heard reserves the right to propound additional interrogatories.

RESPONSE: No objection.

Definitions

- a *Action.* The Term "Action" means the above-captioned action.

RESPONSE: No objection.

- b *And/or.* The use of "and/or" shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

c ***Communication.*** The term “communication” means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).

RESPONSE: No objection.

d ***Complaint.*** The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

RESPONSE: No objection.

e ***Concerning.*** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

RESPONSE: No objection.

f ***Correspondence.*** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is duplicative of the terms Document and Communication, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

g ***Defendant and/or Ms. Heard.*** The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.”

h **Devices.** The term “devices” is defined in its broadest terms currently recognized.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it seeks to define devices in the “broadest terms currently recognized.” Plaintiff further objects to this term as vague and ambiguous because simply defining a term in the “broadest terms currently recognized” does not provide any guidance to Plaintiff as to what this term actually means. Plaintiff will interpret this term to mean the devices identified in response to Defendant’s First Interrogatory No. 3.

i **Document.** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term “document” shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

j **ESI.** “ESI” means electronically stored information.

RESPONSE: No objection.

k *Identify (with respect to documents).* When referring to documents, to “identify” means to give, to the extent known, the (i) type and title of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

l *Identify (with respect to persons).* When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known address, telephone number, and email address, and when referring to a natural person, additionally, the present or last known home address and telephone number. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

RESPONSE: No objection.

m *Identify (with respect to things).* When referring to tangible or intangible things, to “identify” means to describe, to the extent known, the (i) type of thing; (ii) any unique identifiers pertaining to that thing (including, for example, corporate registration number, registered name, account number, username, serial number, email address, or any other unique characteristic); and (iii) the owner or controller of the thing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules.

n *Including.* The term “including” means including but not limited to.

RESPONSE: No objection.

o *Performance.* The term “Performance,” in relation to Mr. Depp, means any creative work in which Mr. Depp or his likeness is, was, will be, may be, or is contemplated to appear, whether or not in exchange for payment or other benefit to Mr. Depp, and includes

(without limitation) any appearance (or potential appearance) by Mr. Depp in any film, TV series, produce endorsement, advertisement, musical performance, or in-person appearance. To avoid doubt, a Performance includes any creative work in which it was contemplated that Mr. Depp or his likeness would be featured, even if the work was ultimately created without Mr. Depp or his likeness appearing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules. Plaintiff further objects to this request to the extent that it seeks to include performances in which it was “contemplated” that Plaintiff be featured, as Mr. Depp cannot reasonably be expected to have knowledge of every performance in which third parties, whether known or unknown to Mr. Depp, contemplated featuring him.

p ***Person.*** The term “person” is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

RESPONSE: No objection.

q ***Plaintiff and/or Mr. Depp.*** The terms “Plaintiff” and/or “Mr. Depp” refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on his behalf.”

r ***Romantic Partners.*** The term “Romantic Partners” shall mean any persons You have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person’s genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any part of a third party’s body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, vague and ambiguous to the extent it seeks to impose burdens beyond those required by the Rules. This term is overly broad in its ten year

scope, and vague and ambiguous in its use of the terms “direct contact” and “sexual manner.” Plaintiff further objects to this term to the extent that it is inflammatory and harassing, assumes facts not in evidence, lacks foundation, calls for a medical and/or legal conclusion and seeks information unrelated to this case and that is unlikely to lead to the discovery of admissible evidence. Plaintiff will agree to meet and confer with Defendant regarding this term.

s *You and/or Your.* The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

INTERROGATORIES

1. Identify any payments, gifts, or transfers of value of any kind, whether in monetary form or otherwise, made by You (and/or any entity or person affiliated or associated with You or acting on Your behalf) or concerning or for the benefit of You (and/or any entity or person affiliated or associated with You or acting on Your behalf), from 2012 to present to Winona Ryder, Jennifer Grey, Lori Allison, Sherilynn Fenn, Holly Robinson, Traci Lords, Juliette Lewis, Tatjana Patitz, Ellen Barkin, Kate Moss, Naomi Campbell, Vanessa Paradis, Christina Ricci, Keira Knightly, Marion Cotillard, Angelina Jolie, Eva Green, Ashley Oslen, Ruth Wilson, Robin Baum, Polina Glen, or any other Romantic Partners.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome to the extent it asks Plaintiff to identify any “transfer” of any kind to any of 21 identified individuals plus an indefinite number of “romantic partners.” Plaintiff further objects to this Interrogatory to the extent it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Interrogatory as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Interrogatory to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Interrogatory as unreasonably cumulative and duplicative of Defendant’s document requests,

specifically Request No. 2 in Defendant's Third Request for Production of Documents, and for which Plaintiff has agreed to produce responsive documents.

In light of the foregoing objections, Plaintiff will not respond to this Interrogatory.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Plaintiff has no independent recollection or records of any payments, gifts, or transfers of value of any kind, whether in monetary form or otherwise, made to: Winona Ryder, Jennifer Grey, Lori Allison, Sherilynn Fenn, Holly Robinson, Traci Lords, Juliette Lewis, Tatjana Patitz, Ellen Barkin, Kate Moss, Naomi Campbell, Christina Ricci, Keira Knightly, Marion Cotillard, Angelina Jolie, Eva Green, Ashley Oslen or Ruth Wilson. Plaintiff will identify non-privileged documents responsive to this Interrogatory relating to any payments, gifts, or transfers of value of any kind made to Vanessa Paradis, Polina Glen and Robin Baum, if any, by Bates number following document production, in accordance with Rule 4.8(f).

2. State Your fees from every Performance from 2010 to the present.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Interrogatory as unreasonably cumulative and duplicative of Defendant's document requests, specifically Request No. 3 in Defendant's

Third Request for Production of Documents, and for which Plaintiff has agreed to produce responsive documents.

In light of the foregoing objections, Plaintiff will not respond to this Interrogatory.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Plaintiff will identify non-privileged documents responsive to this Interrogatory relating to his fees from every Performance for 2010 to the present, by Bates number following document production, in accordance with Rule 4.8(f).

Dated: August 21, 2020

Respectfully submitted,



Benjamin G. Chew (VSB #29113)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
BROWN RUDNICK, LLP

601 Thirteenth Street NW, Suite 600
Washington, DC 20005
Phone: (202) 536-1785
Fax: (617) 289-0717
bchew@brownrudnick.com

- and -

Adam R. Waldman (*pro hac vice*)
THE ENDEAVOR GROUP LAW FIRM, P.C.
1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August 2020, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

A. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Elaine Charlson Bredehoft (VSB No. 23766)
Carla D. Brown (VSB No. 44803)
Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
CHARLSON BREDEHOFT COHEN &
BROWN, P.C.
11260 Roger Bacon Dr., Suite 201
Reston, VA 20190
Phone: 703-318-6800
Fax: 703-318-6808
ebredehoft@cbcblaw.com
cbrown@cbcblaw.com
anahelhaft@cbcblaw.com
dmurphy@cbcblaw.com

Counsel for Defendant Amber Laura Heard



Andrew C. Crawford

CERTIFICATION

I hereby certify under penalty of perjury that the contents of the foregoing are true and accurate to the best of my knowledge, information and belief.

Dated: August 21, 2020



John C. D...

ATTACHMENT 7

VIRGINIA :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II	:	
	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
AMBER LAURA HEARD,	:	Civil Action No.: CL-2019-0002911
	:	
<i>Defendant</i>	:	
	:	
	:	
	:	

PLAINTIFF JOHN C. DEPP, II’S SUPPLEMENTAL RESPONSES AND OBJECTIONS TO DEFENDANT AMBER LAURA HEARD’S FIRST REQUESTS FOR ADMISSION

Pursuant to Rule 4:11 of the Rules of the Supreme Court of Virginia and the Court’s Order of August 10, 2020, Plaintiff John C. Depp, II, by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard’s First Set of Request For Admission (each, a “Request” and collectively, the “Requests”), dated November 15, 2019 and served in the above captioned action (“Action”) as follows:

GENERAL OBJECTIONS

1. Plaintiff incorporates by reference as if fully set forth herein the General Objections contained in the Responses and Objections to Defendant’s First Set of Requests for Production of Documents and Things to Plaintiff, dated September 3, 2019.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Instructions

1. In accordance with the Rules of this Court, You shall answer the following Requests separately and fully, in writing.

RESPONSE: No objection.

2. When information in Your possession is requested, such request includes non-privileged information in the possession of Your agent(s), employee(s), assign(s), representative(s), and all others acting on your behalf.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires information from individuals not under Plaintiff's control. Plaintiff will admit in or deny these requests in accordance with his personal knowledge.

3. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

4. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires information from individuals not under Plaintiff's control. Plaintiff will admit in or deny these requests in accordance with his personal knowledge.

5. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires information from individuals not under Plaintiff's control. Plaintiff will admit in or deny these requests in accordance with his personal knowledge.

6. If You perceive any ambiguities in an question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

RESPONSE: No objection.

7. If You assert a claim of privilege as to any of Your responses to the Requests, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privilege log.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to produce a privilege log in a specific manner at a specific time. Plaintiff will produce a privilege log at a time and in a manner to be negotiated with Defendant in good faith.

8. If You perceive any Request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

RESPONSE: No objection.

9. These Requests are continuing in character so as to require You to promptly amend or supplement Your responses in accordance with the Rules of the Supreme Court of Virginia within a reasonable time if You obtain or become aware of any further information responsive to these Requests. Ms. Heard reserves the right to propound additional Requests.

RESPONSE: No objection.

Definitions

a ***Action.*** The Term “Action” means the above-captioned action.

RESPONSE: No objection.

b ***And/or.*** The use of “and/or” shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

c ***Communication.*** The term “communication” means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).

RESPONSE: No objection.

d ***Complaint.*** The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

RESPONSE: No objection.

e ***Concerning.*** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

RESPONSE: No objection.

f ***Correspondence.*** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is duplicative of the terms Document and Communication, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

g ***Defendant and/or Ms. Heard.*** The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.”

h ***Devices.*** The term “devices” is defined in its broadest terms currently recognized.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it seeks to define devices in the “broadest terms currently recognized.” Plaintiff further objects to this term as vague and ambiguous because simply defining a term in the “broadest terms currently recognized” does not provide any guidance to Plaintiff as to what this term actually means. Plaintiff will interpret this term to mean the devices identified in response to Defendant’s First Interrogatory No. 3.

i ***Document.*** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term “document” shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies,

analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

j ***ESI.*** “ESI” means electronically stored information.

RESPONSE: No objection.

k ***Identify (with respect to documents).*** When referring to documents, to “identify” means to give, to the extent known, the (i) type and title of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

l ***Identify (with respect to persons).*** When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known address, telephone number, and email address, and when referring to a natural person, additionally, the present or last known home address and telephone number. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

RESPONSE: No objection.

m ***Identify (with respect to things).*** When referring to tangible or intangible things, to “identify” means to describe, to the extent known, the (i) type of thing; (ii) any unique identifiers pertaining to that thing (including, for example, corporate registration number, registered

name, account number, username, serial number, email address, or any other unique characteristic), and (iii) the owner or controller of the thing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules.

n ***Including.*** The term “including” means including but not limited to.

RESPONSE: No objection.

o ***Performance.*** The term “Performance,” in relation to Mr. Depp, means any creative work in which Mr. Depp or his likeness is, was, will be, may be, or is contemplated to appear, whether or not in exchange for payment or other benefit to Mr. Depp, and includes (without limitation) any appearance (or potential appearance) by Mr. Depp in any film, TV series, product endorsement, advertisement, musical performance, or in-person appearance. To avoid doubt, a Performance includes any creative work in which it was contemplated that Mr. Depp or his likeness would be featured, even if the work was ultimately created without Mr. Depp or his likeness appearing.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the rules. Plaintiff further objects to this request to the extent that it seeks to include performances in which it was “contemplated” that Plaintiff be featured, as Mr. Depp cannot reasonably be expected to have knowledge of every performance in which third parties, whether known or unknown to Mr. Depp, contemplated featuring him.

p ***Person.*** The term “person” is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

RESPONSE: No objection.

q *Plaintiff and/or Mr. Depp.* The terms “Plaintiff” and/or “Mr. Depp” refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and all persons acting on his behalf.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and all persons acting on his behalf.” Plaintiff will interpret this term to exclude all privileged communications and documents.

r *Romantic Partners.* The term “Romantic Partners” shall mean any persons you have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person’s genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any part of a third party’s body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, vague and ambiguous to the extent it seeks to impose burdens beyond those required by the Rules. This term is overly broad in its ten year scope, and vague and ambiguous in its use of the terms “direct contact” and “sexual manner.” Plaintiff further objects to this term to the extent that it is inflammatory and harassing, assumes facts not in evidence, lacks foundation, calls for a medical and/or legal conclusion and seeks information unrelated to this case and that is unlikely to lead to the discovery of admissible evidence. Plaintiff will agree to meet and confer with Defendant regarding this term.

s *You and/or Your.* The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

REQUESTS FOR ADMISSION

11. Admit that You destroyed or damaged property in the presence of Amber Heard.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks information that is irrelevant, immaterial, or unnecessary to the issues in this Action.

In light of the foregoing objections, Plaintiff will not respond to this Request.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Plaintiff further objects to this Request on the grounds it is vague and ambiguous as to the phrase “destroyed or damaged property.” The Request does not specify the type of property, the value of the property, the type of damage, nor the amount of damage. Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Admit Plaintiff may have destroyed or damaged some type of property in the presence of Ms. Heard at some point, but without a more specific question that specifically identifies the property in question and describes the nature of the damage alleged, Mr. Depp is unable to further respond to this Request.

12. Admit that You called Amber Heard a “slut.”

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks information that is irrelevant, immaterial, or unnecessary to the issues in this Action.

In light of the foregoing objections, Plaintiff will not respond to this Request.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Plaintiff further objects to this Request on the grounds it is vague and ambiguous as to the term “called.” Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Admit Plaintiff may have used the word “slut” when referring to Ms. Heard but Plaintiff has no independent recollection of using the word.

13. Admit that You called Amber Heard a “whore.”

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks information that is irrelevant, immaterial, or unnecessary to the issues in this Action.

In light of the foregoing objections, Plaintiff will not respond to this Request.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Plaintiff further objects to this Request on the grounds it is vague and ambiguous as to the term “called.” Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Admit Plaintiff may have used the word “whore” when referring to Ms. Heard but Plaintiff has no independent recollection of using the word.

14. Admit that You communicated to Amber Heard that she would not have any work as an actress when she got old and her “tits sag.”

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks information that is irrelevant, immaterial, or unnecessary to the issues in this Action.

In light of the foregoing objections, Plaintiff will not respond to this Request.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Plaintiff further objects to this Request on the grounds it is vague and ambiguous as to the term “communicated.” Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Admit Plaintiff may have used the phrase in the Request when speaking to Ms. Heard or about Ms. Heard but Plaintiff has no independent recollection of using the phrase. To the extent the phrase in the Request was used, it is possible that it was in jest.

15. Admit that You told Amber Heard that she would, should, or wanted to “get raped.”

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks information that is irrelevant, immaterial, or unnecessary to the issues in this Action.

In light of the foregoing objections, Plaintiff will not respond to this Request.

SUPPLEMENTAL ANSWER:

Plaintiff reiterates the objections stated above in its original Answer. Plaintiff further objects to this Request on the grounds it is vague and ambiguous as to the term “told.” Subject to and without waiving any of the foregoing objections, Plaintiff responds as follows: Admit Plaintiff may have used some iteration of the phrase in the Request when speaking to Ms. Heard or about Ms. Heard but Plaintiff has no independent recollection of using the phrase.

Dated: August 21, 2020

Respectfully submitted,



Benjamin G. Chew (VSB #29113)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
BROWN RUDNICK, LLP
601 Thirteenth Street NW, Suite 600
Washington, DC 20005
Phone: (202) 536-1785
Fax: (617) 289-0717
bchew@brownrudnick.com

- and -

Adam R. Waldman
THE ENDEAVOR GROUP LAW FIRM, P.C.
1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II


CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August 2020, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

A. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

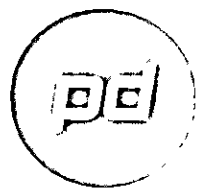
Elaine Charlson Bredehoft (VSB No. 23766)
Carla D. Brown (VSB No. 44803)
Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
CHARLSON BREDEHOFT COHEN &
BROWN, P.C.
11260 Roger Bacon Dr., Suite 201
Reston, VA 20190
Phone: 703-318-6800
Fax: 703-318-6808
ebredehoft@cbcblaw.com
cbrown@cbcblaw.com
anahelhaft@cbcblaw.com
dmurphy@cbcblaw.com

Counsel for Defendant Amber Laura Heard



Andrew C. Crawford

ATTACHMENT 8



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Transcript of Hearing

Date: July 10, 2020
Case: Depp, II -v- Heard

Planet Depos
Phone: 888 433 3767
Email: transcripts@planetdepos.com
www.planetdepos.com

1 number 9 and number 10. And I sustain the objection
2 to those -- to those two, except to the extent that
3 the parties have already agreed that there would be
4 certain productions.

5 With regards to interrogatory number 11,
6 that interrogatory is to be answered and it can
7 certainly be answered in such a fashion that Mr.
8 Depp is not required to make any admissions of
9 things that he contends that he did not do.

10 With regards to interrogatory number 14,
11 that is compelled.

12 With regards to interrogatory number 16,
13 what it is compelled with regards to is as to facts
14 as to the damages. I understand that the opinions
15 of an expert don't need to be disclosed at this time
16 unless those opinions have been disclosed to
17 counsel. And counsel is indicting that they don't
18 have those, as I understand it. But the underlying
19 facts as to damages, those are certainly some things
20 that are within his knowledge at this time.

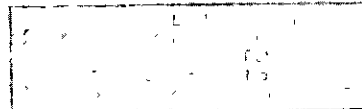
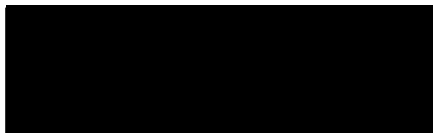
21 The arrest in Vancouver. Counsel has
22 indicated they are happy to sign a release. I do

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CERTIFICATE OF REPORTER

I, Linda M. Kia, the Verbatim Reporter who was duly sworn to well and truly report the foregoing proceedings, do hereby certify that they are true and correct to the best of my knowledge and ability; and that I have no interest in said proceedings, financial or otherwise, nor through relationship with any of the parties in interest or their counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of July, 2020.



Linda Marie Kia
Verbatim Court Reporter

ATTACHMENT 9

2. Plaintiff objects to each and every Request to the extent that the Requests (including the “Definitions” and “Instructions” identified in the Requests) (a) are overly broad or unduly burdensome; (b) are vague, ambiguous, duplicative, cumulative, or do not identify with reasonable particularity the information sought; (c) call for information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence; (d) seek to impose obligations on Plaintiff beyond or inconsistent with those required by Virginia law and the rules of this Court (“Rules”); or (e) purport to seek documents or information not in Plaintiff’s actual possession, custody, or control; any statement herein that Plaintiff will produce documents responsive to a specific Request means that Plaintiff will produce documents located through a reasonable search for documents in its possession, custody, and control.

3. Plaintiff objects to the extent that the discovery sought by the Requests is obtainable from some other source that is more convenient, less burdensome, or less expensive.

4. Plaintiff objects to the extent the discovery sought is unduly burdensome or expensive, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the issues at stake in the litigation.

5. Plaintiff objects to each and every Request, Definition, and Instruction to the extent that they purport to require production of documents at a specified time or place, or in a specified manner. Plaintiff will make documents available in accordance with Rule 4:9 and any agreement among the parties or orders of the Court governing the conduct of discovery.

6. Plaintiff objects to the Requests to the extent that they seek documents or information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, protection, exemption or immunity. Plaintiff will produce only non-privileged information. Inadvertent disclosure of any privileged or otherwise protected

documents or information shall not constitute a waiver of any claim of privilege, protection, exemption or immunity. Plaintiff reserves the right to redact documents produced in response to the Requests.

7. Plaintiff objects to the Requests, including the Definitions and Instructions contained therein, to the extent they seek documents or information protected from disclosure as being a trade secret or other confidential business or proprietary information, or documents or information that, if produced or disclosed, would result in the violation of any contractual obligation to third parties.

8. Plaintiff objects to any Request seeking “all” documents on the grounds that Plaintiff cannot guarantee that he has located every single document responsive to a particular Request. Subject to the general objections and any qualifications below, Plaintiff will respond to any Request seeking “all” documents by producing the responsive, non-privileged documents within its possession, custody, and control that can be located after a reasonable search conducted in good faith.

9. Plaintiff reserves the right to produce documents responsive to the Requests on a rolling basis at a time, place, and manner to be agreed on by the parties.

10. Plaintiff objects to the Requests, including the Definitions and Instructions contained therein, to the extent that they are redundant or duplicative of other specific Requests. Where information or a document may be responsive to more than one Request, Plaintiff will provide that information or produce that document only once.

11. Plaintiff objects to the Requests to the extent that they purport to require the identification and/or restoration of any deleted, legacy, backup, or archival data, or otherwise

seek the production of any document that is not accessible without undue burden or unreasonable expense.

12. Plaintiff's responses to the Requests are not intended to be, nor shall be deemed, an admission of matters stated, implied, or assumed by any or all of the Requests. In responding to the Requests, Plaintiff neither waives nor intends to waive, but expressly reserves, any and all objections as to the authenticity, relevance, competency, materiality, or admissibility at trial or during any proceeding of any information or documents produced, set forth, or referred to herein.

13. Any response by Plaintiff stating that it will produce documents is not intended as a representation that such documents exist within any requested category or categories but solely as an assertion that Plaintiff will produce (consistent with these Responses and Objections) any non-privileged, responsive documents or information within its actual possession, custody, or control that can be located after a reasonable search conducted in good faith.

14. Plaintiff objects to any factual assumptions, implications, and explicit or implicit characterizations of facts, events, circumstances, or issues in the Requests. Plaintiff's responses herein are not intended to mean that Plaintiff agrees with any factual assumptions, implications, or any explicit or implicit characterization of facts, events, circumstances, or issues in the Requests, and are without prejudice to Plaintiff's right to dispute facts and legal conclusions assumed in the Requests.

15. These objections and responses are based on Plaintiff's present knowledge, information, and belief, and therefore remain subject to change or modification based on further discovery of facts or circumstances that may come to Plaintiff's attention. Plaintiff reserves the right to rely on any facts, documents, evidence, or other contentions that may develop or come to its attention at a later time and to supplement or amend the responses at any time prior to the

trial. Plaintiff further reserves the right to raise any additional objections deemed necessary or appropriate in light of any further review.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Instructions

1. In accordance with the Rules of this Court, you shall serve a written response and produce the requested documents at the law office of CAMERON/McEVOY, PLLC, 4100 Monument Corner Drive, Suite 420, Fairfax, Virginia 22030, c/o Sean Patrick Roche, Esq.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents at a specific time and place. Plaintiff will produce documents at a time and manner on a schedule to be negotiated by the parties.

2. Unless the context clearly indicates otherwise, use of the words “you” or “your” refer to the recipient(s) of these discovery requests (as further detailed in the “Definitions” section below), as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

3. These Requests are continuing in character, so as to require you to promptly amend or supplement your answers if you obtain further or different information. If at any time after compliance with these Requests you should acquire possession, custody, or control of any additional documents within the scope of these Requests you must furnish such documents to the law office of CAMERON/McEVOY, PLLC, 4100 Monument Corner Drive, Suite 420, Fairfax, Virginia 22030, c/o Sean Patrick Roche, Esq., within ten (10) days of their receipt.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents within a certain period of time following receipt. Plaintiff will produce documents at a time and manner on a schedule to be negotiated by the parties.

4. Where knowledge or information in the possession of a party is requested, such request includes knowledge of the party's agent(s), employee(s), and representative(s), including but not limited to non-privileged information known to your attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents from individuals not under Plaintiff's control. Plaintiff will produce documents from a limited number of custodians to be negotiated with Defendant in good faith.

5. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests for Production any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

6. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

RESPONSE: No objection.

7. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents from individuals not under Plaintiff's control. Plaintiff will produce documents from a limited number of custodians to be negotiated with Defendant in good faith.

8. If you perceive any ambiguities in a question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

RESPONSE: No objection.

9. If you state a claim of privilege as to any of your responses to the Requests for Production, state the basis for the privilege, specify the privilege claimed, and include in your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privileged log.

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires Plaintiff to produce a privilege log in a specific manner at a specific time. Plaintiff will produce a privilege log at a time and in a manner to be negotiated with Defendant in good faith.

10. If you perceive any discovery request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

RESPONSE: No objection.

Definitions

a ***Communication.*** The term “communication” means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise); it includes all conversations, discussions, letter, telegrams, memoranda, electronic mail, and any other transmission of information in any form, either oral, written, or electronic.

RESPONSE: No objection.

b ***Document.*** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (inter-agency/inter-company, intra-agency/intra-company), computer tape, computer files, and electronic mail (e-mail) including all of their contents and attached files. The term “document” shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

c ***Correspondence.*** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is duplicative of the terms Document and Communication, and to the extent that it seeks to impose burdens beyond what are required by the Rules.

d ***Identify (with respect to persons).*** When referring to a person, to “identify” means to give, to the extent known, the person’s full name, present or last known

business address and telephone number and when referring to a natural person, additionally, the present or last known home address and telephone number. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

RESPONSE: No objection.

e ***Identify (with respect to documents).*** When referring to documents, to “identify” means to give, to the extent known, the (i) type and title of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

RESPONSE: No objection.

f ***Person.*** The term “person” is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

RESPONSE: No objection.

g ***Concerning.*** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

RESPONSE: No objection.

h ***Including.*** The term “including” means including but not limited to.

RESPONSE: No objection.

i ***And/or.*** The use of “and/or” shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

RESPONSE: No objection.

j *Defendant and/or Ms. Heard.* The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, her attorneys and accountants.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, her attorneys and accountants.”

k *Plaintiff and/or Mr. Depp.* The terms “Plaintiff” and/or “Mr. Depp” refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and unless privileged, his attorneys and accountants.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, to the extent that it is inclusive of “agents, representatives, employees, assigns, and unless privileged, his attorneys and accountants.”

l *Complaint.* The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

RESPONSE: No objection.

m *Declaration.* The term “Declaration” shall mean the Declaration filed by Plaintiff in this matter as Exhibit 1 to Plaintiff’s Opposition to the Motion to Dismiss.

RESPONSE: No objection.

n *Romantic Partners.* The term “Romantic Partners” shall mean any persons you have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person’s genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any part of a third party’s body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

RESPONSE: Plaintiff objects to this definition as overly broad and unduly burdensome, vague and ambiguous to the extent it seeks to impose burdens beyond those required by the Rules. This term is overly broad in its ten year scope, and vague and ambiguous in its use of the terms “direct contact” and

“sexual manner.” Plaintiff further objects to this term to the extent that it is inflammatory and harassing, assumes facts not in evidence, lacks foundation, calls for a medical and/or legal conclusion and seeks information unrelated to this case and that is unlikely to lead to the discovery of admissible evidence. Plaintiff will agree to meet and confer with Defendant regarding this term.

o *You and/or Your.* The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

REQUESTS FOR PRODUCTION

1. All DOCUMENTS and COMMUNICATIONS from March of 2016 to present relating to the preparation of a declaration, affidavit, or other statement regarding MS. HEARD, regardless of whether or not a declaration, affidavit, or other statement was actually executed.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

2. All DOCUMENTS and COMMUNICATIONS discussing or relating to any statements or comments YOU have made about your marriage with MS. HEARD from 2016 to present, including DOCUMENTS, communications, comments or statements given to news media, tabloids, celebrity publications, gossip publications, and social media.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff also objects to this Request as vague and ambiguous to the extent that it uses the terms “tabloids, celebrity publications, gossip publications, and social media” because Defendants did not define these terms or provide a list of media outlets.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

3. All DOCUMENTS and COMMUNICATIONS between YOU and any person employed by YOU or working on your behalf pertaining to any acts of violence, or attempted acts of violence, by YOU or MS. HEARD.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff also objects to this Request as vague and ambiguous to the extent that it uses the phrase “attempted acts of violence” without defining it. Plaintiff further objects to this request to the extent it seeks production of documents outside of Plaintiff’s custody or control. Plaintiff further objects to this Request to the extent that it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

4. All DOCUMENTS and COMMUNICATIONS between YOU and any person employed by YOU or working on your behalf pertaining to the use of narcotics by YOU or MS. HEARD from 2013 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2013 to the present. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request on the grounds that it is intended to harass Plaintiff, and constitutes an invasion of privacy.

In light of the foregoing objections, Plaintiff will not be producing documents in response to this Request.

5. All DOCUMENTS and COMMUNICATIONS pertaining to any treatment for alcohol or drug use or abuse by YOU or MS. HEARD from 2013 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2013 to the present. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request on the grounds that it is intended to

harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent it calls for confidential personal, business, financial, medical or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule or the Health Insurance Portability and Accountability Act of 1996 ("HIPPA"). Plaintiff further objects on the ground that this Request calls for a medical and/or legal conclusion.

In light of the foregoing objections, Plaintiff will not be producing documents in response to this Request.

6. All DOCUMENTS and COMMUNICATIONS between YOU and any person employed by YOU or working on your behalf pertaining to YOUR travel between May 20, 2014 and May 26, 2014.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Mr. Depp further objects to this Request to the extent it seeks documents neither relevant to the subject matter of this litigation nor calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

7. All DOCUMENTS and COMMUNICATIONS between YOU and any person employed by YOU or working on your behalf pertaining to YOU or MS. HEARD in Australia during March of 2015.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Mr. Depp further objects to this Request to the extent it seeks documents neither relevant to the subject matter of this litigation nor calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

8. All non-privileged DOCUMENTS and COMMUNICATIONS pertaining to MS.HEARD or YOUR relationship with MS. HEARD created, edited, sent, or received between May 15, 2016 and June 30, 2016.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

9. All DOCUMENTS and COMMUNICATIONS supporting YOUR contention that “The op-ed’s clear implication that Mr. Depp is a domestic abuser,” as alleged in paragraph 3 of YOUR complaint.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it calls for a legal conclusion.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

10. All DOCUMENTS and COMMUNICATIONS supporting YOUR contention that “Ms. Heard’s false implication prejudiced Mr. Depp in his career as a film actor and incalculably (and immediately) damaged his reputation as a public figure,” as alleged in paragraph 4 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

11. All DOCUMENTS and COMMUNICATIONS related to your termination as the character “Captain Jack Sparrow” in the Pirates of the Caribbean movie franchise.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it seeks production of documents outside of Plaintiff's possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

12. All DOCUMENTS and COMMUNICATIONS related to any other acting roles which were not provided to YOU, or which were rescinded, as a result of the op-ed in question.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it seeks production of documents outside of Plaintiff's possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

13. All "security video footage" from the Eastern Columbia Building from 2013 to 2016, as referenced in paragraph 51 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome. Plaintiff further objects to this Request to the extent it requires the production of documents outside of Plaintiff's possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce all security video footage from the Eastern Columbia Building from 2013 to 2016 in his possession, custody or control.

14. The "surveillance video" described in paragraph 54 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome. Plaintiff further objects to this Request to the extent it requires the production of documents outside of Plaintiff's possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce all security video footage described in paragraph 54 of the complaint.

15. Any security or surveillance video from YOUR residence on Sweetzer Avenue in Los Angeles, California from 2013 to 2016.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it requires the production of documents outside of Plaintiff's possession, custody or control.

.In light of the foregoing objections, Plaintiff will not be producing documents in response to this Request.

16. All DOCUMENTS and COMMUNICATIONS exchanged sent, received, transmitted, or otherwise exchanged between YOU and any "Eastern Columbia Building personnel" from 2013 to 2016, as referenced in paragraph 15 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

17. DOCUMENTS sufficient to show payments made to "Mr. Depp's security team," as referenced in paragraph 16 of YOUR COMPLAINT from 2012 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request and that refer or relate to the claims and

defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

18. DOCUMENTS sufficient to show payments YOU or anyone acting on your behalf made to Samantha McMillen from 2015 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

19. DOCUMENTS sufficient to show payments YOU or anyone acting on your behalf made to any firm or entity that provides services related to social media (including Twitter, Instagram, and Facebook) from 2015 to present, not including for services solely related to marketing films.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

20. DOCUMENTS sufficient to show payments YOU or anyone acting on your behalf made to any firm or entity that provides services related to print, television, newspaper, magazine or other traditional media from 2015 to present, not including for services solely related to marketing films.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

21. DOCUMENTS sufficient to show payments made to any employee working on Little Halls Pond Cay from 2014 to 2016 and in 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or

protection. Plaintiff further objects to this Request because it seeks information unlikely to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

22. All “newly obtained surveillance camera videos, depositions, and other evidence that conclusively disprove Ms. Heard’s false allegations,” as described in paragraph 17 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce the newly obtained surveillance camera videos, depositions, and other evidence described in paragraph 17 of the Complaint, to the extent that such materials are not subject to any confidentiality or protective orders and are within Plaintiff’s possession, custody, or control.

23. All DOCUMENTS and COMMUNICATIONS supporting YOUR contention that “Seattle-based prosecutor declined to press charges against Ms. Heard, but only because both she and her domestic abuse victim were California residents who were merely passing through Washington state,” as alleged in paragraph 25, of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the

extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

24. All DOCUMENTS and COMMUNICATIONS supporting YOUR contention that “Ms. Heard committed multiple acts of domestic violence against Mr. Depp during their marriage,” as alleged in paragraph 27 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

25. All DOCUMENTS and COMMUNICATIONS supporting YOUR contention that “building personnel testified under oath that they again facilitated Elon Musk’s nighttime visits to Mr. Depp’s penthouse to visit Ms. Heard, key-fobbing him in and out of the building proximate to the time Ms. Heard presented her battered face to the public and the court on May 27, 2016,” as alleged in paragraph 34 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-

client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

26. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR contention that “Isaac Baruch[] gave a declaration that he repeatedly interacted with Ms. Heard, at close range, without makeup, and utterly unmarked and uninjured in the days between May 22 and May 27, 2016,” as alleged in paragraph 36 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce the declaration of Isaac Baruch.

27. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR contention that “[Cornelius] Harrell testified under oath that, on May 22, 2016, Ms. Heard did not have any bruises, cuts, scratches, or swelling on her face and that “nothing appeared out of the ordinary about Ms. Heard’s face on May 22, 2016,” as alleged in paragraph 43 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-

client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce a transcript of Mr. Harrell's testimony, to the extent that it is not subject to any confidentiality or protective orders.

28. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR contention that "Alejandro Romero testified under oath about two specific face-to-face interactions that he had with Ms. Heard in the days after she claimed that Mr. Depp hit her in the face and struck her cheek and eye with a cell phone that he threw," as alleged in paragraph 44 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce a transcript of Mr. Romero's testimony, to the extent that it is not subject to any confidentiality or protective orders.

29. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR contention that "Ms. Esparza, who does not know Mr. Depp personally, testified under oath that she thought that Ms. Heard's allegation that she had been assaulted by Mr. Depp was 'false' because 'I saw her several times [in the days after the alleged attack] and I didn't see that [mark] on her face,'" as alleged in paragraph 48 of YOUR COMPLAINT.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-

client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce a transcript of Mr. Esparza's testimony, to the extent that it is not subject to any confidentiality or protective orders.

30. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Chrissy Depp that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to April, 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

31. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Nathan Holmes that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to April, 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present, and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

32. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Steven Deuters that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to April, 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass

Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

33. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Christi Dembrowski that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to April, 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

34. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Kevin Murphy that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to April, 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

35. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Jerry Judge that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to April, 2019.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff

further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

36. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Sean Bett that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to

the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

37. DOCUMENTS and COMMUNICATIONS exchanged between YOU and Malcolm Connolly that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

38. DOCUMENTS and COMMUNICATIONS exchanged between YOU or anyone acting on YOUR behalf and Dr. David Kipper that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control. Plaintiff further objects to this Request to the extent it calls for confidential, personal, business, financial, medical or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (“HIPPA”). Plaintiff further objects on the grounds that this Request calls for a medical and/or legal conclusion.

In light of the foregoing objections, Plaintiff will not be producing documents in response to this Request.

39. DOCUMENTS and COMMUNICATIONS exchanged between YOU or anyone acting on YOUR behalf and Debbi Lloyd that mention MS. HEARD or any of YOUR other ROMANTIC PARTNERS from 2010 to present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications from 2010 to the present and to the extent that it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and

that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

40. DOCUMENTS sufficient to show any payments made by YOU or anyone acting on YOUR behalf to any hotel, rental house, apartment, suite, AirBnB, or any other lodgings for any damage done.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications beyond any relevant time period. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

41. DOCUMENTS sufficient to show each time YOU were arrested and the reason(s) for the arrest.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications beyond any relevant time period. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

In light of the foregoing objections, Plaintiff will not be producing documents in response to this Request.

42. All written agreements (marital agreements, separation agreements, property agreements, settlement agreements, confidentiality agreements, non-disclosure agreements, and/or protective order agreements) between YOU and any former ROMANTIC PARTNERS.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, to the extent that it seeks documents and communications beyond any relevant time period. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent it seeks production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request concerning Defendant and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties. Plaintiff does not intend to produce documents in response to this Request related to any Romantic Partner other than Defendant.

43. All DOCUMENTS and COMMUNICATIONS pertaining to the “3 surgeries to reconstruct my finger,” as referenced in paragraph 12 of YOUR DECLARATION.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent it calls for confidential, personal, business, financial, medical or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (“HIPPA”). Plaintiff further objects on the grounds that this Request calls for a medical and/or legal conclusion.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

44. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR trip to the “emergency room,” as referenced in paragraph 13 of YOUR DECLARATION.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent it calls for confidential, personal, business, financial, medical or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 ("HIPPA"). Plaintiff further objects on the grounds that this Request calls for a medical and/or legal conclusion.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request and that refer or relate to the claims and defenses in this case, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

45. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR travel in or from "Los Angeles, California the following day, May 22 [2016] for rehearsals on the east coast," as described in paragraph 22 of YOUR DECLARATION.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or

protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

46. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR contention that “Ms. Heard [was] scheming in an email discussion with her lawyer Marty Singer (also, oddly, my lawyer in my divorce from Ms. Heard) to suborn the perjury of her former assistant Kate James to wiggle out of her criminal dog smuggling case,” as described in paragraph 40 of YOUR DECLARATION.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent it seeks documents and communications already in the possession of Defendant, and for which the burden of production on Defendant is less than that of Plaintiff.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

47. All DOCUMENTS and COMMUNICATIONS pertaining to YOUR contention that “the story that Savannah was merely her ‘friend’ was a lie Ms. Heard, an ‘immigration activist,’ fraudulently wrote to Homeland Security to get what she wanted, Ms. Heard’s assistant Savannah McMillen was illegally working in America, for Ms. Heard, as a simple Google search or paycheck in my possession would reveal,” as referenced in paragraph 40 of YOUR DECLARATION.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, and in accordance with a schedule to be agreed upon by the parties.

48. All DOCUMENTS obtained by way of subpoena, threat of subpoena, and/or voluntarily in relation to this litigation.

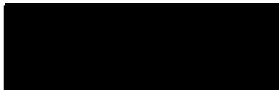
RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as premature, and expressly reserves his ability to supplement his response to this Request. Plaintiff further objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request in accordance with a schedule to be agreed upon by the parties and entered by the Court. For the avoidance of doubt, Plaintiff does not intend to produce any documents in response to this Request at this time.

Dated: September 3, 2019

Respectfully submitted,


Benjamin G. Chew (VSB #29113)
Elliot J. Weingarten (*pro hac vice*)
Camille M. Vasquez (*pro hac vice application pending*)
Andrew C. Crawford (VSB #89093)
BROWN RUDNICK, LLP
601 Thirteenth Street NW, Suite 600
Washington, DC 20005
Phone: (202) 536-1785
Fax: (617) 289-0717
bchew@brownrudnick.com

- and -

Robert B. Gilmore (*pro hac vice*)
Kevin L. Attridge (*pro hac vice*)
STEIN MITCHELL BEATO & MISSNER LLP
901 15th Street NW, Suite 700
Washington, DC 20005
Phone: (202) 601-1589
Fax: (202) 296-8312
rgilmore@steinmitchell.com

Adam R. Waldman
THE ENDEAVOR GROUP LAW FIRM, P.C.
1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006


Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of September, 2019, I caused a copy of the foregoing document to be served by email and first class mail pursuant to Rule 1:12 of the Supreme Court of Virginia to the following:

Timothy J. McEvoy, Esq.
Sean Patrick Roche, Esq.
CAMERON/McEVOY, PLLC
4100 Monument Corner Drive, Suite 420
Fairfax, VA 22030
Phone: (703) 273-8898
Fax: (703) 273-8897
tmcevoy@cameronmcevoy.com
sroche@cameronmcevoy.com

Eric M. George, Esq.
Richard A. Schwartz, Esq.
BROWNE GEORGE ROSS LLP
2121 Avenue of the Stars, Suite 2800
Los Angeles, CA 90067
Phone: (310) 274-1700
Fax: (310) 275-5697
egeorge@bgrfirm.com
rschwartz@bgrfirm.com


Benjamin G. Chew

ATTACHMENT 11



Commonwealth Consolidated Acts

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Act\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#) [\[Help\]](#)

CRIMES ACT 1914 - SECT 19B

Discharge of offenders without proceeding to conviction

(1) Where:

(a) a person is charged before a court with a federal offence or federal offences; and

(b) the court is satisfied, in respect of that charge or more than one of those charges, that the charge is proved, but is of the opinion, having regard to:

(i) the character, antecedents, age, health or mental condition of the person;

(ii) the extent (if any) to which the offence is of a trivial nature; or

(iii) the extent (if any) to which the offence was committed under extenuating circumstances;

that it is inexpedient to inflict any punishment, or to inflict any punishment other than a nominal punishment, or that it is expedient to release the offender on probation;

the court may, by order:

(c) dismiss the charge or charges in respect of which the court is so satisfied; or

(d) discharge the person, without proceeding to conviction in respect of any charge referred to in paragraph (c), upon his or her giving security, with or without sureties, by recognizance or otherwise, to the satisfaction of the court, that he or she will comply with the following conditions:

(i) that he or she will be of good behaviour for such period, not exceeding 3 years, as the court specifies in the order;

(ii) that he or she will make such reparation or restitution, or pay such compensation, in respect of the offence or offences concerned (if any), or pay such costs in respect of his or her prosecution for the offence or offences concerned (if any), as the court specifies in the order (being reparation, restitution, compensation or costs that the court is empowered to require the person to make or pay):

(A) on or before a date specified in the order; or

(B) in the case of reparation or restitution by way of money payment or in the case of the payment of compensation or an amount of costs--by specified instalments as provided in the order; and

(iii) that he or she will, during a period, not exceeding 2 years, that is specified in the order in accordance with subparagraph (i), comply with such other conditions (if any) as the court thinks fit to specify in the order, which conditions may include the condition that the person will, during the period so specified, be subject to the supervision of a probation officer appointed in accordance with the order and obey all reasonable directions of a probation officer so appointed.

(1A) However, the court must not take into account under subsection (1) any form of customary law or cultural

practice as a reason for:

(a) excusing, justifying, authorising, requiring or lessening the seriousness of the criminal behaviour to which the offence relates; or

(b) aggravating the seriousness of the criminal behaviour to which the offence relates.

(1B) In subsection (1A):

"criminal behaviour" includes:

(a) any conduct, omission to act, circumstance or result that is, or forms part of, a physical element of the offence in question; and

(b) any fault element relating to such a physical element.

(2) Where a court proposes to discharge a person in pursuance of an order made under subsection (1), it shall, before making the order, explain or cause to be explained to the person, in language likely to be readily understood by him or her:

(a) the purpose and effect of the proposed order;

(b) the consequences that may follow if he or she fails, without reasonable cause or excuse, to comply with the conditions of the proposed order; and

(c) that any recognizance given in accordance with the order may be discharged or varied under section 20AA.

(2A) A person is not to be imprisoned for a failure to pay an amount required to be paid under an order made under this section.

(3) Where a charge or charges against a person is or are dismissed, or a person is discharged, in pursuance of an order made under subsection (1):

(a) the person shall have such rights of appeal on the ground that he or she was not guilty of the offence or offences concerned with which he or she was charged as he or she would have had if the court had convicted him or her of the offence or offences concerned; and

(b) there shall be such rights of appeal in respect of the manner in which the person is dealt with for the offence or offences concerned as there would have been if:

(i) the court had, immediately before so dealing with him or her, convicted him or her of the offence or offences concerned; and

(ii) the manner in which he or she is dealt with had been a sentence or sentences passed upon that conviction.

(4) Where a person is discharged in pursuance of an order made under subsection (1), the court shall, as soon as practicable, cause the order to be reduced to writing and a copy of the order to be given to, or served on, the person.

ATTACHMENT 12

brownrudnick

BENJAMIN G CHEW
direct dial 202 536 1735
bchew@brownrudnick.com

FILED
CIVIL INTAKE
2020 AUG -4 AM 9:07
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

August 4, 2020

VIA HAND DELIVERY

Mr. John T. Frey, Clerk
Fairfax County Circuit Court
4110 Chain Bridge Road, Suite 320
Fairfax, Virginia 22030

RE: *John C. Depp, II v. Amber Laura Heard*
Case No. CL-2019-0002911
Subpoena: American Civil Liberties Union, Inc.

Dear Mr. Frey,

Please find enclosed three copies of an original foreign subpoena duces tecum of third party witness American Civil Liberties Union, Inc. issued pursuant to Virginia Code Section 8.01-412.10 and California Civil Procedure Code Section 2029.100 et seq. The enclosed subpoena has been issued in accordance with both Acts and the reciprocal privileges included therein.

The enclosed documents will be served by private process server. Please file these documents with the Court's papers in this case and return a file-stamped copy of the same in the enclosed self-addressed envelope. Thank you for your assistance

Regards,

BROWN RUDNICK LLP


Benjamin G. Chew VSB# 29113

Enclosures

SERVICE LIST

J. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, VA 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Elaine Charlson Bredehoft (VSB No. 23766)
Carla D. Brown (VSB No. 44803)
Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
Charlson Bredehoft Cohen & Brown, P.C.
11260 Roger Bacon Drive, Suite 201
Reston, VA 20190
Telephone: (703) 318-6800
Facsimile: (703) 318-6808
ebredehoft@cbcblaw.com
cbrown@cbcblaw.com
anadelhaft@cbcblaw.com
dmurphy@cbcblaw.com

Counsel for Defendant Amber Laura Heard

**SUBPOENA/SUBPOENA DUCES TECUM
TO PERSON UNDER FOREIGN SUBPOENA**
Commonwealth of Virginia VA CODE §§ 8 01-412 8—8 01-412 15, Rule 4 9

File No CL-2019-0002911

FAIRFAX COUNTY

Circuit Court

4110 CHAIN BRIDGE ROAD, FAIRFAX, VIRGINIA 22030

ADDRESS OF COURT

JOHN C. DEPP, II

v. In re:

AMBER LAURA HEARD

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

American Civil Liberties Union, Inc.

NAME

c/o Nadine Strossen, 132 West 43rd Street

STREET ADDRESS

New York

NY

STATE

CITY

FILED
CIVIL DIVISION
2020 AUG 24 AM 9:07
JOHN T. FREY
CLERK OF CIRCUIT COURT
FAIRFAX, VA

TO THE PERSON SUMMONED: You are commanded to

attend and give testimony at a deposition

produce the books, documents, records, electronically stored information, and tangible things designated and described below

See Attachment A

Brown Rudnick LLP
at **7 Times Square, New York, NY 10036**

LOCATION

at **September 1, 2020 at 10:00 a.m.**

DATE AND TIME

and to permit inspection and copying by the requesting party or someone acting in his or her behalf of the designated items in your possession, custody or control

permit inspection of the premises

at the following location

..... LOCATION

ON DATE AND TIME

This subpoena is issued upon the request of the party named below

John C. Depp, II

NAME OF REQUESTING PARTY

c/o Benjamin G. Chew, 601 Thirteenth Street, N.W., Suite 600

STREET ADDRESS

Washington

CITY

DC

STATE

20005

ZIP

(202) 536-1700

TELEPHONE NUMBER

The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8 01-412.10.

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided below on attached list.

DATE ISSUED _____ CLERK _____
by _____ DEPUTY CLERK _____

Benjamin G. Chew _____
NAME OF ATTORNEY FOR REQUESTING PARTY
29113 _____ BAR NUMBER VA _____ LICENSING STATE
601 Thirteenth Street, N.W., Suite 600 _____
OFFICE ADDRESS (202) 536-1700 _____ TELEPHONE NUMBER OF ATTORNEY
Washington, DC 20005 _____
OFFICE ADDRESS (202) 536-1701 _____ FACSIMILE NUMBER OF ATTORNEY

NAME _____ BAR NUMBER _____ LICENSING STATE _____
STREET ADDRESS _____ TELEPHONE NUMBER _____
STREET ADDRESS _____ FACSIMILE NUMBER _____

NAME _____ BAR NUMBER _____ LICENSING STATE _____
STREET ADDRESS _____ TELEPHONE NUMBER _____
STREET ADDRESS _____ FACSIMILE NUMBER _____

NAME _____ BAR NUMBER _____ LICENSING STATE _____
STREET ADDRESS _____ TELEPHONE NUMBER _____
STREET ADDRESS _____ FACSIMILE NUMBER _____

RETURN OF SERVICE (see page three of this form)

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are:

Benjamin G. Chew (VSB No. 29113)
Andrew C. Crawford (VSB No. 89093)
BROWN RUDNICK LLP
601 Thirteenth Street, N.W., Suite 600
Washington, D.C. 20005
Telephone: (202) 536-1700
Facsimile: (202) 536-1701

Camille M. Vasquez (*pro hac vice*)
BROWN RUDNICK LLP
2211 Michelson Drive
Seventh Floor
Irvine, CA 92612
Telephone: (949) 752-7100
Facsimile: (949) 252-1514

Adam R. Waldman (*pro hac vice*)
THE ENDEAVOR LAW FIRM, P.C.
1775 Pennsylvania Avenue, N.W., Suite 350
Washington, D.C. 20006
Telephone: (202) 715-0966
Facsimile: (202) 715-0964

Counsel for Plaintiff John C. Depp, II

SERVICE LIST

J. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, VA 24011
Telephone: (540) 983-7540
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Elaine Charlson Bredehoft (VSB No. 23766)
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11260 Roger Bacon Drive, Suite 201
Reston, VA 20190
Telephone: (703) 318-6800
Facsimile: (703) 318-6808
ebredehoft@cbcblaw.com
cbrown@cbcblaw.com
anadelhaft@cbcblaw.com
dmurphy@cbcblaw.com

Counsel for Defendant Amber Laura Heard

This SUBPOENA/SUBPOENA DUCES TECUM TO PERSON UNDER FOREIGN SUBPOENA is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the Clerk of Court.

NAME ... American Civil Liberties Union, Inc.	
ADDRESS: c/o Nadine Strossen, 132 West 43rd Street, New York, NY 10036	
<input type="checkbox"/> PERSONAL SERVICE	Tel. No ...
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above:	
.....	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found)	
<input type="checkbox"/> not found, Sheriff
DATE	by, Deputy Sheriff

1 ATTACHMENT A

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to American Civil Liberties Union,
4 Inc. and its agents, officers, directors, employees, and/or any other PERSON acting on its behalf,
5 including but not limited to YOUR affiliated entities or state or local branches.

6 2. "COMMUNICATION" and/or "COMMUNICATIONS" shall mean and refer to
7 any written and verbal exchanges between any person or persons or entities, including but not
8 limited to verbal conversations, telephone calls, letters, e-mails, memoranda, reports, telegraphs,
9 faxes, exhibits, drawings, text messages, and any other documents which confirm or relate to the
10 written or verbal exchange, including applicable ELECTRONICALLY STORED
11 INFORMATION.

12 3. "ELECTRONICALLY STORED INFORMATION" means data that is stored in an
13 electronic medium and shall include, by way of example only, computer programs, electronic mail
14 (including message contents, header information and logs of electronic mail usage), output
15 resulting from the use of any software program, including electronic, digital, or any other recorded
16 material whatsoever, including but not limited to, any notes, memoranda, videotapes, affidavits,
17 statements, papers, files, forms, data, tapes, printouts, letters, reports, communications, contracts,
18 agreements, telegrams, records, financial records, applications, correspondence, diaries, calendars,
19 recordings and transcriptions of recordings, voice mail messages recorded electronically and in
20 writing, email messages and printouts, photographs, diagrams, or any other writings, however
21 produced or reproduced, word processing documents, spreadsheets, databases, telephone logs,
22 contact manager information, Internet usage files, PDF files, .JPG files, .TIF files, .TXT files,
23 batch files, ASCII files, and any and all miscellaneous files and data and shall include all active
24 data, deleted data, file fragments, metadata, native file formats and forensic images thereof.

25 4. "DIVORCE ACTION" shall mean and refer to the action entitled *In re the*
26 *Marriage of Amber Laura Depp and John Christopher Depp II*, Los Angeles Superior Court Case
27 No. BD641052.

28 ///

1 11. DOCUMENTS should be produced as single page .tiff format files imaged at 300
2 dpi, with the exception of stand-alone Databases (e.g , Access), spreadsheets (e g., Excel), slide
3 presentations (e.g., PowerPoint), video files, and audio files, which should be produced in native
4 format Each .tiff file should have a unique name matching the Bates number labeled on the
5 corresponding page. Color DOCUMENTS should be produced in color.

6 12. DOCUMENTS should be produced with (a) a delimited data file (.dat), and (b) an
7 image load file (.opt and/or .lfp). Each .tiff in a production must be referenced in the
8 corresponding image load file. The total number of documents referenced in a production's data
9 load file should match the total number of designated document breaks in the image load file for
10 the production.

11 13. DOCUMENTS should be produced with extracted metadata for each DOCUMENT
12 in the form of a .dat file The metadata should include the following fields, to the extent such
13 fields are available in the original DOCUMENT as it originally existed in its native format:
14

Field	Description
Bates_Begin	The bates label of the first page of the document
Bates_End	The bates label of the last page of the document
Attach_Begin	The bates label of the first page of a family of documents (e.g., email and attachment)
Attach_End	The bates label of the last page of a family of documents
Sent_Date	For email, the sent date of the message
Sent_Time	For email, the sent time of the message converted to GMT
Email_Author	The sender of an email message (email FROM)
Recipient	The recipients of an email message (email TO)
CC	The recipients of a copy of an email message (email CC)

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BCC	The recipients of a blind copy of an email message (email BCC)
Custodian	The custodian in whose file the document was found, including all duplicate custodians
Datrcvcd	Date received
Datesent	Date sent
Subject	E-mail subject
Author	The person who created the document
Modifier	The person who last modified the document
Created	The creation date of the document
Last_Modified	The last modified date of the document
Title	The title of the document
File_Name	The name of the file
File_Extension	The file extension of the document
MD5Hash	The MD5 Hash Value of the document
Message_ID	The Message ID of the email and/or attachment
Mailstore	The name of the Mailstore in which the email and/or attachment is contained
File_Size	The size of the file
File_Path	Original file path of the document as it existed in the normal course of business or the folder location if the document/email is contained in a Mailstore

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Number Pages	The number of pages in the document
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14. All DOCUMENTS attached to and/or embedded in an e-mail and/or other DOCUMENT must be produced contemporaneously and sequentially after the parent e-mail/document.

15. In producing DOCUMENTS, you shall furnish all DOCUMENTS in your possession, custody, or control. Without limitation of the term "control," a DOCUMENT is deemed to be in your control if you have the right to secure the DOCUMENT or a copy thereof from another person or public or private entity having actual possession thereof, or if you have the practical ability to obtain the DOCUMENT from a third-party, irrespective of any legal entitlement to the DOCUMENT. If any original DOCUMENT requested is not in your possession, custody, or control, then you are required to produce the best available copy, and to state, to the best of your knowledge, the name and address of the person in possession and/or control of the original. The fact that a DOCUMENT is in possession of another person or entity does not relieve you of the obligation to produce your copy of the DOCUMENT, even if the two DOCUMENTS are identical. In addition, any copy of a DOCUMENT shall be produced if it differs in any respect from the original (e.g., by reason of handwritten notes or comments having been added to copy which do not appear on the original or otherwise).

16. If responsive DOCUMENTS no longer exist because they have been destroyed, cannot be located, or are otherwise no longer in your possession or subject to your control, identify each DOCUMENT and describe the circumstances under which it was lost or destroyed.

17. All DOCUMENTS should be organized and labeled to correspond by number with the numbered categories set forth in these Requests. If a DOCUMENT is responsive to more than one Request, reference that DOCUMENT in your written response to each Request to which it is responsive or in a load file identifying the same.

18. A Request for a DOCUMENT shall be deemed to include a request for any and all file folders within which the DOCUMENT was contained, transmittal sheets, cover letters, exhibits, enclosures, or attachments to the DOCUMENT in addition to the DOCUMENT itself.

1 REQUEST NO. 3:

2 All COMMUNICATIONS between YOU and MS. HEARD regarding the DIVORCE
3 ACTION.

4 REQUEST NO. 4:

5 All COMMUNICATIONS between YOU and MS. HEARD regarding the relationship
6 between MR. DEPP and MS. HEARD.

7 REQUEST NO. 5:

8 All DOCUMENTS, including all COMMUNICATIONS, that refer, reflect, or relate to any
9 press releases, public statements, or other publicity related to any donations made by MS. HEARD
10 to YOU or for YOUR benefit, from January 1, 2016 through and including the present.

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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

John C. Depp, II,

Plaintiff,

v.

Amber Laura Heard,

Defendant.

ORIGINATING STATE:
THE COMMONWEALTH OF VIRGINIA

ORIGINATING COURT:
CIRCUIT COURT OF FAIRFAX COUNTY

ORIGINATING CASE NUMBER:
Case No. CL-2019-02911

**SUBPOENA DUCES TECUM PURSUANT
TO CPLR 3119**

To: The American Civil Liberties Union, Inc., 125 Broad Street, New York, New York 10004,
c/o Nadine Strossen, 132 W. 43rd Street, New York, New York 10036

YOU ARE HEREBY COMMANDED, pursuant to Section 3119 of the New York Civil Practice Law and Rules ("CPLR"), all business and excuses being laid aside, to produce, or make available for copying, on or before September 1, 2020, at the offices of Brown Rudnick LLP, 7 Times Square, New York, New York, 10036, or by e-mail to Jessica N. Meyers (jmeyers@brownrudnick.com), true and correct copies of all documents requested in **Exhibit A** hereto, that are in your possession, custody, or control, which documents are material and relevant to the resolution of the issues in the above-captioned matter, which is now pending in the Circuit Court of the Commonwealth of Virginia, Fairfax County. If you wish to make your production in person, please call Jessica Meyers at (212) 209-4938 at least 72 hours in advance to make arrangements.

The discovery herein sought and required is in connection with the claims and defenses in the above-captioned action. A copy of the Complaint in this action is attached hereto as **Exhibit**

B.

FAILURE TO COMPLY with this **SUBPOENA** is punishable as a contempt of Court and shall make you liable to the person on whose behalf this subpoena was issued for a penalty not to exceed one hundred and fifty dollars and all damages sustained by reason of your failure to comply.

COUNSEL OF RECORD FOR ALL PARTIES

Benjamin G. Chew, Esq. (VSB 29113)
Andrew Crawford (VSB No. 89093)
BROWN RUDNICK LLP
601 Thirteenth Street, NW
Washington, DC 20005
(202) 536-1700
bchew@brownrudnick.com
acrawford@brownrudnick.com

Counsel for John C. Depp, II

Camille M. Vasquez
BROWN RUDNICK LLP
2211 Michelson Drive
Irvine, CA 92612
(949) 752-7100
cvasquez@brownrudnick.com

Counsel for John C. Depp, II

Adam R. Waldman, Esq.
THE ENDEAVOR LAW FIRM, P.C.
1775 Pennsylvania Avenue, NW, Suite 350
Washington, DC 20006

Counsel for John C. Depp, II

Elaine Charlson Bredehof (VSB #23766)
Carla D. Brown (VSB #44803)
Adam S. Nadelhaft (VSB #91717)
David E. Murphy (VSB #90938)
CHARLSON BREDEHOFT COHEN &
BROWN, P.C.
11260 Roger Bacon Drive, Suite 201
Reston, VA 20190
(703) 318-6800
ebredenhof@cbeblaw.com
cbrown@cbeblaw.com
anadelhaft@cbeblaw.com
dmurphy@cbeblaw.com

Counsel for Amber Laura Heard

J. Benjamin Rottenborn (VBS #84796)
Joshua R. Treece (VSB #79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
(540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Counsel for Amber Laura Heard

Dated: July 21, 2020
New York, New York

BROWN RUDNICK LLP

By: /s/ Jessica N. Meyers
Jessica N. Meyers
7 Times Square
New York, New York 10036
(212) 209-4938
jmeyers@brownrudnick.com

Counsel for John C. Depp, II

EXHIBIT A
DEFINITIONS

1. "YOU" and/or "YOUR" shall mean and refer to American Civil Liberties Union, Inc. and its agents, officers, directors, employees, and/or any other PERSON acting on its behalf, including but not limited to YOUR affiliated entities or state or local branches.

2. "COMMUNICATION" and/or "COMMUNICATIONS" shall mean and refer to any written and verbal exchanges between any person or persons or entities, including but not limited to verbal conversations, telephone calls, letters, e-mails, memoranda, reports, telegraphs, faxes, exhibits, drawings, text messages, and any other documents which confirm or relate to the written or verbal exchange, including applicable ELECTRONICALLY STORED INFORMATION.

3. "ELECTRONICALLY STORED INFORMATION" means data that is stored in an electronic medium and shall include, by way of example only, computer programs, electronic mail (including message contents, header information and logs of electronic mail usage), output resulting from the use of any software program, including electronic, digital, or any other recorded material whatsoever, including but not limited to, any notes, memoranda, videotapes, affidavits, statements, papers, files, forms, data, tapes, printouts, letters, reports, communications, contracts, agreements, telegrams, records, financial records, applications, correspondence, diaries, calendars, recordings and transcriptions of recordings, voice mail messages recorded electronically and in writing, email messages and printouts, photographs, diagrams, or any other writings, however produced or reproduced, word processing documents, spreadsheets, databases, telephone logs, contact manager information, Internet usage files, PDF files, .JPG files, .TIF files, .TXT files, batch files, ASCII files, and any and all miscellaneous files and data and shall include all active data, deleted data, file fragments, metadata, native file formats and forensic images thereof.

4. "DIVORCE ACTION" shall mean and refer to the action entitled *In re the Marriage of Amber Laura Depp and John Christopher Depp II*, Los Angeles Superior Court

Case No. BD641052.

5. "DOCUMENT" and/or "DOCUMENTS" unless otherwise indicated, are used in their customarily broad sense and shall refer to and mean all writings and other tangible things of any nature whatsoever, and shall include, but not be limited to, all writings (or drafts thereof), medical records, drawings, graphs, charts, photographs, phone records, other data compilations or storage devices from which information can be obtained (even if such information must be translated into a reasonably usable form), magnetically recorded or stored information generated by a computer, contracts, agreements, communications, correspondence, telegrams, memoranda, records, reports, books, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, forecasts, statistical statements, work papers, drafts, accounts, analytical records, minutes or records of meetings or conferences, records, reports or summaries of negotiations, brochures, pamphlets, circulars, calendars, notes, marginal notations, bills, invoices, checks, lists, journals, advertising, and all other written, printed, recorded or photographic matter or sound reproductions, or tangible representations of things, however produced or reproduced, including ELECTRONICALLY STORED INFORMATION and all nonidentical copies of the foregoing.

6. "MR. DEPP" means and refers to Plaintiff John C. Depp, II.

7. "MS. HEARD" means and refers to Defendant Amber Laura Heard.

8. The term "PERSON" and/or "PERSONS" shall be broadly construed to include all natural and artificial persons

INSTRUCTIONS

1. When necessary, the singular form of a word shall be interpreted as plural, and the masculine gender shall be deemed to include the feminine, in order to bring within the scope any DOCUMENTS which might otherwise be construed to be outside the scope of these Requests. The terms, "and" and "or," have both conjunctive and disjunctive meanings, and "each," "any," and "all" mean "each and every."

2. All undefined terms shall be interpreted according to their plain and

commonsense meaning.

3. DOCUMENTS should be produced as single page .tiff format files imaged at 300 dpi, with the exception of stand-alone Databases (e.g., Access), spreadsheets (e.g., Excel), slide presentations (e.g., PowerPoint), video files, and audio files, which should be produced in native format. Each .tiff file should have a unique name matching the Bates number labeled on the corresponding page. Color DOCUMENTS should be produced in color.

4. DOCUMENTS should be produced with (a) a delimited data file (.dat), and (b) an image load file (.opt and/or .lfp). Each .tiff in a production must be referenced in the corresponding image load file. The total number of documents referenced in a production's data load file should match the total number of designated document breaks in the image load file for the production.

5. DOCUMENTS should be produced with extracted metadata for each DOCUMENT in the form of a .dat file. The metadata should include the following fields, to the extent such fields are available in the original DOCUMENT as it originally existed in its native format:

Field	Description
Bates_Begin	The bates label of the first page of the document
Bates_End	The bates label of the last page of the document
Attach_Begin	The bates label of the first page of a family of documents (e.g., email and attachment)
Attach_End	The bates label of the last page of a family of documents
Sent_Date	For email, the sent date of the message
Sent_Time	For email, the sent time of the message converted to GMT
Email_Author	The sender of an email message (email FROM)

Recipient	The recipients of an email message (email TO)
CC	The recipients of a copy of an email message (email CC)
BCC	The recipients of a blind copy of an email message (email BCC)
Custodian	The custodian in whose file the document was found, including all duplicate custodians
Datercvd	Date received
Datesent	Date sent
Subject	E-mail subject
Author	The person who created the document
Modifier	The person who last modified the document
Created	The creation date of the document
Last_Modified	The last modified date of the document
Title	The title of the document
File_Name	The name of the file
File_Extension	The file extension of the document
MD5Hash	The MD5 Hash Value of the document
Message_ID	The Message ID of the email and/or attachment
Mailstore	The name of the Mailstore in which the email and/or attachment is contained
File_Size	The size of the file
File_Path	Original file path of the document as it existed in the normal

	course of business or the folder location if the document/email is contained in a Mailstore
Number Pages	The number of pages in the document

6. All DOCUMENTS attached to and/or embedded in an e-mail and/or other DOCUMENT must be produced contemporaneously and sequentially after the parent e-mail/document.

7. In producing DOCUMENTS, you shall furnish all DOCUMENTS in your possession, custody, or control. Without limitation of the term "control," a DOCUMENT is deemed to be in your control if you have the right to secure the DOCUMENT or a copy thereof from another person or public or private entity having actual possession thereof, or if you have the practical ability to obtain the DOCUMENT from a third-party, irrespective of any legal entitlement to the DOCUMENT. If any original DOCUMENT requested is not in your possession, custody, or control, then you are required to produce the best available copy, and to state, to the best of your knowledge, the name and address of the person in possession and/or control of the original. The fact that a DOCUMENT is in possession of another person or entity does not relieve you of the obligation to produce your copy of the DOCUMENT, even if the two DOCUMENTS are identical. In addition, any copy of a DOCUMENT shall be produced if it differs in any respect from the original (e.g., by reason of handwritten notes or comments having been added to copy which do not appear on the original or otherwise).

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9. All DOCUMENTS should be organized and labeled to correspond by number with the numbered categories set forth in these Requests. If a DOCUMENT is responsive to more than one Request, reference that DOCUMENT in your written response to each Request to which it is responsive or in a load file identifying the same.

10 A Request for a DOCUMENT shall be deemed to include a request for any and all file folders within which the DOCUMENT was contained, transmittal sheets, cover letters, exhibits, enclosures, or attachments to the DOCUMENT in addition to the DOCUMENT itself

11. If you claim that any DOCUMENT is, in whole or in part, beyond the scope of permissible discovery (including but not limited to any claim of privilege or confidentiality), specify in detail each and every ground on which such claim rests and identify generally what the document is. If you assert any claim of privilege, then at the time of production you are to furnish a privilege log that specifically identifies each DOCUMENT (or portion) withheld by (a) date, (b) author, (c) recipient, (d) persons copied, (e) general description of the subject matter of the DOCUMENT, and (f) a statement of the specific privilege claimed and the basis upon which such privilege is claimed as to each separate DOCUMENT (or portion) withheld. The privilege log should contain enough specificity, but without disclosing privileged information, to allow Plaintiffs and the Court to adequately assess the privilege claimed.

12. To the extent you consider any portion of the following Requests to be objectionable, (a) identify the portion of the Request claimed to be objectionable, (b) state the nature and basis of the objection, and (c) produce DOCUMENTS responsive to any portion of such Request that is not claimed to be objectionable.

13. If you believe that any Request is unclear, unintelligible, or because of its wording otherwise prevents you from responding fully to that Request, identify the ambiguity or source of confusion and explain the definition and understanding that you relied upon in responding. It shall be insufficient to object to a particular Request on the grounds that it is vague, ambiguous, or otherwise unclear, and withhold DOCUMENTS on that basis without seeking clarification.

DOCUMENT REQUESTS

REQUEST NO. 1:

All DOCUMENTS that refer, reflect, or relate to any donations made to YOU or for YOUR benefit by MS. HEARD, from January 1, 2016 through and including the present.

REQUEST NO. 2:

All COMMUNICATIONS between YOU and MS. HEARD regarding any donations made to YOU or for YOUR benefit by MS. HEARD, from January 1, 2016 through and including the present.

REQUEST NO. 3:

All COMMUNICATIONS between YOU and MS. HEARD regarding the DIVORCE ACTION.

REQUEST NO. 4:

All COMMUNICATIONS between YOU and MS HEARD regarding the relationship between MR. DEPP and MS. HEARD.

REQUEST NO. 5:

All DOCUMENTS, including all COMMUNICATIONS, that refer, reflect, or relate to any press releases, public statements, or other publicity related to any donations made by MS. HEARD to YOU or for YOUR benefit, from January 1, 2016 through and including the present.

EXHIBIT B

FILED
CIVIL INTAKE

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY MAR -1 PM 12:48

JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

John C. Depp, II,

Plaintiff,

v.

Amber Laura Heard,

Defendant.

Civil Action No. 2019 02911

COMPLAINT

Plaintiff John C. Depp, II, a/k/a Johnny Depp, in support of his Complaint against Defendant Amber Laura Heard hereby states the following:

NATURE OF THE ACTION

1. This defamation action arises from an op-ed published in the *Washington Post* by actress Amber Heard ("Ms. Heard"). In the op-ed, Ms. 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."

2. Although she never identified him by name, the op-ed plainly was about (and other media consistently characterized it as being about) Ms. Heard's purported victimization after she publicly accused her former husband, Johnny Depp ("Mr. Depp"), of domestic abuse in 2016, when she appeared in court with an apparently battered face and obtained a temporary restraining order against Mr. Depp on May 27, 2016. 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.

3. The op-ed's clear implication that Mr. Depp is a domestic abuser is categorically and demonstrably false. Mr. Depp never abused Ms. Heard. Her allegations against him were false when they were made in 2016. They were part of an elaborate hoax to generate positive publicity for Ms. Heard and advance her career. Ms. Heard's false allegations against Mr. Depp have been conclusively refuted by two separate responding police officers, a litany of neutral third-party witnesses, and 87 newly obtained surveillance camera videos. With a prior arrest for violent domestic abuse and having confessed under oath to a series of violent attacks on Mr. Depp, Ms. Heard is not a victim of domestic abuse; she is a perpetrator. Ms. Heard violently abused Mr. Depp, just as she was caught and arrested for violently abusing her former domestic partner.

4. Ms. Heard's implication in her op-ed that Mr. Depp is a domestic abuser is not only demonstrably false, it is defamatory *per se*. Ms. Heard falsely implied that Mr. Depp was guilty of domestic violence, which is a crime involving moral turpitude. Moreover, Ms. Heard's false implication prejudiced Mr. Depp in his career as a film actor and incalculably (and immediately) damaged his reputation as a public figure.

5. Unsurprisingly, Mr. Depp's reputation and career were devastated when Ms. Heard first accused him of domestic violence on May 27, 2016. Ms. Heard's hoax allegations were timed to coincide with the day that Mr. Depp's film, *Alice Through the Looking Glass*, was released in theatres. Her op-ed, with its false implication that she was a victim of domestic violence at the hands of Mr. Depp, brought new damage to Mr. Depp's reputation and career. Mr. Depp lost movie roles and faced public scorn. Ms. Heard, an actress herself, knew precisely the effect that her op-ed would have on Mr. Depp. And indeed, just four days after Ms. Heard's op-ed was first published on December 18, 2018, Disney announced on December 22, 2018 that

it was dropping Mr. Depp from his leading role as Captain Jack Sparrow—a role that he created—in the multi-billion-dollar-earning *Pirates of the Caribbean* franchise.

6. Ms. Heard published her op-ed with actual malice. She knew that Mr. Depp did not abuse her and that the domestic abuse allegations that she made against him in 2016 were false. She knew that the testimony and photographic “evidence” that she presented to the court and the supporting sworn testimony provided by her two friends were false and perjurious. Ms. Heard knew that the truth was that she violently abused Mr. Depp—just as she violently abused her prior domestic partner, which led to her arrest and booking for domestic violence, as well as a night in jail and a mug shot. Ms. Heard revived her false allegations against Mr. Depp in the op-ed to generate positive publicity for herself and to promote her new movie *Aquaman*, which premiered across the United States and in Virginia only three days after the op-ed was first published.

7. Mr. Depp brings this defamation action to clear his name. By this civil lawsuit, Mr. Depp seeks to restore his reputation and establish Ms. Heard’s legal liability for continuing her campaign to push a false narrative that he committed domestic violence against her. Mr. Depp seeks an award of compensatory damages for the reputational harm that he suffered as a result of Ms. Heard’s op-ed, with its false and defamatory implication that Mr. Depp was a domestic abuser. Further, given the willfulness and maliciousness that Ms. Heard demonstrated when she knowingly published the op-ed with the false implication that Mr. Depp violently abused her, Mr. Depp also seeks an award of punitive damages.

PARTIES

8. Plaintiff John C. Depp is an individual and a resident of the State of California. For decades, he has been one of the most prominent actors in Hollywood. Mr. Depp was married

to Ms. Heard for approximately 15 months between February 1, 2015 and May 23, 2016. They had no children together. Mr. Depp was the target of Ms. Heard's false and defamatory op-ed in the *Washington Post*.

9. Defendant Amber Laura Heard is an individual and a resident of the State of California. Ms. Heard is an actress and Mr. Depp's former wife. Ms. Heard authored and published the defamatory op-ed in the *Washington Post* that falsely implied that Mr. Depp abused her during their marriage.

JURISDICTION AND VENUE

10. This Court has specific personal jurisdiction over Defendant under Virginia's long-arm statute, Va. Code § 8.01-328.1, as well as under the Due Process Clause of the U.S. Constitution, because, among other things, the causes of action in this Complaint arise from Defendant transacting business in this Commonwealth and causing tortious injury by an act or omission in this Commonwealth. Moreover, exercising jurisdiction would not offend traditional notions of fair play and substantial justice because Defendant could have — indeed should have — reasonably foreseen being haled into a Virginia court to account for her false and defamatory op-ed which was published: in a newspaper that is printed in Springfield, Virginia; in an online edition of the newspaper that is created on a digital platform in Virginia and routed through servers in Virginia; in a newspaper that has wide circulation in Virginia and even publishes a Virginia local edition in which the false and defamatory op-ed appeared; and in a newspaper that maintains two physical offices in Virginia. Further, Defendant published the false and defamatory op-ed to promote her new movie which was in Virginia theatres for viewing by Virginia audiences.

11. Venue is proper in this circuit under Va. Code § 8.01-262 because the causes of action asserted herein arose in this Circuit.

FACTS

Ms. Heard Wrote An Op-Ed In The *Washington Post* That Implies That She Was A Victim Of Domestic Abuse At The Hands Of Mr. Depp

12. Mr. Depp has appeared in more than 50 films over the last three decades. He has worldwide name recognition and has played a diverse array of iconic roles, including Edward Scissorhands, Willy Wonka, Captain Jack Sparrow, The Mad Hatter, Grindelwald, John Dillinger, and Whitey Bulger. His movies have grossed over \$10 billion dollars in the United States and around the world. He has won the People's Choice Award 14 times.

13. Mr. Depp married Ms. Heard on February 1, 2015. The two met when Ms. Heard was cast in Mr. Depp's film *The Rum Diary*.

14. The marriage lasted only 15 months.

15. Unbeknownst to Mr. Depp, no later than one month after his marriage to Ms. Heard, she was spending time in a new relationship with Tesla and Space-X founder, Elon Musk. Only one calendar month after Mr. Depp and Ms. Heard were married—while Mr. Depp was out of the country filming in March 2015—Eastern Columbia Building personnel testified that Ms. Heard received Musk “late at night” at Mr. Depp’s penthouse. Specifically, Ms. Heard asked staff at the Eastern Columbia Building to give her “friend Elon” access to the building’s parking garage and the penthouse elevator “late at night,” and they testified that they did so. Building staff would then see Ms. Heard’s “friend Elon” leaving the building the next morning. Musk’s first appearance in Mr. Depp’s penthouse occurred shortly after Ms. Heard threw a vodka bottle at Mr. Depp in Australia, when she learned that Mr. Depp wanted the couple to enter into a post-

nuptial agreement concerning assets in their marriage. Ms. Heard's violently aimed projectile virtually severed Mr. Depp's middle finger on his right hand and shattered the bones.

16. Mr. Depp's marriage to Ms. Heard came to an end in May 2016. After Mr. Depp indicated to Ms. Heard that he wanted to leave the marriage, Ms. Heard lured Mr. Depp to his penthouse to pick up his personal items. Unaware that members of Mr. Depp's security team (including an 18-year veteran of the Los Angeles County Sheriff's Department) were mere feet away, Ms. Heard falsely began yelling "stop hitting me Johnny." The interaction culminated with Ms. Heard making false allegations that Mr. Depp struck her with a cell phone, hit her, and destroyed the penthouse. There were multiple eyewitnesses to this hoax. Ms. Heard's friend then called the police, who arrived promptly. Upon their arrival, Ms. Heard refused to cooperate with police or make any claims that she had been injured or assaulted, and two domestic abuse trained police officers testified that after close inspection of Ms. Heard and the penthouses, they observed no injury to Ms. Heard or damage to the penthouses. But then, six days later, Ms. Heard presented herself to the world with a battered face as she publicly and falsely accused Mr. Depp of domestic violence and obtained a restraining order against him, based on false testimony that she and her friends provided.

17. Now there are newly obtained surveillance camera videos, depositions, and other evidence that conclusively disprove Ms. Heard's false allegations. Although much of this exculpatory evidence was collected by certain members Mr. Depp's then-legal team in 2016, it only recently came into Mr. Depp's possession, as it had been hidden from him for a period of years.

18. Ms. Heard later withdrew her false domestic violence allegations and dismissed the restraining order. She and Mr. Depp finalized their divorce in January 2017.

19. Despite dismissing the restraining order and withdrawing the domestic abuse allegations, Ms. Heard (and her surrogates) have continuously and repeatedly referred to her in publications, public service announcements, social media postings, speeches, and interviews as a victim of domestic violence, and a “survivor,” always with the clear implication that Mr. Depp was her supposed abuser.

20. Most recently, in December 2018, Ms. Heard published an op-ed in the *Washington Post* that falsely implied that Ms. Heard was a victim of domestic violence at the hands of Mr. Depp. The op-ed was first published on the *Washington Post*'s website on December 18, 2018 with the title, “Amber Heard: I spoke up against sexual violence — and faced our culture's wrath. This has to change.” The op-ed appeared again on December 19, 2018 in the *Washington Post*'s hardcopy edition under the title, “A Transformative Moment For Women.” Except for their titles, the online and hard copy versions of the op-ed were substantively identical and are referred to collectively herein as the “Sexual Violence” op-ed.

21. The “Sexual Violence” op-ed's central thesis was that Ms. Heard was a victim of domestic violence and faced personal and professional repercussions because she “spoke up” against “sexual violence” by “a powerful man.”

22. Although Mr. Depp was never identified by name in the “Sexual Violence” op-ed, Ms. Heard makes clear, based on the foundations of the false accusations that she made against Mr. Depp in court filings and subsequently reiterated in the press for years, that she was talking about Mr. Depp and the domestic abuse allegations that she made against him in May 2016. Ms. Heard wrote:

- “Amber Heard: I spoke up against sexual violence — and faced our culture's wrath. That has to change.”

- “Then two years ago [the precise time frame of her allegations against and divorce from Mr. Depp], I became a public figure representing domestic abuse, and I felt the full force of our culture’s wrath for women who speak out.”
- “I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.”
- “I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. 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.”

23. As these statements reflect, the whole op-ed proceeds from the notion—presented as an unassailable truth—that Ms. Heard was the victim of domestic violence at the hands of Mr. Depp. She was not. Ms. Heard is not a victim of domestic violence, and Mr. Depp is not a perpetrator of domestic violence. And the centerpiece of Ms. Heard’s attention-seeking hoax—her claim that Mr. Depp savagely injured her face by throwing her own iPhone at her from point blank range as hard as he could and then continued to beat her face with other “appendages of his body” on the evening of May 21, 2016, which caused her to have the battered face that she first presented to the court and the world on May 27, 2016—was a poorly executed lie that nevertheless has endured for nearly three years. The statements in her “Sexual Violence” op-ed that imply otherwise are false and defamatory.

Ms. Heard Was Not A Victim Of Domestic Violence: She Was A Perpetrator

24. Long before Ms. Heard became a self-described “public figure representing domestic abuse” based on her false domestic violence allegations against Mr. Depp, Ms. Heard was in an abusive relationship. But Ms. Heard was not the victim in that relationship. She was the abuser.

25. On September 14, 2009, police officers at the Seattle-Tacoma International Airport witnessed Ms. Heard physically assault her then-domestic partner, Tasya van Ree. Ms. Heard grabbed Ms. van Ree by the arm, hit Ms. van Ree in the arm, and yanked Ms. van Ree's necklace off her neck. Ms. Heard was arrested. She was booked for misdemeanor domestic violence, a mug shot was taken of her, and she spent the night in jail. The following day, the Seattle-based prosecutor declined to press charges against Ms. Heard, but only because both she and her domestic abuse victim were California residents who were merely passing through Washington state.

26. Since casting herself as a domestic abuse victim, Ms. Heard has attempted to blame misogyny and homophobia for her domestic violence arrest—claiming that she was arrested “on a trumped up charge” because she was in a same-sex relationship. In truth, the police officer who arrested Ms. Heard for domestic violence was both a woman and a lesbian activist, who publicly said so after she was publicly disparaged by Ms. Heard.

27. Ms. Heard's violent domestic abuse did not end when her relationship with Ms. van Ree ended. Ms. Heard committed multiple acts of domestic violence against Mr. Depp during their marriage. Ms. Heard's physical abuse of Mr. Depp is documented by eyewitness accounts, photographs, and even Ms. Heard's own admissions under oath.

28. In one particularly gruesome episode that occurred only one month into their marriage, Ms. Heard shattered the bones in the tip of Mr. Depp's right middle finger, almost completely cutting it off. Ms. Heard threw a glass vodka bottle at Mr. Depp—one of many projectiles that she launched at him in this and other instances. The bottle shattered as it came into contact with Mr. Depp's hand, and the broken glass and impact severed and shattered Mr.

Depp's finger. Mr. Depp's finger had to be surgically reattached. Ms. Heard then disseminated false accounts of this incident, casting Mr. Depp as the perpetrator of his own injury.

29. Ms. Heard's domestic abuse of Mr. Depp continued unabated throughout their 15-month marriage. Ms. Heard threw dangerous objects at Mr. Depp, and also kicked and punched him with regularity.

30. Shockingly, Ms. Heard even has used one of her attacks on Mr. Depp to push her false narrative that she is a domestic abuse victim. In her false affidavit to obtain a restraining order against Mr. Depp, Ms. Heard recounted a domestic violence incident that occurred between her and Mr. Depp on April 21, 2016 and reversed the roles, claiming that she was the victim when in truth she was the perpetrator. Ms. Heard falsely claimed that Mr. Depp physically attacked her, threw glasses at her, and broke a champagne bottle in their penthouse after her thirtieth birthday celebration on April 21, 2016. In truth, Ms. Heard—angry with Mr. Depp because he was late to her birthday celebration due to a business meeting — punched Mr. Depp twice in the face as he lay in bed reading, forcing him to flee their penthouse to avoid further domestic violence at the hands of Ms. Heard. Mr. Depp's security detail member, Sean Bett (an 18-year veteran of the Los Angeles County Sheriff's Department) picked up Mr. Depp immediately after Ms. Heard assaulted him and witnessed firsthand the aftermath and damage to Mr. Depp's face. On other occasions—after Ms. Heard violently attacked Mr. Depp in December 2015—Mr. Bett insisted on taking photographs to document the damage to Mr. Depp's face inflicted by Ms. Heard.

31. Thus, contrary to the false and defamatory implication in her "Sexual Violence" op-ed, Ms. Heard was never a victim of domestic violence at the hands of Mr. Depp. Ms. Heard herself is a domestic abuser, who committed multiple acts of domestic violence against Mr. Depp

during their marriage, in addition to the domestic abuse that she perpetrated against her former partner.

**Ms. Heard's Domestic Abuse Allegations Against Mr. Depp Are False And Have Been
Refuted Conclusively By Police, Neutral Third-Party Witnesses, and
87 Surveillance Videos**

32. Ms. Heard did not “[speak] up against sexual violence” as she claimed in her op-ed. She made false allegations of domestic abuse against Mr. Depp to execute her hoax.

33. The centerpiece of Ms. Heard's false abuse allegations is an incident that she claimed took place around 7:15 pm on Saturday, May 21, 2016 at Mr. Depp's penthouse in the Eastern Columbia Building in downtown Los Angeles. After Ms. Heard lured Mr. Depp to pick up personal items from his own penthouse, Ms. Heard, sitting on the sofa with her friend, Raquel Pennington, and talking on the phone with her friend, iO Tillett Wright, claimed that Mr. Depp “grabbed the cell phone, wound up his arm like a baseball pitcher and threw the cell phone at me striking my cheek and eye with great force.” Ms. Heard also claimed that Mr. Depp further battered her face with some “appendage of his body” and then used a magnum-sized bottle of wine to destroy the penthouse, spilling wine, broken glass, and other items around the penthouse. “Penthouse 3 was destroyed” by Mr. Depp's bottle swinging, claimed Ms. Heard in her sworn testimony. Her two friends testified accordingly. Ms. Heard used these allegations to obtain a temporary restraining order against Mr. Depp on May 27, 2016, appearing in court six days after the alleged incident with the first appearance of a battered face, notwithstanding that a litany of people witnessed her throughout the week with no injury and building surveillance videos similarly showed her uninjured.

34. Mr. Depp, it is worth noting, left Los Angeles for many weeks almost immediately after the alleged incident. And it is also worth noting that building personnel

testified under oath that they again facilitated Elon Musk's nighttime visits to Mr. Depp's penthouse to visit Ms. Heard, key-fobbing him in and out of the building proximate to the time Ms. Heard presented her battered face to the public and the court on May 27, 2016.

35. Mr. Depp has consistently and unequivocally denied Ms. Heard's domestic abuse allegations. They also have been refuted conclusively by multiple, neutral third-party witnesses.

36. Ms. Heard's friend and neighbor, Isaac Baruch, gave a declaration that he repeatedly interacted with Ms. Heard, at close range, without makeup, and utterly unmarked and uninjured in the days between May 22 and May 27, 2016. He further stated in his declaration that on June 3, after confronting Ms. Heard about how upset he was at her false abuse allegations: "Amber then told me that she did not want anything from Johnny and that it was the lawyers who were doing all of this."

37. Police went to Mr. Depp's penthouse on May 21, 2016, immediately after the incident was alleged to have occurred. They were dispatched after Ms. Heard's friend, Mr. Wright, called 911 to report what the police dispatch log describes as a "verbal argument only" between a husband and wife. Two officers, who are highly trained in domestic violence, arrived at the penthouse shortly after Ms. Heard later claimed that Mr. Depp struck her in the face with a cell phone, further hit her face, and then "destroyed" his own penthouse by swinging a magnum-sized bottle of wine into other objects throughout that penthouse. Officer Melissa Saenz is a veteran Los Angeles Police officer who is charged with training other police officers and personally has responded to "over a hundred" domestic violence calls. Officer Tyler Hadden is a junior police officer, but focused on domestic violence at the police academy and received extensive training in how to detect that particular crime.

38. Both Officer Saenz and Officer Hadden testified under oath that they closely observed Ms. Heard's face in good light on May 21, 2016 and saw no signs of any injury. In the police officers' face-to-face interactions with Ms. Heard immediately after she supposedly was struck in the face with a cell phone and then further beaten in the face by Mr. Depp, the police officers saw no red marks, no bruising, and no swelling anywhere on Ms. Heard's face. Both Officer Saenz and Officer Hadden also testified under oath that, when they went room-to-room in the penthouses to investigate, they saw no broken glass, no spilled wine, and no vandalism or property damage of any kind. This is in contrast to Ms. Heard's later claim that Mr. Depp "destroyed" penthouse 3 and caused serious, visible injuries to her face. It also directly contradicts Ms. Heard's friend's testimony regarding what Ms. Heard's face looked like at that time: "Just the whole side of her face was like swolled up (sic) and red and puffy . . . and progressively getting worse."

39. There was no probable cause to believe that a crime had been committed, according to Officer Saenz's testimony, because Ms. Heard had no injuries and claimed to have no injuries, and there was no property damage in the penthouse or signs of any altercation.

40. Multiple people who work professionally in the Eastern Columbia Building where the penthouse is located, and who do not know Mr. Depp personally, also have unambiguously debunked Ms. Heard's claim that her face was injured on May 21, 2016 and that she had any sign of injury in the six days before May 27, 2016. Three people, the building's concierge, head of front desk and head of security, profoundly testified under oath about their face-to-face interactions with Ms. Heard between May 22, 2016 (the day after Ms. Heard claims that Mr. Depp hit her and struck her in the eye and on the cheek with a cell phone) and May 27, 2016 (the day Ms. Heard appeared in public and went to court to get a restraining order against Mr. Depp

with what appeared to be a battered face). Every one of those three people testified under oath that they saw Ms. Heard up close in the days after the supposed attack and her face was not injured *before the day she obtained the restraining order against Mr. Depp*.

41. Cornelius Harrell is a concierge at the Eastern Columbia Building and was working at the front desk at 1 pm on the afternoon of Sunday, May 22, 2016. Mr. Harrell saw Ms. Heard face-to-face that afternoon—less than 24 hours after she claims that she was struck in the face by a cell phone thrown by Mr. Depp and hit in the face by Mr. Depp.

42. In an interaction that was also captured by the Eastern Columbia Building's surveillance cameras and saved, Ms. Heard approached Mr. Harrell to pick up a package that had been delivered to her. Ms. Heard accompanied Mr. Harrell to the package room to identify which package she wanted because more than one had been delivered to her. As they were looking through her packages, Mr. Harrell and Ms. Heard were inside the package room together. The package room at the Eastern Columbia Building is "no bigger than a walk-in closet," so Mr. Harrell had an opportunity to observe Ms. Heard's face up close, the day after she claimed she was battered by Mr. Depp in the face.

43. Mr. Harrell testified under oath that, on May 22, 2016, Ms. Heard did not have any bruises, cuts, scratches, or swelling on her face and that "nothing appeared out of the ordinary about Ms. Heard's face on May 22, 2016." In fact, Mr. Harrell testified that he was struck by how "beautiful," "radiant," and "refreshed" Ms. Heard looked, noting that, if she was wearing any makeup at all, it was "minimal." Mr. Harrell unequivocally testified that when he was interacting one-on-one in close quarters with Ms. Heard on May 22, 2016 for about 8 minutes, that he did not see any evidence to suggest that she had been the victim of domestic violence the day before. Mr. Harrell does not know Mr. Depp personally.

44. Alejandro Romero also works at the Eastern Columbia Building, manning the front desk and monitoring the security cameras from 4:00 pm to 1:00 am Monday-Friday. Mr. Romero had “hundreds” of in person interactions with Ms. Heard when she resided in the penthouse, in addition to observing her innumerable times on surveillance footage captured by the Eastern Columbia Building’s security cameras. Mr. Romero testified under oath about two specific face-to-face interactions that he had with Ms. Heard in the days after she claimed that Mr. Depp hit her in the face and struck her cheek and eye with a cell phone that he threw.

45. Mr. Romero testified that on the “Monday or Tuesday” evening “after the police were called”—May 23 or 24, 2016—he was approached at the front desk by Ms. Heard and her friend, Ms. Pennington, who also resided in the penthouse. Ms. Heard and Ms. Pennington asked Mr. Romero to accompany them to the penthouse because they were afraid that someone had tried to get inside the penthouse. Mr. Romero discounted this concern because he had been monitoring security footage and saw no one trying to access the penthouse. Nevertheless, Mr. Romero agreed to accompany Ms. Heard and Ms. Pennington to the penthouse and confirm that it was secure. He left the front desk with Ms. Heard and Ms. Pennington, rode up to the 13th floor with them, and went inside the penthouse with them. Throughout this interaction, Mr. Romero testified under oath that he had “a full shot” of Ms. Heard’s face and “a good visual” of Ms. Heard’s face and saw no bruises, cuts, swelling, or marks of any kind.

46. Mr. Romero interacted with Ms. Heard again on the evening of May 25, 2016 when she came to the front desk to retrieve a key to the penthouse that she had left at the front desk. Again, in this face-to-face interaction, Mr. Romero testified that he saw no bruises, cuts, swelling, or marks of any kind on Ms. Heard’s face.

47. Based on his in-person interactions with Ms. Heard, Mr. Romero, who does not know Mr. Depp personally, testified under oath that he “couldn’t believe” Ms. Heard’s domestic abuse allegations against Mr. Depp because:

It was like — it was like I said, we watched the news and we saw the pictures. And I saw the pictures and the next day I saw her, I was like, come on, really? I couldn’t believe it. It was — I saw her in person. . . . The pictures I saw on the news, she got like a big mark on her — on her eyes and her cheek. And when I saw her in person, I didn’t see anything.

48. Trinity Esparza, the daytime concierge at the Eastern Columbia Building who works at the front desk from 8:00 am to 4:00 pm Monday-Friday, echoed Mr. Romero’s disbelief at Ms. Heard’s account. Ms. Esparza, who does not know Mr. Depp personally, testified under oath that she thought that Ms. Heard’s allegation that she had been assaulted by Mr. Depp was “false” because “I saw her several times [in the days after the alleged attack] and I didn’t see that [mark] on her face.”

49. Ms. Esparza had multiple face-to-face interactions with Ms. Heard in the days after Ms. Heard claimed that Mr. Depp hit her and struck her in the eye and cheek with a cell phone. Ms. Esparza saw Ms. Heard in-person on Monday, May 23, 2016; Tuesday, May 24, 2016; Wednesday, May 25, 2016; and Friday, May 27, 2016. Ms. Esparza testified under oath that, when she saw Ms. Heard on the Monday, Tuesday, and Wednesday after the alleged attack, Ms. Heard was not wearing makeup and that Ms. Heard had no facial injuries. There were no bruises or cuts on Ms. Heard’s face, according to Ms. Esparza’s testimony. Ms. Esparza testified under oath that she saw no indication that Ms. Heard had been hit or struck.

50. Then, on Friday, May 27, 2016, Ms. Esparza testified under oath that Ms. Heard suddenly “had a red cut underneath her right eye and red marks by her eye.” Then Ms. Esparza learned from media reports that Ms. Heard had obtained a domestic violence restraining order

against Mr. Depp on May 27, 2016. Because Ms. Esparza had seen Ms. Heard so many times that week without any marks on her face, Ms. Esparza thought “the time didn’t add up and so I was questioning . . . the mark on her face and the allegations that were made.”

51. Ms. Esparza was so troubled by the sudden appearance of “a mark” on Ms. Heard’s face on *the very day* that Ms. Heard obtained a restraining order against Mr. Depp—but *six days after* the alleged incident—that Ms. Esparza went back and looked at security video footage and talked to others who worked in the Eastern Columbia Building to see if the “mark” might have been on Ms. Heard’s face earlier. It wasn’t.

52. Mr. Romero and Mr. Harrell confirmed to Ms. Esparza that Ms. Heard did not have any injuries on her face when they interacted with her.

53. Ms. Esparza also did not see the “mark” on Ms. Heard’s face when she went back and reviewed surveillance videos from the days after Ms. Heard claims that Mr. Depp hit her and struck her in the face with a cell phone that he threw.

54. But Ms. Esparza did see something else on the surveillance video. On a video from the evening of May 24, 2016, three nights after Ms. Heard alleged that she was attacked by Mr. Depp, Ms. Esparza saw Ms. Heard, her sister, Whitney Heard, and Ms. Heard’s friend and corroborating witness, Ms. Pennington, on the mezzanine level of the Eastern Columbia Building. In the surveillance video, Ms. Esparza testified under oath that she saw Whitney Heard pretend to punch her sister in the face. Then Ms. Heard, Ms. Pennington, and Whitney Heard all laughed. Ms. Esparza testified that she thought how Ms. Heard, Ms. Pennington, and Whitney Heard were acting on the surveillance video was “wrong,” and it only made her question more how Ms. Heard ended up with a “mark” on her face three days later, on Friday, May 27. Ms. Esparza knew that Mr. Depp had left Los Angeles for work on the day of the

alleged incident “and he did not return and so I was questioning how those marks got on her face on Friday.” Ultimately, Ms. Esparza testified under oath that she was forced to conclude that “whatever happened to [Ms. Heard’s] face did not happen on Saturday [May 21]”, as Ms. Heard had alleged.

55. Ms. Esparza is not the only professional employee of the Eastern Columbia Building to witness the “fake punch” video. Brandon Patterson, the General Manager of the Eastern Columbia Building, provided a declaration about it:

One of the surveillance videos, taken the evening of Tuesday, May 24, showed Amber Heard, her sister Whitney Heard, and her friend Raquel Pennington entering the building’s mezzanine. Trinity Esparza showed me a video at the front desk with a pretend punch to the face from one of Miss Heard’s two companions, and the three of them laughed hard. They then enter the penthouse elevator, where Ms. Heard’s face was clearly visible, there were similarly no bruises, cuts, redness, swelling visible on Ms. Heard’s face.

56. Later, in the media firestorm concerning Ms. Heard’s domestic abuse allegations against Mr. Depp, Ms. Heard learned that there were media reports stating that people who worked at the front desk of the Eastern Columbia Building had seen Ms. Heard without any marks on her face, as indeed was their testimony. Mr. Patterson, the General Manager of the Eastern Columbia Building, summarized the testimony of building staff in his own declaration:

Ms Heard was repeatedly observed in the Eastern Columbia Building in the multiple days following the alleged assault without bruises, cuts, redness, swelling or any other injuries to her face. These observations were made by people working at the front desk at the Eastern Columbia Building who interacted with Ms. Heard in person and also saw images of her on the building surveillance cameras.

57. Approximately a week after she made her domestic abuse allegations against Mr. Depp, Ms. Heard approached Ms. Esparza and Mr. Patterson, and asked the two of them to give a statement to Ms. Heard’s “friend” at *People Magazine*. Ms. Heard wanted Ms. Esparza and Mr. Patterson “to help retract the statement that was given to the press stating that the front desk

had released this information [about seeing Ms. Heard with no injuries to her face] and [Ms. Heard] asked if we would clarify it and let them know that we, in fact, would never release that information on any resident." Mr. Patterson and Ms. Esparza refused to give the statement and directed Ms. Heard to the Eastern Columbia Building's lawyer.

58. Ms. Esparza testified that she was "not comfortable" with "the statement that [Ms. Heard] was proposing that [the building] make to *People Magazine*, that the building would not have said they saw [Ms. Heard] without marks on her face" "because that would have been a lie" as "the front desk did, in fact, see [Ms. Heard] prior to Friday [May 27, 2016] without marks on her face."

59. The people working at the front desk of the Eastern Columbia Building did not see any injuries to Ms. Heard's face because there were *no* injuries to Ms. Heard's face. Ms. Heard's allegations that Mr. Depp's battered her was a poorly executed hoax.

60. The police officers, who responded to the penthouse on May 21, 2016 immediately after the alleged attack, saw no signs that Ms. Heard had been hit or struck by a cell phone or that a magnum-sized bottle of wine had "destroyed" the penthouse because *those things never happened*. There was no probable cause to believe a crime had been committed because *no crime had been committed* against Ms. Heard by Mr. Depp.

61. Ms. Heard's domestic violence allegations against Mr. Depp were false, as is her portrayal of herself in her "Sexual Violence" op-ed as a domestic violence victim and her portrayal of Mr. Depp as a domestic violence perpetrator and "monster."

Ms. Heard Acted With Actual Malice When She Implied In Her "Sexual Violence" Op-Ed That She Was A Victim Of Domestic Abuse At The Hands Of Mr. Depp

62. Ms. Heard acted with actual malice when she published her false and defamatory “Sexual Violence” op-ed and implied that she was a victim of domestic abuse at the hands of Mr. Depp.

63. Ms. Heard knew that she was not the domestic abuse victim, but the domestic abuser.

64. Ms. Heard knew that her domestic abuse allegations against Mr. Depp were false and that she leveled them and enlisted her friends to act as surrogates for her lies, as part of an elaborate hoax to generate positive publicity for herself.

65. Ms. Heard also knew that her elaborate hoax worked: as a result of her false allegations against Mr. Depp, Ms. Heard became a darling of the #MeToo movement, was the first actress named a Human Rights Champion of the United Nations Human Rights Office, was appointed ambassador on women’s rights at the American Civil Liberties Union, and was hired by L’Oréal Paris as its global spokesperson.

66. Because of the past success that her false domestic abuse allegations against Mr. Depp had brought her, Ms. Heard revived the false allegations to promote her new movie.

67. *Aquaman*, Ms. Heard’s first leading role in a big-budget studio film, premiered in theatres across the United States (and in Virginia) on December 21, 2019. The movie ended up making over \$1 billion at the box office globally.

68. Tellingly, just days before the premiere, Heard published her “Sexual Violence” op-ed with its false implication that she was a domestic abuse victim at the hands of Mr. Depp on December 18, 2019 in the *Washington Post’s* online edition and on December 19, 2019 in the *Washington Post’s* hardcopy edition. The op-ed in the *Washington Post’s* online edition was accompanied by a picture of Ms. Heard on the red carpet at *Aquaman’s* Los Angeles premiere.

**Mr. Depp's Reputation And Career Suffer As A Result Of Ms. Heard's
False And Defamatory Op-Ed**

69. As a result of Ms. Heard's false domestic abuse allegations, Mr. Depp's reputation and career sustained immense damage.

70. Ms. Heard, an actress herself, is well aware of the negative effect that false domestic abuse allegations have on Mr. Depp's career.

71. Mr. Depp lost roles in movies because of the false allegations that Ms. Heard made against him. When Mr. Depp was cast in films, there were public outcries for the filmmakers to recast his roles.

72. Mr. Depp endured the public scorn caused by Ms. Heard's false domestic abuse allegations for more than two years. But he was weathering the storm and had a successful film release in November 2019. In fact, that movie was still playing on screens across Virginia when Ms. Heard revived the false domestic abuse allegations by publishing her "Sexual Violence" op-ed in the *Washington Post*.

73. The reaction to Ms. Heard's false and defamatory op-ed was swift and severe. Just two days after the op-ed appeared in the *Washington Post's* online edition, Disney publicly announced that Mr. Depp would no longer be a part of the *Pirates of the Caribbean* franchise. Mr. Depp's turn as Captain Jack Sparrow in the *Pirates of the Caribbean* films is one of Mr. Depp's most iconic roles, and generated billions of dollars for Disney. Nevertheless, he was denied an opportunity to reprise that role immediately on the heels of Ms. Heard's false and defamatory op-ed.

**COUNT ONE—DEFAMATION FOR STATEMENTS IN MS. HEARD'S DECEMBER
18, 2018 OP-ED IN THE ONLINE EDITION OF THE WASHINGTON POST**

74. Plaintiff repeats and re-alleges each of the foregoing paragraphs as if set forth fully herein.

75. Ms. Heard published the “Sexual Violence” op-ed on the December 18, 2018. The article was published to a worldwide audience on the *Washington Post’s* website. A true and correct copy of the online edition of the “Sexual Violence” op-ed is attached hereto and incorporated by reference as **Exhibit A**.

76. The “Sexual Violence” op-ed contained the following false and defamatory statements concerning Mr. Depp:

- “Amber Heard: I spoke up against sexual violence — and faced our culture’s wrath. That has to change.”
- “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.”
- “I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.”
- “I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. 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.”

77. These statements are of and concerning Mr. Depp, as he is Ms. Heard’s former husband and she publicly (and falsely) accused him of domestic abuse in May 2016. Moreover, Ms. Heard intended to refer to Mr. Depp in these statements, and those who know Mr. Depp or who read the “Sexual Violence” op-ed understood these statements to be about Mr. Depp.

78. These statements, which imply that Ms. Heard was the victim of domestic violence at the hands of Mr. Depp, are false:

- a. Mr. Depp did not commit “domestic abuse” or “sexual violence” against Ms. Heard. Ms. Heard’s allegation that Mr. Depp violently attacked her on May 21, 2016 has been refuted conclusively by police, neutral third-party witnesses, and 87 newly obtained surveillance camera videos.
- b. Ms. Heard is not a victim of domestic violence; rather, she is a perpetrator. Ms. Heard was arrested for domestic violence against her former domestic partner in 2009. Ms. Heard also committed multiple acts of domestic violence against Mr. Depp, some of which she has confessed to under oath.

79. The substantial danger of injury to Mr. Depp’s reputation from Ms. Heard’s false statements is readily apparent. Such statements would tend to so harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

80. By publishing these false statements, Ms. Heard caused harm to Mr. Depp’s reputation.

81. At the time of publication, Ms. Heard knew these statements were false.

82. Ms. Heard’s false statements are defamatory *per se* because they impute to Mr. Depp the commission of a crime involving moral turpitude for which Mr. Depp, if the charge was true, could be indicted and punished. Moreover, Ms. Heard’s false statements prejudice Mr. Depp in his profession as a film actor. Mr. Depp therefore is entitled to presumed damages.

83. As a direct and proximate result of these false statements by Ms. Heard, Mr. Depp has suffered damages, including, *inter alia*, injury to his reputation, harm to his ability to carry on his profession, embarrassment, humiliation, and emotional distress, in an amount to be determined at trial.

84. Ms. Heard's actions were malicious, willful, and wanton, and evidence a conscious disregard for Mr. Depp's rights. Accordingly, punitive damages are appropriate.

WHEREFORE, Plaintiff respectfully requests that the Court enter an award in Plaintiff's favor and against Defendant, as follows:

- (1) awarding Mr. Depp compensatory damages of not less than \$ 50,000,000, or in such additional amount to be proven at trial;
- (2) awarding Mr. Depp punitive damages to the maximum extent permitted by the laws of this Commonwealth, but not less than \$ 350,000;
- (3) awarding Mr. Depp all of his expenses and costs, including attorneys' fees; and
- (4) granting such other and further relief as the Court deems appropriate.

COUNT TWO—DEFAMATION FOR STATEMENTS IN MS. HEARD'S DECEMBER 19, 2018 OP-ED IN THE PRINT EDITION OF THE *WASHINGTON POST*

85. Plaintiff repeats and re-alleges each of the foregoing paragraphs as if set forth fully herein.

86. Ms. Heard published the "Sexual Violence" op-ed in the December 19, 2018 hardcopy edition of the *Washington Post*, which the *Washington Post* distributes to readers in Virginia, across the nation, and around the world. A true and correct copy of the hardcopy edition of the "Sexual Violence" op-ed is attached hereto and incorporated by reference as **Exhibit B**.

87. The "Sexual Violence" op-ed contained the following false and defamatory statements concerning Mr. Depp:

- "Amber Heard: I spoke up against sexual violence — and faced our culture's wrath. That has to change."

- “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.”
- “I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.”
- “I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. 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.”

88. These statements are of and concerning Mr. Depp, as he is Ms. Heard’s former husband and she publicly (and falsely) accused him of domestic abuse in May 2016. Moreover, Ms. Heard intended to refer to Mr. Depp in these statements, and those who know Mr. Depp or who read the “Sexual Violence” op-ed understood these statements to be about Mr. Depp.

89. These statements, which imply that Ms. Heard was the victim of domestic violence at the hands of Mr. Depp, are false:

- a. Mr. Depp did not commit “domestic abuse” or “sexual violence” against Ms. Heard. Ms. Heard’s allegation that Mr. Depp violently attacked her on May 21, 2016 has been refuted conclusively by police, neutral third-party witnesses, and 87 newly obtained surveillance camera videos.
- b. Ms. Heard is not a victim of domestic violence; rather, she is a perpetrator. Ms. Heard was arrested for domestic violence against her former partner in 2009. Ms. Heard also committed multiple acts of domestic violence against Mr. Depp.

90. The substantial danger of injury to Mr. Depp’s reputation from Ms. Heard’s false statements is readily apparent. Such statements would tend to so harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

91. By publishing these false statements, Ms. Heard caused harm to Mr. Depp's reputation.

92. At the time of publication, Ms. Heard knew these statements were false.

93. Ms. Heard's false statements are defamatory *per se* because they impute to Mr. Depp the commission of a crime involving moral turpitude for which Mr. Depp, if the charge was true, could be indicted and punished. Moreover, Ms. Heard's false statements prejudice Mr. Depp in his profession as a film actor. Mr. Depp therefore is entitled to presumed damages.

94. As a direct and proximate result of these false statements by Ms. Heard, Mr. Depp has suffered damages, including, *inter alia*, injury to his reputation, harm to his ability to carry on his profession, embarrassment, humiliation, and emotional distress, in an amount to be determined at trial.

95. Ms. Heard's actions were malicious, willful, and wanton, and evidence a conscious disregard for Mr. Depp's rights. Accordingly, punitive damages are appropriate.

WHEREFORE, Plaintiff respectfully requests that the Court enter an award in Plaintiff's favor and against Defendant, as follows:

- (1) awarding Mr. Depp compensatory damages of not less than \$ 50,000,000, or in such additional amount to be proven at trial;
- (2) awarding Mr. Depp punitive damages to the maximum extent permitted by the laws of this Commonwealth, but not less than \$ 350,000;
- (3) awarding Mr. Depp all of his expenses and costs, including attorneys' fees; and
- (4) granting such other and further relief as the Court deems appropriate.

COUNT THREE—DEFAMATION FOR STATEMENTS IN MS. HEARD'S OP-ED WHICH HEARD REPUBLISHED WHEN SHE TWEETED A LINK TO THE OP-ED ON DECEMBER 19, 2018

96. Plaintiff repeats and re-alleges each of the foregoing paragraphs as if set forth fully herein.

97. Ms. Heard published the “Sexual Violence” op ed in the December 18, 2018 online edition of the *Washington Post*. The following day, Ms. Heard tweeted a link to the op-ed. A true and correct copy of Ms. Heard’s tweet of the link to the “Sexual Violence” op-ed is attached hereto and incorporated by reference as **Exhibit C**.

98. The “Sexual Violence” op-ed contained the following false and defamatory statements concerning Mr. Depp:

- “Amber Heard: I spoke up against sexual violence — and faced our culture’s wrath. That has to change.”
- “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.”
- “I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.”
- “I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. 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.”

99. These statements are of and concerning Mr. Depp, as he is Ms. Heard’s former husband and she publicly (and falsely) accused him of domestic abuse in May 2016. Moreover, Ms. Heard intended to refer to Mr. Depp in these statements, and those who know Mr. Depp or who read the “Sexual Violence” op-ed understood these statements to be about Mr. Depp.

100. These statements, which imply that Ms. Heard was the victim of domestic violence at the hands of Mr. Depp, are false:

- a. Mr. Depp did not commit “domestic abuse” or “sexual violence” against Ms. Heard. Ms. Heard’s allegation that Mr. Depp violently attacked her on May 21, 2016 has been refuted conclusively by police, multiple, neutral third-party witnesses, and 87 newly obtained surveillance camera videos.
- b. Ms. Heard is not a victim of domestic violence; rather, she is a perpetrator. Ms. Heard was arrested for domestic violence against her former partner in 2009. Ms. Heard also committed multiple acts of domestic violence against Mr. Depp.

101. The substantial danger of injury to Mr. Depp’s reputation from Ms. Heard’s false statements is readily apparent. Such statements would tend to so harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

102. By publishing these false statements, Ms. Heard caused harm to Mr. Depp’s reputation.

103. At the time of publication, Ms. Heard knew these statements were false.

104. Ms. Heard’s false statements are defamatory *per se* because they impute to Mr. Depp the commission of a crime involving moral turpitude for which Mr. Depp, if the charge was true, could be indicted and punished. Moreover, Ms. Heard’s false statements prejudice Mr. Depp in his profession as a film actor. Mr. Depp therefore is entitled to presumed damages.

105. As a direct and proximate result of these false statements by Ms. Heard, Mr. Depp has suffered damages, including, *inter alia*, injury to his reputation, harm to his ability to carry on his profession, embarrassment, humiliation, and emotional distress, in an amount to be determined at trial.

106. Ms. Heard's actions were malicious, willful, and wanton, and evidence a conscious disregard for Mr. Depp's rights. Accordingly, punitive damages are appropriate.

WHEREFORE, Plaintiff respectfully requests that the Court enter an award in Plaintiff's favor, and against Defendant, as follows:

- (1) awarding Mr. Depp compensatory damages of not less than \$50,000,000, or in such additional amount to be proven at trial;
- (2) awarding Mr. Depp punitive damages to the maximum extent permitted by the laws of this Commonwealth, but no less than \$350,000;
- (3) awarding Mr. Depp all expenses and costs, including attorneys' fees; and
- (4) such other and further relief as the Court deems appropriate.

JURY TRIAL DEMAND

Plaintiff John C. Depp, II hereby demands a jury trial on all issues so triable.

Dated: March 1, 2019

Brittany Whitesell Biles (*pro hac vice* application forthcoming)
STEIN MITCHELL BEATO & MISSNER LLP
901 Fifteenth Street, N.W.
Suite 700
Washington, D.C. 20005
Telephone: (202) 601-1602
Facsimile: (202) 296-8312
Email: bbiles@steinmitchell.com

Facsimile: (202) 296-8312
Email: bbiles@steinmitchell.com

Adam R. Waldman
THE ENDEAVOR LAW FIRM, P.C.
1775 Pennsylvania Avenue, N.W., Suite 350
Washington, DC 20006



Benjamin G. Chew (VSB # 29113)
Elliot J. Weingarten (*pro hac vice* application forthcoming)
BROWN RUDNICK LLP
601 Thirteenth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 536-1700
Facsimile: (202) 536-1701
Email: bchew@brownrudnick.com

Counsel for Plaintiff John C. Depp, II

EXHIBIT A



Opinions
**Amber Heard: I spoke up against sexual violence – and
faced our culture’s wrath. That has to change.**



Amber Heard arrives at the premiere of "Aquaman" on Dec. 12 in Los Angeles. Jordan Strauss/Jordan Strauss for AP

By Amber Heard
December 15, 2018

Amber Heard is an actress and ambassador on women's rights at the American Civil Liberties Union.

I was exposed to abuse at a very young age. I knew certain things early on, without ever having to be told. I knew that men have the power — physically, socially and financially — and that a lot of institutions support that arrangement. I knew this long before I had the words to articulate it, and I bet you learned it young, too.

Like many women, I had been harassed and sexually assaulted by the time I was of college age. But I kept quiet — I did not expect filing complaints to bring justice. And I didn't see myself as a victim.

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.

Friends and advisers told me I would never again work as an actress — that I would be blacklisted. A movie I was attached to recast my role. I had just shot a two-year campaign as the face of a global fashion brand, and the company dropped me. Questions arose as to whether I would be able to keep my role of Mera in the movies "Justice League" and "Aquaman."

I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.

A letter to Christine Blasey Ford From Connie Chung

US AIR FORCE PROBABLY JOURNALIST CHRISTINE CHUNG RECALLED A LETTER TO CHRISTINE BLASEY FORD ASHORE DURING PUBLICATION FOR THE FIRST TIME THAT SHE WAS SEXUALLY ABUSED.
ART BY MICHAEL DANIEL KRAMER. THE WASHINGTON POST

Imagine a powerful man as a ship, like the Titanic. That ship is a huge enterprise. When it strikes an iceberg, there are a lot of people on board desperate to patch up holes — not because they believe in or even care about the ship, but because their own fates depend on the enterprise.

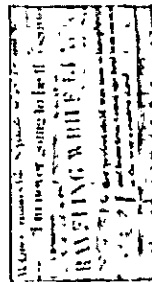
She's been a
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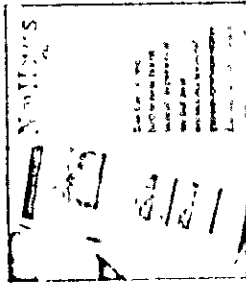
Most Read Opinions

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In recent years, the #MeToo movement has taught us about how power like this works, not just in Hollywood but in all kinds of institutions -- workplaces, places of worship or simply in particular communities. In every walk of life, women are confronting these men who are buoyed by social, economic and cultural power. And these institutions are beginning to change.

We are in a transformative political moment. The president of our country has been accused by more than a dozen women of sexual misconduct, including assault and harassment. Outrage over his statements and behavior has energized a female-led opposition. #MeToo started a conversation about just how profoundly sexual violence affects women in every area of our lives. And last month, more women were elected to Congress than ever in our history, with a mandate to take women's issues seriously. Women's rage and determination to end sexual violence are turning into a political force.

We have an opening now to bolster and build institutions protective of women. For starters, Congress can reauthorize and strengthen the Violence Against Women Act. First passed in 1994, the act is one of the most effective pieces of legislation enacted to fight domestic violence and sexual assault. It creates support systems for people who report abuse, and provides funding for rape crisis centers, legal assistance programs and other critical services. It improves responses by law enforcement, and it prohibits discrimination against LGBTQ survivors. Funding for the act expired in September and has only been temporarily extended.

Get the Most Recent Newsletter
 The Discussion Post

Stories from The Lily
 The Lily, a publication of The Washington Post, details stories about women.

Perspective
 The Standing Rock protests, a caucus, and 'showing to live' - A poem in comic form

A landmark policy reversal at Ohio will now allow pregnant women to receive the Ebola vaccine

As abortion restrictions increase, these 10 states are holding their own

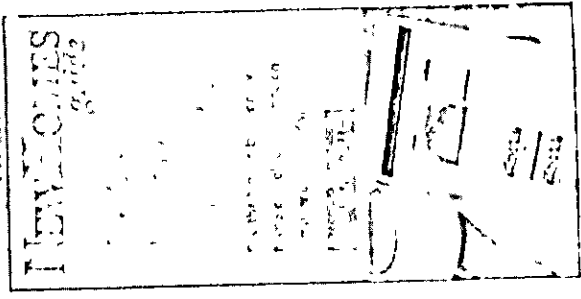


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We should continue to fight sexual assault on college campuses, while simultaneously insisting on fair processes for adjudicating complaints. Last month, Education Secretary Betsy DeVos proposed changes to Title IX rules governing the treatment of sexual harassment and assault in schools. While some changes would make the process for handling complaints more fair, others would weaken protections for sexual assault survivors. For example, the new rules would require schools to investigate only the most extreme complaints, and then only when they are made to designated officials. Women on campuses already have trouble coming forward about sexual violence — why would we allow institutions to scale back supports?

I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. 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.

I want to ensure that women who come forward to talk about violence receive more support. We are electing representatives who know how deeply we care about these issues. We can work together to demand changes to laws and rules and social norms — and to right the imbalances that have shaped our lives.

Read more:

The Post's View: What Betsy DeVos's new Title IX changes get right — and wrong

Betsy DeVos: It's time we balance the scales of justice in our schools

Jarvis Napolitano: Don't let the Trump administration undermine Title IX

Milu Mitra: The most horrifying part of the Dartmouth sexual harassment case

710 Comments



Read These Comments newsletter

The best comments and conversations at The Washington Post, delivered every Friday, join the conversation.

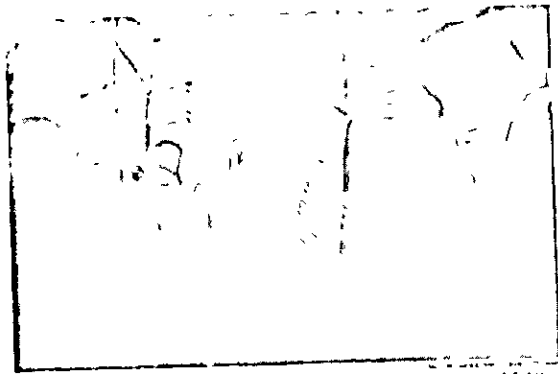


EXHIBIT B

The Washington Post

Washington, D.C., Monday, December 18, 2018

"I'm not hiding my disgust, my disdain, for this unethical offense."
— Sen. Richard Blumenthal



Richard Blumenthal, who earlier asked whether the impeachment inquiry had been a "cover-up" for the president, says he is not hiding his disgust for the ethics officer's report.

Senate passes bill revamping criminal justice

EASES THIRTEEN STATES' GUN-KILL SWATHS

Big push for GOP and a bipartisan victory for Trump

By James W. Nease
The House on Monday passed a bill to ease the burden on 13 states that have some of the toughest gun laws in the country. The measure, which would allow those states to sell guns to out-of-state buyers, passed 218-208. It is the first major gun bill since the passage of the Second Amendment Protection Act in 2017. The bill would allow states to sell guns to out-of-state buyers if they have a reciprocity agreement with the state of origin. The bill also would allow states to sell guns to out-of-state buyers if they have a reciprocity agreement with the state of origin. The bill also would allow states to sell guns to out-of-state buyers if they have a reciprocity agreement with the state of origin.

Judge excoriates Flynn, delays sentencing

By David E. Siders
A federal judge on Monday excoriated Donald Trump's attorney-in-chief, Michael Flynn, for allegedly lying to the court about his communications with the Russian ambassador. Judge Richard J. Sullivan, Jr. delayed sentencing Flynn until after the presidential inauguration in January. Sullivan said he was "astounded" by Flynn's lies and "disappointed" that Flynn had not shown any remorse. Sullivan also criticized Flynn for not being truthful with the court. Sullivan said he was "astounded" by Flynn's lies and "disappointed" that Flynn had not shown any remorse. Sullivan also criticized Flynn for not being truthful with the court.

President backs off demand for wall funds

By Robert Worth
President Donald Trump on Monday backed off his demand for \$5 billion in additional funding for the border wall. Trump said he would accept a deal that would provide \$5 billion for the wall and \$5 billion for other border security measures. Trump said he would accept a deal that would provide \$5 billion for the wall and \$5 billion for other border security measures. Trump said he would accept a deal that would provide \$5 billion for the wall and \$5 billion for other border security measures.

In light of allegations, president to shut charity

By David A. Prentiss
President Donald Trump on Monday announced he would shut down the American Oversight Foundation, a charity that has been the subject of numerous allegations of financial impropriety. Trump said the foundation had been "grossly mismanaged" and that he wanted to ensure that the foundation's funds were used for their intended purpose. Trump said the foundation had been "grossly mismanaged" and that he wanted to ensure that the foundation's funds were used for their intended purpose.

Inside America's other opioid epidemic

By Patrick Radden
The nation's crisis is spreading west for an epidemic in New American methamphetamine. The epidemic is spreading west for an epidemic in New American methamphetamine. The epidemic is spreading west for an epidemic in New American methamphetamine. The epidemic is spreading west for an epidemic in New American methamphetamine.

IN THE NEWS

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THE SENATE
The Senate on Monday passed a bill to ease the burden on 13 states that have some of the toughest gun laws in the country. The measure, which would allow those states to sell guns to out-of-state buyers, passed 54-46.

THE SUPREME COURT
The Supreme Court on Monday ruled that the federal government can sue state officials for damages. The court ruled that the federal government can sue state officials for damages. The court ruled that the federal government can sue state officials for damages.

INSIDE

THE HOUSE
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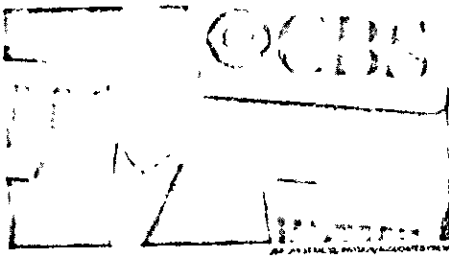
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Leahy moves in July 2015. The CMS chief executive resigned in September after multiple allegations of sexual misconduct surfaced.

A transformative moment for women

BY ANDREA HILLARD

I had hoped to stand at a very young age. I was certain that I would be a leader in my field, but I was not. I was not a leader in my field, but I was not. I was not a leader in my field, but I was not.

Like many women, I had been harassed and sexually assaulted by the time I was of college age. But I kept quiet — I did not expect filing complaints to bring justice. And I didn't see myself as a victim.

Then two years ago, I became a public figure representing domestic violence, and I felt the full force of our culture's wrath for women who speak out.

Friends and advisers told me I would never again work as an actress — that I would be blacklisted. A movie I had just shot a two-year campaign as the face of a global fashion brand, and the company dropped me. I would be able to keep my role of Vera in the movies "Justice League" and "Aquaman."

I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse. Imagine a powerful man as a ship, like the Titanic. That ship is a huge enterprise. When it strikes an iceberg, there are a lot of people on board desperate to patch up holes — not because they believe in or even care about the ship, but because their own lives depend on the enterprise.

In recent years, the \$150 million movie has taught us about how power uses the words, and when I did, I was pursued by callers, Jones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a derogatory light. I felt as though I was on trial in the bill as though I was on trial in the bill as though I was on trial in the bill.

I want to ensure that women who come forward to talk about violence receive more support. We are electing representatives who know how deeply we care about these issues. We can leave our rules and social norms — and to right the imbalances that have shaped our lives.

The writer is an actress and ambassador on women's rights at the American Civil Liberties Union.

with a mandate to take women's issues seriously. Women's rage and determination toward sexual violence are among the top political issues.

We have no pending laws to bolster and build facilitating protective of women. But starting Congress can reauthorize and strengthen the Violence Against Women Act. First passed in 1994, the act is one of the most effective pieces of legislation enacted to fight domestic violence and sexual assault. It creates support systems for people who report abuse, and provides funding for rape crisis centers, legal assistance programs and other critical services. It improves justice by law enforcement and prohibits discrimination against LGBTQ survivors. Funding for the act expired in September and has only been temporarily extended.

We should continue to fight sexual assault on college campuses, while simultaneously hunting for fair processes for adjudicating complaints. Last month, Education Secretary DeVos proposed changes to Title IX rules governing the treatment of sexual harassment and assault in schools. While some of the changes would make the process for handling complaints more fair, others would weaken protections for sexual assault survivors. For example, the new rules would require schools to investigate only the most extreme complaints, and then only when they are made to designated officials. Women on campuses already have trouble coming forward about sexual violence — why would we allow institutions to make that worse?

Two years ago, a woman who had to change my phone number weekly because I was getting death threats. For months, I quietly left my apartment, and when I did, I was pursued by callers, Jones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a derogatory light. I felt as though I was on trial in the bill as though I was on trial in the bill.

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The writer is an actress and ambassador on women's rights at the American Civil Liberties Union.

The writer is an actress and ambassador on women's rights at the American Civil Liberties Union.

Excerpted from washingtonpost.com/poetry/andreas-hillard

Racism is a national security issue

BY SHARILYN HILL

Two newly released reports from the Senate Intelligence Committee about Russian interference in the 2016 election have been nothing short of revelatory. Both studies — one produced by researchers at the University of Maryland, the other by the cybersecurity firm New Knowledge — describe in granular detail how the Russian government tried to sow discord and confusion among American voters. And both conclude that the Russian campaign included a massive effort to deceive and co-opt African Americans. We now have unassailable confirmation that a force as powerful as the United States is capable of exploiting racial tensions in the United States for its own gain.

Ever since U.S. intelligence agencies reported to sway the 2016 election, foreign election meddling has been one of our nation's top national security concerns. But our discussions about Russian interference rarely touch on the other major threat to our elections: the resurgence of state-sponsored voter suppression in the United States. In light of these disturbing new reports, it is clear we can no longer think of foreign election meddling as a phenomenon separate from attempts to disenfranchise Americans of color. Racial injustice remains a real vulnerability in our democracy one that foreign powers are only too willing to attack.

How should we respond? First, we have to make it easier, not harder, for Americans to vote. In the wake of the Supreme Court's 2013 Shelby County decision, which severely weakened the Voting Rights Act, we've seen a resurgence of voter-suppression efforts across the nation. Congress has the power to fix the Voting Rights Act, but so far it has declined to do so. The reauthorization of the act should serve as a wake-up call that domestic voter suppression in addition to being unconstitutional, effectively did foreign attacks on our democracy. Indeed, we should take seriously the danger that domestic and foreign groups may coordinate to suppress turnout in future elections, a possibility we can begin to forestall, first and foremost, by protecting the franchise here at home.

Rep. Tom A. Swell (D-Ala.) has already introduced a comprehensive new voting rights bill, and Congress should swiftly act upon it in the new year.

Second, these revelations only deepen the urgency of demanding more accountability from technology companies. The New Knowledge report criticizes social media companies such as Facebook for misleading Congress about the nature of Russian interference, noting that one even denied that specific groups were targeted. This is just more evidence that Silicon

Valley has yet to come to grips with the enormous influence it wields in our domestic race, and the ways that foreign powers can use that influence to manipulate American voters. Congress should require greater transparency and responsibility from these corporations before the 2020 elections.

Finally, we have to accept that foreign powers will use our divisions because they are real — because racism remains the United States' Achilles' heel. Indeed, it has, and always has been, a national security vulnerability — a fundamental and nearly insurmountable reality of American life that defines the image and substance of equally and justice we project and export around the world. It may be especially difficult in our era of "fake news" and "alternative facts" but we must recognize that our failure to acknowledge hard truths especially when it comes to race, makes it easier for foreign powers to turn us against one another. Russia did not conquer out of this the black community's legitimate grievances about racist policies. Nor did it invent racist and hateful conspiracy theories. Rather, Russian trolls seized upon these real problems as ready-made sources of discord. Moving forward, we need to recognize that our failure to honestly address issues of civil rights and racial justice makes us more susceptible to foreign interference.

This is hardly the first time our vulnerabilities have identified race and racism as America's great vulnerability. During the Cold War, the Soviet Union frequently pointed to segregation and civil unrest as proof of American hypocrisy. The propaganda was sufficiently widespread, and contained enough truth, that leaders of both parties began arguing that segregation undermined the United States' position in the Cold War, helping to ease the passage of civil rights legislation in the 1950s and 1960s.

Today we need a similar understanding that our failure to ensure equal justice for all has grave implications for U.S. national security. The upcoming House oversight committee hearings on Russian interference are an opportunity to educate the public on the threats to our democracy, and they deserve our close attention.

But we must be careful not to reduce the struggle for racial equality into a biomedical question of national interest. Civil rights are essential to our national security, but national security cannot be the chief rationale for pursuing civil rights. After all, medical progress is not just another clunk in our armor. It is the great law in our character. Our adversaries know that race makes us our own worst enemy. It is past time we learn this hard truth ourselves.

The writer is a columnist and director of the NAACP Legal Defense and Educational Fund.

DAVID IGNATIUS

A Russian spy's dream

Imagine American politics for a moment as a laboratory experiment. A foreign adversary (lets call it "Russia") begins to play with the subjects, using carrots and sticks to condition their behavior. The adversary develops tools to dial up anger and resentment, induce the lab bubble, and form specific tasks.

The 21st-century political dystopia isn't drawn from a "Sov. script" that just landed in Hollywood. It's a summary of two reports on the Kremlin-linked Internet Research Agency published this week by the Senate Intelligence Committee. The studies describe a sophisticated, multilevel Russian effort to use every available tool of our open society to create resentment, mistrust and social disorder.

Russia's IRA activities were designed to polarize the U.S. public and interfere in elections. The study says, by identifying African American voters to boycott elections, pushing right-wing voters toward extremism and "spreading sensationalist, conspiratorial and other forms of junk political news and misinformation."

The Russians pushed every button. They sought to tap African American anger with "Black Lives Matter" and "Black Matters" Facebook pages. They reached conservatives through pages called "Army of Jesus," "Heart of Texas" and "Secured Borders." The list of the IRA's top-20 Facebook pages is a catalogue of American rage.

The New Knowledge report blows the cover off these Internet operations. It shows how Hillary Clinton and vice-presidential nominee Tim Kaine were depicted as the "Islam Terror," with Clinton wearing devil's horns and Kaine bearing a red mark on his forehead. The researchers found an image of Jesus wearing a red "Black America" t-shirt again.

Internet provided a useful platform for manipulating younger Americans. The IRA's "Blackstagram" account had 503,658 followers, "American Veterans" had 215,000, "Army of Jesus" had 190,754 and "Manbow Ballon" had 106,400 to name the top four Instagram pages cited in the New Knowledge study.

Pay the women instead

If there is one tiny kernel of relief in the infuriating news cyclone that has been 2018, it is the report that CMS doesn't intend to pay diagnosed and diagnosed female chairman and chief executive Leslie Moonves \$20 million in severance. Of course, that relief is mitigated

because the cost is not in the form of taxpayer fees. It's a perverse incentive structure that gives companies millions of reasons not to deal aggressively with male stars who harass their co-workers. Some companies have begun to write employment contracts specifying that employees who are fired because of sexual misconduct can't demand that

EXHIBIT C



Amber Heard

@realamberheard

Follow



Today I published this op-ed in the Washington Post about the women who are channeling their rage about violence and inequality into political strength despite the price of coming forward.

From college campuses to Congress, we're balancing the scales.

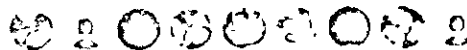
Opinion | Amber Heard: I spoke up against sexual violence — and fa...

We have an opening now to bolster and build institutions protective of women. Let's not ignore it.

washingtonpost.com

1:28 PM - 19 Dec 2018

1,292 Retweets 3,556 Likes



128

1.3K

3.6K



Amber Heard @realamberheard · 19 Dec 2018

I'm honored to announce my role as an ACLU ambassador on women's rights.

The ACLU is the organization that first inspired me to become an activist, so I

ATTACHMENT 13

brownrudnick

BENJAMIN G CHEW
direct dial 202 536 1785
bchew@brownrudnick.com

May 29, 2020

VIA HAND DELIVERY

Mr. John T. Frey, Clerk
Fairfax County Circuit Court
4110 Chain Bridge Road, Suite 320
Fairfax, Virginia 22030

RE: *John C. Depp, II v. Amber Laura Heard*, No. CL-2019-0002911


Dear Mr. Frey,

Please find enclosed for filing in the above-referenced matter, original attorney-issued subpoena for documents to third party witness Children's Hospital Los Angeles. Also enclosed are three copies of the subpoena and a check for the Court's related fee. The subpoenas will be served in California by private process server. We request one file-stamped copy for immediate return. We also request one certified copy of the subpoena to be issued and served under the laws of the state of California. Upon preparation of the certified copy, please return by mail using the enclosed stamped return envelope.

This letter certifies that California has reciprocal privileges regarding discovery with Virginia and that I will cause copies of the subpoena to be served on counsel of record. Thank you for your assistance

Regards,

BROWN RUDNICK LLP


Benjamin G. Chew

VS # 29113

Enclosures

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II :
 :
 Plaintiff, :
 :
 v. : Civil Action No.: CL-2019-0002911
 :
 AMBER LAURA HEARD :
 :
 Defendant. :

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the enclosed Subpoena/Subpoena Duces Tecum to Person Under Foreign Subpoena and Subpoena for Production of Business Records In Action Pending Outside California, to be sent via email (per written agreement between the Parties), on this 29th day of May 2020, to counsel of record.


Benjamin G. Chew (VSB No. 29113)

Camille M. Vasquez (*pro hac vice*)
BROWN RUDNICK LLP
2211 Michelson Drive
Seventh Floor
Irvine, CA 92612
Telephone: (949) 752-7100
Facsimile: (949) 252-1514
cvasquez@brownrudnick.com

Adam R. Waldman (*pro hac vice*)
THE ENDEAVOR LAW FIRM, P.C.
1775 Pennsylvania Avenue, N.W.
Washington, DC 20006
Telephone: (202) 715-0966
Facsimile: (202) 715-0964
awaldman@theendevorgroup.com

Benjamin G. Chew (VSB No. 29113)
Andrew C. Crawford (VSB No. 89093)
BROWN RUDNICK LLP
601 Thirteenth Street, N.W.
Washington, DC 20005
Telephone: (202) 536-1700
Facsimile: (202) 536-1701
bchew@brownrudnick.com
eweingarten@brownrudnick.com
acrawford@brownrudnick.com

Counsel for Plaintiff John C. Depp, II

SERVICE LIST

Roberta A. Kaplan (*pro hac vice*)
John C. Quinn (*pro hac vice*)
KAPLAN HECKER & FINK LLP
350 Fifth Avenue, Suite 7110
New York, NY 10118
Telephone: (212) 763-0883
rkaplan@kaplanhecker.com
jfink@kaplanhecker.com
jqinn@kaplanhecker.com

Davida Brook (*pro hac vice*)
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
dbrook@susmangodfrey.com

J. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, VA 24011
Telephone. (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Counsel for Defendant Amber Laura Heard

**SUBPOENA/SUBPOENA DUCES TECUM
TO PERSON UNDER FOREIGN SUBPOENA**

File No. CL-2019-0002911

Commonwealth of Virginia VA CODE §§ 8 01-412 8—8 01-412 15, Rule 4 9

FAIRFAX COUNTY

Circuit Court

4110 CHAIN BRIDGE ROAD, FAIRFAX, VIRGINIA 22030

ADDRESS OF COURT

JOHN C. DEPP, II

v./In re: ...

AMBER LAURA HEARD

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Children's Hospital Los Angeles

NAME

c/o Cogency Global Inc., 1325 J Street, Suite 1550

STREET ADDRESS

Sacramento

CA

95814

CITY

STATE

ZIP

TO THE PERSON SUMMONED: You are commanded to

attend and give testimony at a deposition

produce the books, documents, records, electronically stored information, and tangible things designated and described below

See Attachment A

First Legal Records

at 1511 Beverly Blvd., Los Angeles, CA 90026

LOCATION

at June 29, 2020 at 10:00 a.m.

DATE AND TIME

and to permit inspection and copying by the requesting party or someone acting in his or her behalf of the designated items in your possession, custody or control

permit inspection of the premises

at the following location

LOCATION

on

DATE AND TIME

This subpoena is issued upon the request of the party named below

John C. Depp, II

NAME OF REQUESTING PARTY

c/o Benjamin G. Chew, 601 Thirteenth Street, N.W., Suite 600

STREET ADDRESS

Washington

DC

20005

(202) 536-1700

CITY

STATE

ZIP

TELEPHONE NUMBER

The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8.01-412.10.

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided below on attached list.

DATE ISSUED _____ CLERK _____
by _____ DEPUTY CLERK _____

Benjamin G. Chew [REDACTED] 29113 VA
NAME OF ATTORNEY FOR REQUESTING PARTY BAR NUMBER LICENSING STATE
601 Thirteenth Street, N.W., Suite 600 (202) 536-1700
OFFICE ADDRESS TELEPHONE NUMBER OF ATTORNEY
Washington, DC 20005 (202) 536-1701
OFFICE ADDRESS FACSIMILE NUMBER OF ATTORNEY

NAME BAR NUMBER LICENSING STATE
STREET ADDRESS TELEPHONE NUMBER
STREET ADDRESS FACSIMILE NUMBER

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NAME BAR NUMBER LICENSING STATE
STREET ADDRESS TELEPHONE NUMBER
STREET ADDRESS FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are:

Benjamin G. Chew (VSB No. 29113)
Andrew C. Crawford (VSB No. 89093)
BROWN RUDNICK LLP
601 Thirteenth Street, N.W., Suite 600
Washington, D C. 20005
Telephone: (202) 536-1700
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Adam R. Waldman (*pro hac vice*)
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1775 Pennsylvania Avenue, N.W., Suite 350
Washington, D.C. 20006
Telephone: (202) 715-0966
Facsimile: (202) 715-0964

Counsel for Plaintiff John C. Depp, II

SERVICE LIST

Roberta A. Kaplan (*pro hac vice*)
John C. Quinn (*pro hac vice*)
KAPLAN HECKER & FINK LLP
350 Fifth Avenue, Suite 7110
New York, NY 10118
Telephone: (212) 763-0883
rkaplan@kaplanhecker.com
jfink@kaplanhecker.com
jqinn@kaplanhecker.com

J. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
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brottenborn@woodsrogers.com
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David Brook (*pro hac vice*)
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1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
dbrook@susmangodfrey.com

Counsel for Defendant Amber Laura Heard

This SUBPOENA/SUBPOENA DUCES TECUM TO PERSON UNDER FOREIGN SUBPOENA is being served by a private process server who must provide proof of service in accordance with Va. Code § 8 01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the Clerk of Court.

NAME. Children's Hospital Los Angeles	
ADDRESS. c/o Cogency Global Inc., 1325 J Street, Suite 1550, Sacramento, CA 95814	
<input type="checkbox"/> PERSONAL SERVICE	Tel No
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above:	
.....	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found)	
<input type="checkbox"/> not found, Sheriff
DATE	by....., Deputy Sheriff

1 ATTACHMENT A

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to Children's Hospital Los Angeles
4 (CHLA), and its agents, employees, officers, directors, and/or any other PERSON acting on its
5 behalf.

6 2. "COMMUNICATION" and/or "COMMUNICATIONS" shall mean and refer to
7 any written and verbal exchanges between any person or persons or entities, including but not
8 limited to verbal conversations, telephone calls, letters, e-mails, memoranda, reports, telegraphs,
9 faxes, exhibits, drawings, text messages, and any other documents which confirm or relate to the
10 written or verbal exchange, including applicable ELECTRONICALLY STORED
11 INFORMATION.

12 3. "ELECTRONICALLY STORED INFORMATION" means data that is stored in an
13 electronic medium and shall include, by way of example only, computer programs, electronic mail
14 (including message contents, header information and logs of electronic mail usage), output
15 resulting from the use of any software program, including electronic, digital, or any other recorded
16 material whatsoever, including but not limited to, any notes, memoranda, videotapes, affidavits,
17 statements, papers, files, forms, data, tapes, printouts, letters, reports, communications, contracts,
18 agreements, telegrams, records, financial records, applications, correspondence, diaries, calendars,
19 recordings and transcriptions of recordings, voice mail messages recorded electronically and in
20 writing, email messages and printouts, photographs, diagrams, or any other writings, however
21 produced or reproduced, word processing documents, spreadsheets, databases, telephone logs,
22 contact manager information, Internet usage files, PDF files, .JPG files, .TIF files, .TXT files,
23 batch files, ASCII files, and any and all miscellaneous files and data and shall include all active
24 data, deleted data, file fragments, metadata, native file formats and forensic images thereof.

25 4. "DIVORCE ACTION" shall mean and refer to the action entitled *In re the*
26 *Marriage of Amber Laura Depp and John Christopher Depp II*, Los Angeles Superior Court Case
27 No. BD641052.

28 ///

1 11 DOCUMENTS should be produced as single page .tiff format files imaged at 300
2 dpi, with the exception of stand-alone Databases (e.g , Access), spreadsheets (e.g., Excel), slide
3 presentations (e.g., PowerPoint), video files, and audio files, which should be produced in native
4 format. Each .tiff file should have a unique name matching the Bates number labeled on the
5 corresponding page. Color DOCUMENTS should be produced in color.

6 12. DOCUMENTS should be produced with (a) a delimited data file (.dat), and (b) an
7 image load file (.opt and/or .lfp). Each .tiff in a production must be referenced in the
8 corresponding image load file. The total number of documents referenced in a production's data
9 load file should match the total number of designated document breaks in the image load file for
10 the production

11 13. DOCUMENTS should be produced with extracted metadata for each DOCUMENT
12 in the form of a .dat file. The metadata should include the following fields, to the extent such
13 fields are available in the original DOCUMENT as it originally existed in its native format:

Field	Description
Bates_Begin	The bates label of the first page of the document
Bates_End	The bates label of the last page of the document
Attach_Begin	The bates label of the first page of a family of documents (e.g., email and attachment)
Attach_End	The bates label of the last page of a family of documents
Sent_Date	For email, the sent date of the message
Sent_Time	For email, the sent time of the message converted to GMT
Email_Author	The sender of an email message (email FROM)
Recipient	The recipients of an email message (email TO)
CC	The recipients of a copy of an email message (email CC)

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BCC	The recipients of a blind copy of an email message (email BCC)
Custodian	The custodian in whose file the document was found, including all duplicate custodians
Datercvd	Date received
Datesent	Date sent
Subject	E-mail subject
Author	The person who created the document
Modifier	The person who last modified the document
Created	The creation date of the document
Last_Modified	The last modified date of the document
Title	The title of the document
File_Name	The name of the file
File_Extension	The file extension of the document
MD5Hash	The MD5 Hash Value of the document
Message_ID	The Message ID of the email and/or attachment
Mailstore	The name of the Mailstore in which the email and/or attachment is contained
File_Size	The size of the file
File_Path	Original file path of the document as it existed in the normal course of business or the folder location if the document/email is contained in a Mailstore

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Number Pages	The number of pages in the document
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14. All DOCUMENTS attached to and/or embedded in an e-mail and/or other DOCUMENT must be produced contemporaneously and sequentially after the parent e-mail/document.

15. In producing DOCUMENTS, you shall furnish all DOCUMENTS in your possession, custody, or control. Without limitation of the term "control," a DOCUMENT is deemed to be in your control if you have the right to secure the DOCUMENT or a copy thereof from another person or public or private entity having actual possession thereof, or if you have the practical ability to obtain the DOCUMENT from a third-party, irrespective of any legal entitlement to the DOCUMENT. If any original DOCUMENT requested is not in your possession, custody, or control, then you are required to produce the best available copy, and to state, to the best of your knowledge, the name and address of the person in possession and/or control of the original. The fact that a DOCUMENT is in possession of another person or entity does not relieve you of the obligation to produce your copy of the DOCUMENT, even if the two DOCUMENTS are identical. In addition, any copy of a DOCUMENT shall be produced if it differs in any respect from the original (e.g., by reason of handwritten notes or comments having been added to copy which do not appear on the original or otherwise).

16. If responsive DOCUMENTS no longer exist because they have been destroyed, cannot be located, or are otherwise no longer in your possession or subject to your control, identify each DOCUMENT and describe the circumstances under which it was lost or destroyed.

17. All DOCUMENTS should be organized and labeled to correspond by number with the numbered categories set forth in these Requests. If a DOCUMENT is responsive to more than one Request, reference that DOCUMENT in your written response to each Request to which it is responsive or in a load file identifying the same.

18. A Request for a DOCUMENT shall be deemed to include a request for any and all file folders within which the DOCUMENT was contained, transmittal sheets, cover letters, exhibits, enclosures, or attachments to the DOCUMENT in addition to the DOCUMENT itself.

1 19. If you claim that any DOCUMENT is, in whole or in part, beyond the scope of
2 permissible discovery (including but not limited to any claim of privilege or confidentiality),
3 specify in detail each and every ground on which such claim rests and identify generally what the
4 document is. If you assert any claim of privilege, then at the time of production you are to furnish
5 a privilege log that specifically identifies each DOCUMENT (or portion) withheld by (a) date, (b)
6 author, (c) recipient, (d) persons copied, (e) general description of the subject matter of the
7 DOCUMENT, and (f) a statement of the specific privilege claimed and the basis upon which such
8 privilege is claimed as to each separate DOCUMENT (or portion) withheld. The privilege log
9 should contain enough specificity, but without disclosing privileged information, to allow
10 Plaintiffs and the Court to adequately assess the privilege claimed.

11 20 To the extent you consider any portion of the following Requests to be
12 objectionable, (a) identify the portion of the Request claimed to be objectionable, (b) state the
13 nature and basis of the objection, and (c) produce DOCUMENTS responsive to any portion of
14 such Request that is not claimed to be objectionable.

15 21. If you believe that any Request is unclear, unintelligible, or because of its wording
16 otherwise prevents you from responding fully to that Request, identify the ambiguity or source of
17 confusion and explain the definition and understanding that you relied upon in responding. It shall
18 be insufficient to object to a particular Request on the grounds that it is vague, ambiguous, or
19 otherwise unclear, and withhold DOCUMENTS on that basis without seeking clarification.

DOCUMENT REQUESTS

REQUEST NO. 1:

22 All DOCUMENTS that refer, reflect, or relate to any donations made to YOU or for
23 YOUR benefit by MS. HEARD, from January 1, 2016 through and including the present.

REQUEST NO. 2:

25 All COMMUNICATIONS between YOU and MS. HEARD regarding any donations made
26 to YOU or for YOUR benefit by MS. HEARD, from January 1, 2016 through and including the
27 present.

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REQUEST NO. 3:

All COMMUNICATIONS between YOU and MS. HEARD regarding the DIVORCE ACTION.

REQUEST NO. 4:

All COMMUNICATIONS between YOU and MS. HEARD regarding the relationship between MR. DEPP and MS. HEARD.

REQUEST NO. 5:

All DOCUMENTS, including all COMMUNICATIONS, that refer, reflect, or relate to any press releases, public statements, or other publicity related to any donations made by MS. HEARD to YOU or for YOUR benefit, from January 1, 2016 through and including the present.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) BROWN RUDNICK LLP CAMILLE M VASQUEZ, #273377 2211 Michelson Drive, Seventh Floor Irvine, CA 92612 TELEPHONE NO (949) 752-7100 FAX NO (949) 252-1514 E MAIL ADDRESS cvasquez@brownrudnick.com ATTORNEY FOR (Name) John C. Depp, II</p>	<p>FOR COURT USE ONLY</p>
<p>Court for county in which discovery is to be conducted SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS 111 N Hill Street MAILING ADDRESS 111 N Hill Street CITY, STATE, AND ZIP CODE Los Angeles 90012 BRANCH NAME Stanley Mosk</p>	
<p>Court in which action is pending Name of Court Circuit Court of Fairfax County STREET ADDRESS 4110 Chain Bridge Road MAILING ADDRESS 4110 Chain Bridge Road, Suite 320 CITY, STATE, AND ZIP CODE Fairfax, Virginia 22030 COUNTRY United States</p>	
<p>PLAINTIFF/PETITIONER John C. Depp, II DEFENDANT/RESPONDENT Amber Laura Heard</p>	<p>CALIFORNIA CASE NUMBER (if any assigned by court).</p>
<p>SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS IN ACTION PENDING OUTSIDE CALIFORNIA</p>	<p>CASE NUMBER (of action pending outside California) CL-2019-0002911</p>

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
 Children's Hospital Los Angeles c/o Cogency Global Inc., 1325 J Street, Suite 1550, Sacramento, CA 95814
1 YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

<p>To (name of deposition officer) First Legal Records On (date). June 29, 2020 At (time): 10.00 a.m. Location (address) 1511 Beverly Blvd , Los Angeles, CA 90026</p> <p>Do not release the requested records to the deposition officer prior to the date and time stated above</p>

- a. by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
 - b. by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b)
 - c. by making the original business records described in Item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours
- 2 The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later) Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b) The records must be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified) See Attachment 3
- Continued on Attachment 3 (use form MC-025)
- 4 Attorneys of record in this action or parties without attorneys are (name, address, telephone number, and name of party represented). See Attachment 4
- Continued on Attachment 4 (use form MC-025).

PLAINTIFF/PETITIONER John C. Depp, II	CASE NUMBER (of action pending outside California): CL-2019-0002911
DEFENDANT/RESPONDENT: Amber Laura Heard	

5 If you have been served with this subpoena as a custodian of consumer or employee records under Code of Civil Procedure section 1985.6 and a motion to quash or an objection has been served on you, a court order or agreement of the parties, witnesses, and consumer or employee affected must be obtained before you are required to produce consumer or employee records.

6. Other terms or provisions from out-of-state subpoena, if any (specify):
See attached Fairfax County Circuit Court Subpoena

Continued on Attachment 6 (use form MC-025).

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued May 29, 2020

CAMILLE M. VASQUEZ
(TYPE OR PRINT NAME)


(SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for John C. Depp, II
(TITLE)

PROOF OF SERVICE OF SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

1 I served this Subpoena for Production of Business Records In Action Pending Outside California by personally delivering a copy to the person served as follows:

- a. Person served (name).
- b. Address where served.
- c. Date of delivery.
- d. Time of delivery.
- e. Witness fees and mileage both ways (check one):

- (1) were paid. Amount \$ _____
- (2) were not paid.
- (3) were tendered to the witness's public entity employer as required by Government Code section 68097.2 The amount tendered was (specify): \$ _____

f. Fee for service' \$ _____

2 I received this subpoena for service on (date):

3. I also served a completed Proof of Service of Notice to Consumer or Employee and Objection (form SUBP-025) by personally delivering a copy to the person served as described in 1 above.

4. Person serving:

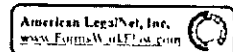
- a. Not a registered California process server
- b. California sheriff or marshal
- c. Registered California process server
- d. Employee or independent contractor of a registered California process server
- e. Exempt from registration under Business and Professions Code section 22350(b)
- f. Registered professional photocopier
- g. Exempt from registration under Business and Professions Code section 22451
- h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____
(SIGNATURE)

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct

Date: _____
(SIGNATURE)



1 ATTACHMENT 3

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to Children's Hospital Los Angeles
4 (CHLA), and its agents, employees, officers, directors, and/or any other PERSON acting on its
5 behalf.

6 2. "COMMUNICATION" and/or "COMMUNICATIONS" shall mean and refer to
7 any written and verbal exchanges between any person or persons or entities, including but not
8 limited to verbal conversations, telephone calls, letters, e-mails, memoranda, reports, telegraphs,
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10 written or verbal exchange, including applicable ELECTRONICALLY STORED
11 INFORMATION.

12 3. "ELECTRONICALLY STORED INFORMATION" means data that is stored in an
13 electronic medium and shall include, by way of example only, computer programs, electronic mail
14 (including message contents, header information and logs of electronic mail usage), output
15 resulting from the use of any software program, including electronic, digital, or any other recorded
16 material whatsoever, including but not limited to, any notes, memoranda, videotapes, affidavits,
17 statements, papers, files, forms, data, tapes, printouts, letters, reports, communications, contracts,
18 agreements, telegrams, records, financial records, applications, correspondence, diaries, calendars,
19 recordings and transcriptions of recordings, voice mail messages recorded electronically and in
20 writing, email messages and printouts, photographs, diagrams, or any other writings, however
21 produced or reproduced, word processing documents, spreadsheets, databases, telephone logs,
22 contact manager information, Internet usage files, PDF files, .JPG files, .TIF files, .TXT files,
23 batch files, ASCII files, and any and all miscellaneous files and data and shall include all active
24 data, deleted data, file fragments, metadata, native file formats and forensic images thereof.

25 4. "DIVORCE ACTION" shall mean and refer to the action entitled *In re the*
26 *Marriage of Amber Laura Depp and John Christopher Depp II*, Los Angeles Superior Court Case
27 No. BD641052.

28 ///

1 11. DOCUMENTS should be produced as single page .tiff format files imaged at 300
2 dpi, with the exception of stand-alone Databases (e.g., Access), spreadsheets (e.g., Excel), slide
3 presentations (e.g., PowerPoint), video files, and audio files, which should be produced in native
4 format. Each .tiff file should have a unique name matching the Bates number labeled on the
5 corresponding page. Color DOCUMENTS should be produced in color.

6 12. DOCUMENTS should be produced with (a) a delimited data file (.dat), and (b) an
7 image load file (.opt and/or .lfp). Each .tiff in a production must be referenced in the
8 corresponding image load file. The total number of documents referenced in a production's data
9 load file should match the total number of designated document breaks in the image load file for
10 the production

11 13. DOCUMENTS should be produced with extracted metadata for each DOCUMENT
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13 fields are available in the original DOCUMENT as it originally existed in its native format:

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Bates_Begin	The bates label of the first page of the document
Bates_End	The bates label of the last page of the document
Attach_Begin	The bates label of the first page of a family of documents (e.g., email and attachment)
Attach_End	The bates label of the last page of a family of documents
Sent_Date	For email, the sent date of the message
Sent_Time	For email, the sent time of the message converted to GMT
Email_Author	The sender of an email message (email FROM)
Recipient	The recipients of an email message (email TO)
CC	The recipients of a copy of an email message (email CC)

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BCC	The recipients of a blind copy of an email message (email BCC)
Custodian	The custodian in whose file the document was found, including all duplicate custodians
Datercvd	Date received
Datesent	Date sent
Subject	E-mail subject
Author	The person who created the document
Modifier	The person who last modified the document
Created	The creation date of the document
Last_Modified	The last modified date of the document
Title	The title of the document
File_Name	The name of the file
File_Extension	The file extension of the document
MD5Hash	The MD5 Hash Value of the document
Message_ID	The Message ID of the email and/or attachment
Mailstore	The name of the Mailstore in which the email and/or attachment is contained
File_Size	The size of the file
File_Path	Original file path of the document as it existed in the normal course of business or the folder location if the document/email is contained in a Mailstore

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14. All DOCUMENTS attached to and/or embedded in an e-mail and/or other DOCUMENT must be produced contemporaneously and sequentially after the parent e-mail/document.

15. In producing DOCUMENTS, you shall furnish all DOCUMENTS in your possession, custody, or control. Without limitation of the term "control," a DOCUMENT is deemed to be in your control if you have the right to secure the DOCUMENT or a copy thereof from another person or public or private entity having actual possession thereof, or if you have the practical ability to obtain the DOCUMENT from a third-party, irrespective of any legal entitlement to the DOCUMENT. If any original DOCUMENT requested is not in your possession, custody, or control, then you are required to produce the best available copy, and to state, to the best of your knowledge, the name and address of the person in possession and/or control of the original. The fact that a DOCUMENT is in possession of another person or entity does not relieve you of the obligation to produce your copy of the DOCUMENT, even if the two DOCUMENTS are identical. In addition, any copy of a DOCUMENT shall be produced if it differs in any respect from the original (e.g., by reason of handwritten notes or comments having been added to copy which do not appear on the original or otherwise).

16. If responsive DOCUMENTS no longer exist because they have been destroyed, cannot be located, or are otherwise no longer in your possession or subject to your control, identify each DOCUMENT and describe the circumstances under which it was lost or destroyed.

17. All DOCUMENTS should be organized and labeled to correspond by number with the numbered categories set forth in these Requests. If a DOCUMENT is responsive to more than one Request, reference that DOCUMENT in your written response to each Request to which it is responsive or in a load file identifying the same.

18. A Request for a DOCUMENT shall be deemed to include a request for any and all file folders within which the DOCUMENT was contained, transmittal sheets, cover letters, exhibits, enclosures, or attachments to the DOCUMENT in addition to the DOCUMENT itself.

1 19. If you claim that any DOCUMENT is, in whole or in part, beyond the scope of
2 permissible discovery (including but not limited to any claim of privilege or confidentiality),
3 specify in detail each and every ground on which such claim rests and identify generally what the
4 document is. If you assert any claim of privilege, then at the time of production you are to furnish
5 a privilege log that specifically identifies each DOCUMENT (or portion) withheld by (a) date, (b)
6 author, (c) recipient, (d) persons copied, (e) general description of the subject matter of the
7 DOCUMENT, and (f) a statement of the specific privilege claimed and the basis upon which such
8 privilege is claimed as to each separate DOCUMENT (or portion) withheld. The privilege log
9 should contain enough specificity, but without disclosing privileged information, to allow
10 Plaintiffs and the Court to adequately assess the privilege claimed

11 20. To the extent you consider any portion of the following Requests to be
12 objectionable, (a) identify the portion of the Request claimed to be objectionable, (b) state the
13 nature and basis of the objection, and (c) produce DOCUMENTS responsive to any portion of
14 such Request that is not claimed to be objectionable.

15 21. If you believe that any Request is unclear, unintelligible, or because of its wording
16 otherwise prevents you from responding fully to that Request, identify the ambiguity or source of
17 confusion and explain the definition and understanding that you relied upon in responding. It shall
18 be insufficient to object to a particular Request on the grounds that it is vague, ambiguous, or
19 otherwise unclear, and withhold DOCUMENTS on that basis without seeking clarification.

DOCUMENT REQUESTS

REQUEST NO. 1:

22 All DOCUMENTS that refer, reflect, or relate to any donations made to YOU or for
23 YOUR benefit by MS. HEARD, from January 1, 2016 through and including the present.

REQUEST NO. 2:

25 All COMMUNICATIONS between YOU and MS. HEARD regarding any donations made
26 to YOU or for YOUR benefit by MS. HEARD, from January 1, 2016 through and including the
27 present.

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1 **REQUEST NO. 3:**

2 All COMMUNICATIONS between YOU and MS. HEARD regarding the DIVORCE
3 ACTION.

4 **REQUEST NO. 4:**

5 All COMMUNICATIONS between YOU and MS. HEARD regarding the relationship
6 between MR. DEPP and MS. HEARD.

7 **REQUEST NO. 5:**

8 All DOCUMENTS, including all COMMUNICATIONS, that refer, reflect, or relate to any
9 press releases, public statements, or other publicity related to any donations made by MS. HEARD
10 to YOU or for YOUR benefit, from January 1, 2016 through and including the present.

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SHORT TITLE John C. Depp, II v. Amber Laura Heard	CASE NUMBER CL-2019-0002911
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ATTACHMENT (Number): 4*(This Attachment may be used with any Judicial Council form)*

Benjamin G. Chew (VSB No. 29113)
 Andrew C. Crawford (VSB No. 89093)
 BROWN RUDNICK LLP
 601 Thirteenth Street, N.W.
 Washington, DC 20005
 Telephone: (202) 536-1700
 Facsimile: (202) 536-1701
 bchew@brownrudnick.com
 eweingarten@brownrudnick.com
 acrawford@brownrudnick.com

Camille M. Vasquez (*pro hac vice*)
 BROWN RUDNICK LLP
 2211 Michelson Drive
 Seventh Floor
 Irvine, CA 92612
 Telephone: (949) 752-7100
 Facsimile: (949) 252-1514
 cvasquez@brownrudnick.com

Adam R. Waldman (*pro hac vice*)
 THE ENDEAVOR LAW FIRM, P.C.
 1775 Pennsylvania Avenue, N.W.
 Washington, DC 20006
 Telephone: (202) 715-0966
 Facsimile: (202) 715-0964
 awaldman@theendeavorgroup.com

Counsel for Plaintiff John C Depp, II

Roberta A. Kaplan (*pro hac vice*)
 John C. Quinn (*pro hac vice*)
 KAPLAN HECKER & FINK LLP
 350 Fifth Avenue, Suite 7110
 New York, NY 10118
 Telephone: (212) 763-0883
 rkaplan@kaplanhecker.com
 jfink@kaplanhecker.com
 jqunn@kaplanhecker.com

J. Benjamin Rottenborn (VSB No. 84796)
 Joshua R. Trece (VSB No. 79149)
 WOODS ROGERS PLC
 10 S. Jefferson Street, Suite 1400
 P.O. Box 14125
 Roanoke, VA 24011
 Telephone: (540) 983-7540
 brottenborn@woodsrogers.com
 jtrece@woodsrogers.com

Davida Brook (*pro hac vice*)
 SUSMAN GODFREY L.L.P.
 1900 Avenue of the Stars, Suite 1400
 Los Angeles, CA 90067
 Telephone: (310) 789-3100
 Facsimile: (310) 789-3150
 dbrook@susmangodfrey.com

Counsel for Defendant Amber Laura Heard

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1*(Add pages as required)*

ATTACHMENT 14

Adam Waldman
@adam_waldman

Declaration of Whitney Heard's "chosen sister" Ms Jennifer Howell

3:07 AM · Aug 7, 2020 · Twitter for iPhone

499 Retweets 123 Quote Tweets

1.8K Likes

1 Reply 1 Retweet 1 Like 1 Share

Maya Omaynk215 · Aug 7
Replying to @adam_waldman
This family is nuts, all if them

2 Retweets 30 Likes 1 more reply

Mango CThesunnyma · Aug 7
Replying to @adam_waldman
I am worried about anyone around Amber right now. She will have a full hit of anger overdose after this exposure.
#JusticeForJohnnyDepp



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IN THE CIRCUIT COURT OF FIFTH JUDICIAL CIRCUIT

John C. Depp, Jr. Plaintiff

Amber Heard, Defendant

CASE NUMBER: 2019-000211

DECLARATION OF WHITNEY HEARD'S "CHOSEN SISTER" MS JENNIFER HOWELL

I, Jennifer Heard, declare as follows:

- I am over the age of 18 and not a party to the matter. I have a signed, printed declaration of the facts as well as the date and a valid address which corresponds to a Google Maps location where I reside with Whitney Heard, at the time of the filing of this Declaration.
- Whitney Heard, who resides with Whitney Heard, at the time of the filing of this Declaration, is a "chosen sister" of Amber Heard.
- Whitney Heard, who resides with Whitney Heard, at the time of the filing of this Declaration, is a "chosen sister" of Amber Heard.
- Whitney Heard, who resides with Whitney Heard, at the time of the filing of this Declaration, is a "chosen sister" of Amber Heard.

2019-08-07

Whitney Heard

Signature of Plaintiff



VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

John C. Depp, II,)	
)	
Plaintiff,)	
)	Civil Action No.: CL-2019-0002911
v.)	
)	
Amber Laura Heard,)	
)	
Defendant.)	

DECLARATION OF JENNIFER HOWELL

I, Jennifer Howell, declare as follows

1 I am over the age of 18 and not a party to this action I have firsthand, personal knowledge of the facts set forth below and if called as a witness could competently testify thereto

2 Whitney Hennquez, whose maiden name was Whitney Heard, is my dear friend. She has told me that I am her "chosen sister" I also call her my "chosen sister"

3 Whitney worked for me at a non-profit organization that I founded 22 years ago and run called The Art of Elysium. We take artists and help them be of service to communities in need. We serve over 30,000 individuals in need each year Whitney volunteered for the organization in 2014 for about 6 months And she worked full time as a paid employee for me in 2015-2016, where Whitney served as Art Salon Manager/Director

4 I have learned that Whitney testified in court July 23 in London about a violent incident in March 2015 on the stairs at Johnny Depp's penthouse She testified that Johnny supposedly hit Amber and Whitney on the stairs at Johnny's downtown penthouse Then Whitney said she had to go to live with her employer where she had to sleep on their floor I am that employer This is not what I was told to be true First, Whitney came to live in the guest room of



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employer This is not what I was told to be true First, Whitney came to live in the guest room of

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my apartment on Wilshire Boulevard, not on my floor but in my guest room. Second, when Whitney arrived, she was a mess Whitney told me she tried to stop her sister Amber from hitting and attacking Johnny on the stairs Whitney said when she tried to intervene to stop Amber from going after Johnny, Amber nearly pushed Whitney down the stairs. She told me she was worried Amber "was going to kill Johnny." She told me she had endured that kind of abuse her entire life, first from her father, and then from Amber, who she said was extremely violent She lived with me because she did not feel she could go back to live at the Eastern Columbia Building My father reminded me this morning that I told him that "Whitney had moved in with me because she was terrified of her sister."

5 While Whitney was living with me, she told me Johnny kept checking in to see how she was doing and that he called her "sis" and she called him "brother." Whitney said to me on multiple occasions that she did not know why he was staying in the relationship nor why he was putting up with Amber's abuse Whitney shared with me the damage endured by both her and Amber as children and the injuries she had suffered from Amber both psychologically and physically. Whitney was devastated during this time, and my heart broke for her

6 When Whitney came back from New York (I believe it was for Tribeca Film Festival, THE ADDERALL DIARIES premiere or both) she shared with me and everyone in the office that Amber freaked out, attacked Whitney and threw a wine glass full of red wine at her in the elevator

7. While Amber and Johnny were in Australia, Whitney was in the office sitting in the black and white chairs near the kitchen and loudly proclaimed, "oh my God, she has done it now She has cut off his fucking finger "

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8 I knew Paige Heard, Amber and Whitney' mother Paige shared with me while I was visiting Whitney that Elon Musk had gifted a Tesla or multiple Teslas (not sure if it was one or more), but Amber found out that they were "bugged " Paige told me that Amber said Elon was controlling, abusive and that she was in a legal battle with him over the rights to embryos that they had created together He wanted to destroy them, and Amber tried to keep them to have a baby. Paige told me that Johnny was either an "angel" or a "saint" compared to Elon, and she wished that Amber and Johnny would reconcile Paige also told me the reason Johnny and Amber broke up was because Amber was violent and emotional and loved Johnny so much that she could not control it I was indeed taken aback because this conversation occurred after the divorce and when Hunter was only a few months old, and I was at Whitney's house Whitney told me that Amber and Johnny were still in touch and that they were each other's true loves or something to that exact sentiment. Whitney was still going through the emotions of having had a baby and all of those ups and downs, and I could not believe that Amber and Johnny's relationship was being discussed while Whitney was the one who needed to be the focal point and needed our support.

9. When Amber got into legal trouble regarding smuggling the dogs into Australia, she asked me to write her a character reference about her charity work, and I did so We had given her a humanitarian award She volunteered with the charity and attended events for the charity. I am still grateful for that I knew nothing about her personal life behind closed door until I became close with Whitney

10 When Amber was in trouble with the Australian authorities, she asked me to write a character letter in support of her, which I did I wrote on behalf of Amber for her volunteering with the charity

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11. Later, when Amber and Johnny were divorcing, \$7 million of the proceeds was supposed to go to charity. I learned that none of it would be directed to The Art of Elysium, which Amber had been closely associated with for years. Instead, I understood it would all go to ACLU and LA Children's Hospital. I asked Amber's publicist why, when she and Amber had been so eager to use our name in the press during the divorce, and when the funds would mean so much to a small organization like ours, would Amber direct all the money to these other two huge charities that she had not been associated with? Amber's publicist told me that they were more prominent charities with a more significant press reach and got international press. Then, months later, a \$250,000 donation came into our organization from an anonymous donor "on behalf of Amber Heard." The funds did not come from Amber. I believed this donation came from Elon.

12. Years later, on July 24, 2020, I received two subpoenas from Johnny's attorney after Whitney testified about sleeping on my floor following the stairs incident. The following day, I spoke with Johnny's attorney Adam Waldman for the first time.

13. I told him the stories of my experiences with Whitney, Paige and Amber Heard, and he asked me to give this declaration. I shared the names of The Art of Elysium's staff who worked during the same time as Whitney who also heard these things and more and willingly gave access to my e-mails, texts to confirm dates and timeline of all stated.

Executed this 26th day of July, 2020, in Los Angeles, California

I declare under penalty of perjury under the laws of the United States of America and Commonwealth of Virginia that the foregoing is true and correct


Jennifer Howell

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