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JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

VIRGINIA:
IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

John C. Depp, II,
Plaintiff,

v.
Amber Laura Heard,
Defendant.

Case No. CL2019-02911

**DEFENDANT AMBER LAURA HEARD'S MOTION TO COMPEL PLAINTIFF DEPP
TO ABIDE BY THIS COURT'S PREVIOUS ORDERS AND PRODUCE DOCUMENTS
AND RESPONSES TO DEFENDANT'S FIRST, SECOND, FOURTH AND FIFTH
REQUESTS FOR PRODUCTION, AND FOR
SANCTIONS FOR CONTINUING VIOLATIONS OF THIS COURT'S ORDERS**

COMES NOW Defendant Amber Laura Heard, by counsel, in accordance with Rule 4:12 of the Rules of the Supreme Court of Virginia, and moves this Court for entry of an Order compelling Plaintiff John C. Depp II to fully produce non-privileged documents in response to specific document requests contained in Defendant's First, Second, Fourth, Fifth, Sixth, and Seventh Requests for Production of Documents, as previously ordered by this Court, and for Sanctions for repeated, willful, and continuing violations of this Court's Orders.

Counsel for Defendant hereby certifies, pursuant to Rule 4:12(a)(2) and 4:15(b), that they have in good faith conferred with counsel for Plaintiff in an effort to obtain the requested responses without judicial intervention.

The grounds for Defendant's Motion are addressed more fully in Defendant's accompanying Memorandum in Support.

November 18, 2020

Respectfully submitted,



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Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
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Counsel to Defendant Amber Laura Heard

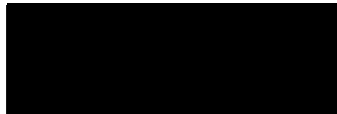
CERTIFICATE OF SERVICE

I certify that on this 18th day of November 2020, a copy of the foregoing was served by via email, pursuant to the Agreed Order dated August 16, 2019, addressed as follows:

Benjamin G. Chew, Esq.
Andrew C. Crawford, Esq.
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Counsel for Plaintiff John C. Depp, II



Elaine Charlson Bredehoft (VSB No. 23766)

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JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

John C. Depp, II,

Plaintiff and Counter-defendant,

v.

Amber Laura Heard,

Defendant and Counter-plaintiff.

Case No. CL2019-02911

**MEMORANDUM IN SUPPORT OF DEFENDANT AMBER LAURA HEARD'S
MOTION TO COMPEL PLAINTIFF DEPP TO ABIDE BY THIS COURT'S PREVIOUS
ORDERS AND PRODUCE DOCUMENTS AND RESPONSES TO DEFENDANT'S
FIRST, SECOND, FOURTH AND FIFTH REQUESTS FOR PRODUCTION, AND FOR
SANCTIONS FOR CONTINUING VIOLATIONS OF THIS COURT'S ORDERS**

It is imperative for the integrity and efficacy of our Judicial System that parties abide by this Court's Orders. Unfortunately, for well over a year now, Plaintiff Depp ("Depp") has abjectly failed and refused to abide by this Court's Orders. In this Motion, Defendant requests the Court to enforce, and once again order, Depp to follow this Court's Orders of October 18, 2019, August 10, 2020, and September 14, 2020. A review of Depp's production of 18,000 plus pages of documents (more than 11,000 are copies of the UK Trial Bundles, many duplicative to Depp's other production) reveals that Depp has failed to produce documents in response to many of the RFPs he was ordered to produce. Disingenuously, Depp will not identify any document purported to be responsive, nor will he commit that there are no responsive documents. After multiple attempts to pin Depp down, this Motion follows.

Rule 4:9(b)(iii)(A) of the Rules of the Virginia Supreme Court requires "[a] party who produces documents for inspection either shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the request." Depp has not produced documents in either format. Instead, as Depp's U.K. counsel conceded under oath: "the data was disclosed in the US libel proceedings in quite a crude '*data dump*.'" **Att. 1 ¶ 11** (emphasis added.)¹ Despite this "crude data dump," Defendant reviewed all Depp's documents, and found significant gaps and deficiencies in the production, which she described in detail to Depp in an email on November 5, 2020. **Att. 2 (11/5/20 email)**. In response, Depp has refused to produce any additional documents or identify Bates numbers for documents responsive to the RFPs. **Att. 3 (11/10/20 email)**² Depp must once again be ordered to produce

¹ Significantly, Depp's UK counsel was explaining why Depp's UK counsel had not produced responsive documents in the UK proceeding produced in the US, resulting in sanctions by the UK Court. The Declaration was asking for "relief" from the sanctions, because the massive document dump caused them to miss responsive documents.

² In his email, Depp's counsel made clear Depp had no intention of providing full production, identifying the production of any responsive documents, or committing that there were no responsive documents.

full production Court-Ordered requests, identify by Bates number documents corresponding to each RFP, provide supplemental responses without objections, and state (commit) where there are no responsive documents. Further, Defendant requests Depp be sanctioned for his continuing and willful failure to comply with this Court's Orders.

A. 1st Request for Production of Documents:

On October 18, 2019, this Court Ordered, "By November 15, 2019, Plaintiff must produce all-non-privileged, responsive documents requested by Defendant's Document Requests 4, 5, 15, 17-21, and 30-44." Att. 4. Nearly a year later, Mr. Depp still had not complied, leading this Court to Order Mr. Depp to "produce to Ms. Heard all remaining responsive documents pursuant to this Court's October 18, 2019 Order" by August 14, 2020. Att. 5. In addition, this Court ordered full production by August 14, 2020 of documents responsive to RFPs 11 and 12.

The totality of those RFPs request the following:

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

Request 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.

Request 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.

Request 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.

Request 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

Defendant thoroughly reviewed the entirety of Depp's production, and is unable to locate any responsive documents, which she informed Depp's counsel and asked for identification of any Depp contended were responsive. **Att. 2.** Depp refused to provide any bates stamp number, instead blanketly claiming he produced all responsive documents. Depp also refused to provide responses identifying if there were no responsive documents. *See Att. 3.*

As to **RFP 33**, which requires in part "DOCUMENTS and COMMUNICATIONS exchanged between YOU and Christi Dembrowski that mention MS. HEARD... from 2010 to April, 2019," Depp only produced documents related to food, wedding planning and movie/press matters. **Att. 2.** There has been extensive testimony relating to Ms. Dembrowski's involvement in wanting Depp to obtain a prenuptial or post nuptial agreement, which purportedly led to arguments between the parties and Depp's justification for drinking, and claiming it was Defendant who was angry, not Depp, during several instances of domestic violence. None of these documents have been produced.

B. 2nd Requests for Production of Documents

Also on August 10, 2020 (**Att. 5**), this Court required Mr. Depp to produce full production to the following RFPs by August 14, 2020:

Request 12: All documents and/or communications, from 2010 to the present, with any person or entity involved in any film, performance, appearance or advertisement involving You regarding the loss of any opportunity for You in connection with such film, performance, appearance or advertisement, including, without limitation, all films referred to in paragraphs 71-73 of the Complaint.

Request 13: All documents referring or relating to damages or losses for which You seek recovery in this Action.

Mr. Depp produced no responsive documents. Defendant again requested identification of any responsive documents or committing there are none, **Att. 2**, and Depp has refused. *See Att. 3.*

C. 4th Requests for Production of Documents

On September 14, 2020, the Court Ordered, by Consent Order fully executed by both parties, full production in response to 4th RFP, Nos. 9-13 by September 30, 2020. **Att. 6.** Like the other RFPs, Mr. Depp has failed to produce, identify or commit there are none.

Request 9: All communications with the LA police department, including any police officers, relating in any manner to Ms. Heard from May 21, 2016 through the present. Mr. Depp served supplemental responses claiming he produced all responsive documents. However, Depp only produced transcripts of the 911 calls to the LA Police Department on May 21, 2016. Based on the testimony and evidence presented in the U.K. trial, it is clear that Depp or those acting on his behalf engaged in communications with LAPD. Depp again claimed he “is in possession of no non-privileged documents that have not been produced that would be responsive to this request.” **Att. 3.** Again, Depp did not produce, identify or commit to none.

Request 10: All documents between or among Mr. Depp and Christi Dembrowski, Ben King, Kevin Murphy, Jerry Judge, Nathan Holmes, Malcolm Connelly, Steven Deuters, any other security for Mr. Depp, house personnel, housekeeping, and personal assistant staff, that refer or relate to Mr. Depp's substance or alcohol abuse or treatment, Mr. Depp's acts of physical violence, Mr. Depp's destruction of property, Ms. Heard's 2016 Domestic Violence Restraining Order, evidence or testimony related thereto, allegations of physical or nonphysical abuse by Ms. Heard or Mr. Depp, allegations that these are false, part of a hoax or fraud, and/or that otherwise refer or relate to the claims, counterclaims, defenses or allegations in this lawsuit during the following date periods: January 1 - March 30, 2013; June 27-July 7, 2013; May 1-May 31, 2014; August 1-September 15, 2014; December 1, 2014-January 3, 2015; January 20 - February 12, 2015; March 1- March 30, 2015; July 15-August 5, 2015; November 20, 2015-December 31, 2015; April 15, 2016-April 30, 2016; May 3, 2016-May 21, 2016; May 22, 2016 through the present.

Depp has produced nothing responsive to the portion of the Request on “destruction of property,” nor produced documents on most of these topics from 2019 to the present (with the exception of Defendant’s communications and pictures taken by Defendant that were in turn produced by Depp). There are obviously many documents in Depp’s possession that should be

produced, but Depp refuses to produce any additional documents, identify what documents he has produced, or commit there are none. **Att. 3.**

Request 11: All communications between Mr. Depp, or any representative of Mr. Depp, and anyone at Disney, or on behalf of Disney, relating in any manner to Disney's consideration of, and decision, not to cast Mr. Depp in the sixth Pirates of the Caribbean movie.

Request 12: If Mr. Depp contends that he has lost any role or other job as the result of Ms. Heard's Op-Ed, please produce all document supporting such claim.

Request 13: Please provide all documents supporting each aspect of Mr. Depp's claims that he has been damaged, including all documents supporting the \$50 million ad damnum clause.

Mr. Depp has produced no responsive documents. **Att. 2.** Again, Depp refused to produce any documents, identify any responsive document produced, or commit there are none.

D. 5th Requests for Production of Documents

On September 14, 2020, this Court Ordered, by Consent Order fully executed by both parties, full production in response to 5th RFP, No. 11 by September 30, 2020. **Att. 6**

Request 11: All records of the Hicksville trip, including but not limited to, the reservations, pictures and descriptions of accommodations, any pictures of damage to property, all receipts, records of payment and communications relating to the stay, all monies paid, and the reasons for such payments.

Mr. Depp has produced no responsive documents, **Att. 2,** has not identified a single page in its production that is responsive, and will not commit there are no responsive documents. *See Att. 3.*

CONCLUSION

For the reasons set forth above, Defendant's Motion should be granted, and given Depp's repeated and willful failure to follow this Court's Orders, significant sanctions are appropriate against Depp under Rule 4:12(b) and (d), as well as any other relief this Court deems appropriate.

November 18, 2020

Respectfully submitted,



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Counsel to Defendant Amber Laura Heard

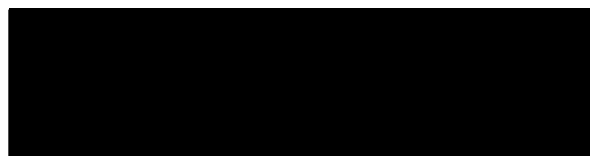
CERTIFICATE OF SERVICE

I certify that on this 18th day of November 2020, a copy of the foregoing was served by
via email, pursuant to the Agreed Order dated August 16, 2019, addressed as follows:

Benjamin G. Chew, Esq.
Andrew C. Crawford, Esq.
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Counsel for Plaintiff John C. Depp, II



Elaine Charlson Bredehoft (VSB No. 23766)

28 June 2020

Claim No.: QB-2018-006323

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

B E T W E E N

JOHN CHRISTOPHER DEPP II

Claimant

and

(1) NEWS GROUP NEWSPAPERS LTD
(2) DAN WOOTTON

Defendants

EIGHTH WITNESS STATEMENT OF JENNY CAMPBELL AFIA

I, Jenny Afia, a Partner in the firm of Schillings, 12 Arthur Street, London EC4R 9AB, solicitors for the Claimant, will say as follows:

1. I am a solicitor of the Senior Courts of England and Wales and a Partner in the firm of Schillings International LLP ("Schillings") of the above address. I have conduct of this matter on behalf of the Claimant.
2. I confirm that save where otherwise appears the facts stated in this witness statement are within my own knowledge and that those facts are true to the best of my knowledge and belief. Where facts are not within my own knowledge, I confirm that they are true to the best of my information and belief and the source of that information is set out.
3. I make this witness statement in support of the Claimant's application pursuant to CPR r.3.9 for relief from sanction, and in particular to respond to further allegations made in the Seventh Witness Statement of Louis Charalambous which was served this afternoon, in response to the

28 June 2020

Claimant's application for relief from sanction, due to be heard tomorrow morning.

4. There is now produced and shown to me a paginated bundle of documents marked "JA8". All references to documents in this statement are to Exhibit JA8 unless otherwise stated.

The audio recording "Argument 2"

5. The Defendants accept that this recording was disclosed to them on 20 February 2020.
6. At the time that the recording was provided to me, and at the point that I signed my First Witness Statement on 21 February 2020, my instructions were that the Claimant had not previously held the recording. There was no intention to mislead the Defendants or the Court. Indeed, the Claimant's US lawyers disclosed the tape in their libel proceedings on 20 February 2020 (Depp Production 009), on the basis that it had just been discovered.
7. I understand from my colleagues who have carried out the disclosure review, which I am ultimately responsible for as the senior partner on the case, the page of the Extraction Report which shows the file name of the recording as "Argument 2" / "20150926163469.m4a" and a reference to "Source: iPhoneRecordings", referred to and exhibited at page 42 of Mr Charalambous' Exhibit LC7, was reviewed as a standalone document on the US e-Discovery platform. As an isolated document, a pdf of an Extraction Report did not appear to contain any relevant information to be disclosed. It was not "*purposefully removed*", as Mr Charalambous asserts. It was never attached to the other documents in the Extraction Report; all of the documents are uploaded and reviewed as individual documents within Depp Production 009. The hyperlink in the pdf to the relevant audio recording is inactive.

28 June 2020

8. Mr Charalambous says that it should have been apparent from the pdf that the Court had been misled as to the provenance of the recording. As an isolated document uploaded onto the e-Discover platform, it was not clear. Each extraction report is a standalone document on that platform. The tag at the bottom of the page reads "DEPP00008169", which is a single page document. I accept that when reviewed as a page within a 505-page document, in the form that Mr Charalambous has received it from Ms Heard's US Counsel, the reference to the recording is put into proper context.
9. On further review of this evidence that states the recording emanated from an iPhone, it has become clear that it was not correct to say that it was not in the Claimant's possession.
10. This was not a conscious intention to withhold the recording, or to be untruthful about its provenance. That argument does not stand up as the recording is one that is indisputably helpful to the Claimant. His US representatives would have undoubtedly wanted to rely on it much earlier, had it been picked up.
11. I understand that at the time of the Claimant's extraction of his devices, the data was disclosed in the US libel proceedings in quite a crude "data dump". Individual recordings were not properly analysed, they were just disclosed, as the Claimant's instructions were (and remain) that he had nothing to hide. It was not until early this year that it was discovered and disclosed in both the English and the US libel proceedings. In effect, this means that it was disclosed for the second time in the US proceedings, the first being incorporated in the original "data dump" when the devices were first extracted.

Text messages

12. Mr Charalambous says at paragraph 13 of his statement that the
"primary breach of the unless order with which the Court was concerned

28 June 2020

at the hearing on 25 June 2020 was the Claimant's failure to disclose the text messages referred to as "the Australia drug texts". In fact, the Defendants did not raise any other breach at the hearing, and this was the only issue the Court was concerned with.

13. At paragraph 15 and 18, Mr Charalambous presents two further text messages that he says fall within CPR 31.6 and should have been disclosed. The text message at paragraph 16 from Mr David Heard was already disclosed and is in the trial bundle within the composite text message schedule agreed between the parties prior to our instruction.
14. The Defendants are aware that the Claimant has many thousands of text messages. They are also aware that the Claimant signed a N265 disclosure statement on 9 January 2020 in which it is stated that keyword search terms were applied to messages taken from the Claimant's mobile device and that of others. Those keywords do not include the words "fight", "hit" or "control". The text messages referred to therefore were not returned as a result of the keywords searched at the time and were not disclosed as a result of that exercise. Again, there was no deliberate attempt to withhold documents; this was the exercise set out by the Claimant's solicitors in January 2020 to which the Defendants are aware. I enclose the Claimant's N265 form at pages 1 to 6 of Exhibit JA8.
15. These texts will be formally disclosed by the Claimant following the hand down of the judgment, together with the previous messages referred to at the hearing on 25 June 2020.

Emails between US lawyers

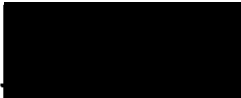
16. Mr Charalambous refers to an email from the Claimant's US lawyer, Ben Chew, and Ms Heard's new US lawyer on 25 June 2020.

28 June 2020

17. This matter has been dealt with via correspondence with the Defendants' solicitors this evening. Our letter is enclosed at page 7 to 8 of Exhibit JA8. There has been no attempt by the Claimant to prevent the Defendants obtaining documents by Ms Heard, even if the provision of those documents is apparently in breach of US procedural law.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed..........

JENNY CAMPBELL AFIA

Dated: 28 June 2020

28 June 2020

Claim No.: QB-2018-006323

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

B E T W E E N:

JOHN CHRISTOPHER DEPP II

Claimant

- and -

(1) NEWS GROUP
NEWSPAPERS LTD
(2) DAN WOOTTON

Defendants

**EIGHTH WITNESS STATEMENT OF
JENNY CAMPBELL AFIA**

Ref: JA/JR/VA/D0185/001

Schillings
12 Arthur Street
London EC4R 9AB

Tel: 020 7034 9000

From: Elaine Bredehoft
Sent: Thursday, November 05, 2020 1:16 PM
To: bchew@brownrudnick.com
Cc: Vasquez, Camille M.; Crawford, Andrew C.; Moniz, Samuel A.; Adam Nadelhaft; David Murphy; brottenborn@woodsrogers.com; Treece, Joshua; McCafferty, Elaine; Michelle Bredehoft; Leslie Hoff
Subject: Discovery deficiencies and failure to adhere to Court Orders - requesting supplementation prior to next week's deposition

Ben:

We have spent a significant amount of time reviewing the discovery produced by Mr. Depp, the actual Requests, and the Court Orders. Given that Mr. Depp's UK counsel admitted that Mr. Depp engaged in a "document dump" in his production in this case (which as you know is not permitted under the Rules), we are requesting that you also engage in the exercise of reviewing the documents requested, determining what was produced, and in particular, reviewing Court Orders to ensure all documents responsive have been produced. In addition, we are requesting supplementation of your responses, and withdrawing objections, and ensuring the production of all responsive documents.

These are particularly time-sensitive matters because of the deposition of Mr. Depp next week. We have taken the time to set all of these out, and we ask that you devote time now to reviewing and responding, and providing us with the outstanding responsive documents by 5 PM EST on Friday, November 6, 2020, to enable us to review them in time for the deposition.

1st Requests for Production of Documents:

Requests 11-12: On August 10, 2020 the Court entered its Order from the July 2 Motion requiring full production of these Requests seeking the following documents:

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

Request 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.

We have thoroughly reviewed the entirety of Mr. Depp's production, and are unable to locate any responsive documents. Mr. Depp did not serve a supplemental response to

these Requests. If Mr. Depp contends that he produced these Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests.

Requests 19-20: On both October 18, 2019 and August 10, 2020, the Court entered Orders requiring full production of these Requests, which seek the following documents:

Request 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.

Request 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.

Upon review of the entirety of Mr. Depp's production, we were unable to locate any documents responsive to these Requests. Mr. Depp did not serve a supplemental response to these Requests. If Mr. Depp contends that he produced these Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests.

Request 33: On both October 18, 2019 and August 10, 2020, the Court entered Orders requiring full production of this Request, which seeks the following documents:

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

Upon review of the entirety of Mr. Depp's production, we only located responsive documents related to food, wedding planning and movie/press matters (DEPP 1645, DEPP7803, DEPP7907, DEPP8127, DEPP8315-8330), and could not locate any other responsive communications. There has been extensive testimony relating to Ms. Dembrowski's involvement in obtaining a prenuptial or post nuptial agreement, yet none of the documents produced responsive documents. Ms. Dembrowski was Mr. Depp's manager, and there should be extensive documents responsive to this request.

Mr. Depp did not serve a supplemental response to these Requests. If he contends that he produced all Court-Ordered responsive documents, please identify those documents by Bates number.

Request 40: On both October 18, 2019 and August 10, 2020, the Court entered Orders requiring full production of this Request, which seeks the following documents:

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

Upon review of the entirety of Mr. Depp's production, we could not locate any documents revealing any documents responsive to this Request and nothing indicating any payments, even though there was testimony about payments being made on several occasions. Mr. Depp did not serve a supplemental response to this Request. If Mr. Depp contends that he produced Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no responsive documents.

2nd Requests for Production of Documents

Request 12: On August 10, 2020, the Court entered Orders requiring full production of this Request seeking the following documents:

All documents and/or communications, from 2010 to the present, with any person or entity involved in any film, performance, appearance or advertisement involving You regarding the loss of any opportunity for You in connection with such film, performance, appearance or advertisement, including, without limitation, all films referred to in paragraphs 71- 73 of the Complaint.

Upon review of the entirety of Mr. Depp's production, we could not locate any documents responsive to this Request. Mr. Depp did not serve a supplemental response to this Request. If Mr. Depp contends that he produced these Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests.

Request 13: On August 10, 2020, the Court entered Orders requiring full production of this Request seeking the following documents:

All documents referring or relating to damages or losses for which You seek recovery in this Action.

We have reviewed the entirety of the documents produced. The documents you have admitted Mr. White “prepared based on his review of documents” are not responsive documents, and further admit there are documents Mr. Depp has withheld, in violation of the Court Order. Mr. Depp also did not serve a supplemental response to this Request. If Mr. Depp contends he has produced these Court-Ordered responsive documents, please identify those documents by Bates number.

4th Requests for Production of Documents

Request 9: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking all the following documents:

All communications with the LA police department, including any police officers, relating in any manner to Ms. Heard from May 21, 2016 through the present

Mr. Depp served supplemental responses indicating he produced all responsive documents to this Court-Ordered Request, but upon review of the entirety of Mr. Depp’s production we could not locate any responsive documents with the sole exception of transcripts of phone calls to the LAPD (DEPP17411-17430). Based on the testimony and evidence presented in the UK, there were obviously communications with the LA police department.

If Mr. Depp contends he produced documents in addition to these transcripts, please identify the documents by Bates number that Mr. Depp contends are responsive. Alternatively, if Mr. Depp is not in possession of any further responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and those objections should be withdrawn.

Request 10: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking all the following documents:

All documents between or among Mr. Depp and Christi Dembrowski, Ben King, Kevin Murphy, Jerry Judge, Nathan Holmes, Malcolm Connelly, Steven Deuters, any other security for Mr. Depp, house personnel, housekeeping, and personal assistant staff, that refer or relate to Mr. Depp's substance or alcohol abuse or treatment, Mr. Depp's acts of physical violence, Mr. Depp's destruction of

property, Ms. Heard's 2016 Domestic Violence Restraining Order, evidence or testimony related thereto, allegations of physical or nonphysical abuse by Ms. Heard or Mr. Depp, allegations that these are false, part of a hoax or fraud, and/or that otherwise refer or relate to the claims, counterclaims, defenses or allegations in this lawsuit during the following date periods: January 1 - March 30, 2013; June 27-July 7, 2013; May 1-May 31, 2014; August 1- September 15, 2014; December 1, 2014-January 3, 2015; January 20 - February 12, 2015; March 1-March 30, 2015; July 15-August 5, 2015; November 20, 2015-December 31, 2015; April 15, 2016-April 30, 2016; May 3, 2016-May 21, 2016; May 22, 2016 through the present.

Upon review of the entirety of Mr. Depp's production, we were unable to locate any documents responsive to the portion of the Request on "destruction of property," nor could we locate documents on most of these topics from 2019 to the present (with the exception of Mr. Heard's own communications and pictures taken by Ms. Heard that were in turn produced by Mr. Depp). There are obviously many documents in Mr. Depp's possession that should be produced.

Please identify any additional documents by Bates number that Mr. Depp contends are responsive to these portions of the Request. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

Request 11: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking the following documents:

All communications between Mr. Depp, or any representative of Mr. Depp, and anyone at Disney, or on behalf of Disney, relating in any manner to Disney's consideration of, and decision, not to cast Mr. Depp in the sixth Pirates of the Caribbean movie.

Mr. Depp served supplemental responses indicating he produced all responsive documents to this Court-Ordered Request, but upon review of the entirety of Mr. Depp's production we were unable to locate any responsive documents, nor we could we even locate a single communication from Disney on any subject.

Based on his supplemental response that he produced responsive documents, please identify the documents by Bates number that Mr. Depp contends are responsive to this Request. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production and even added a new objection, and those objections should

be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

Requests 12-13: On September 14, 2020, the Court Ordered (by Consent Order) full production of these Requests seeking the following documents:

Request 12: If Mr. Depp contends that he has lost any role or other job as the result of Ms. Heard's Op-Ed, please produce all document supporting such claim.

Request 13: Please provide all documents supporting each aspect of Mr. Depp's claims that he has been damaged, including all documents supporting the \$50 million ad damnum clause.

Mr. Depp served supplemental responses indicating he produced all responsive documents to these Court-Ordered Requests, but upon review of the entirety of Mr. Depp's production we were unable to locate any responsive documents, nor we could we even locate a single communication from Disney, or any other entity or individual in the entertainment or commercial industries, on any subject relating in any manner to damages. Please identify the documents by Bates number that Mr. Depp contends are responsive to these Requests. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and those objections should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

5th Requests for Production of Documents

Request 11: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking the following documents:

All records of the Hicksville trip, including but not limited to, the reservations, pictures and descriptions of accommodations, any pictures of damage to property, all receipts, records of payment and communications relating to the stay, all monies paid, and the reasons for such payments.

Upon review of the entirety of Mr. Depp's production, we were unable to identify any receipts or payment records (or the reasons/basis for any receipts of payments) relating to the Hicksville trip. Mr. Depp served supplemental responses indicating he produced all responsive documents to this Court-Ordered Request, but we could not locate any receipts or payment records of the Hicksville trip.

Based on his own supplemental response, please identify the documents by Bates number that Mr. Depp contends are responsive to this Request. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and they should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

We look forward to receiving the documents, supplemental responses and identification of bates stamp number as soon as possible, in light of Mr. Depp's deposition next week, such that Ms. Heard is not prejudiced by Mr. Depp's failure to adhere to multiple Court Orders.

Thank you for your immediate attention to these very serious matters. Elaine

Elaine Charlson Bredehoft
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(703) 318-6800
(703) 919-2735 (mobile)
(703) 318-6808 (fax)
www.cbcblaw.com

From: Chew, Benjamin G. <BChew@brownrudnick.com>
Sent: Tuesday, November 10, 2020 6:42 AM
To: Elaine Bredehoft; Adam Nadelhaft; Ben Rottenborn; Joshua Treece
Cc: Vasquez, Camille M.; Crawford, Andrew C.
Subject: Depp v. Heard: Further Response

Dear Elaine,

Please allow this to serve as a response to the emails you sent last week, which are incorrect in multiple respects, and could easily be construed as an attempt to create a false written record on the eve of Mr. Depp's deposition.

As an initial matter, we are puzzled that you seem to feel the need to litter your correspondence on discovery matters with such accusatory language. Despite the clearly overbroad and harassing nature of many of the discovery requests issued by your office, Mr. Depp has consistently acted in good faith, and has produced more than 18,000 pages of documents to date in this action, far more than Ms. Heard. As of the date of this email, we believe that all productions that were either agreed or ordered are now complete (while obviously reserving the right to produce after-discovered documents). As such, we do not believe that we are in violation of any orders, and your continued attempts to suggest the contrary are highly misleading and inappropriate.

We are also puzzled at your continued demand that we identify responsive documents by Bates number, a demand for which you have not offered a shred of legal support. We are aware of no rule in Virginia that requires a party to list out documents by Bates number in response to requests for production, and you have cited none. In an effort to address concerns that you raised, we nevertheless went beyond our obligations under the rules, and provided a non-comprehensive sampling of Bates ranges containing responsive information.

We are under no obligation to identify each responsive document by Bates number, and will not do so. If you contend that such an obligation exists, feel free to provide us with legal support for that contention, and we will be pleased to consider it (in which case we would expect that Ms. Heard would reciprocate and immediately identify each document in her productions that corresponds to each of Mr. Depp's requests). In the absence of such authority, Ms. Heard has numerous attorneys, and we trust that you and your associates are well capable of reviewing and analyzing the documents for yourselves.

Please see more specific responses to your inquiries in red below.

We are always willing to engage in a telephonic meet and confer, to the extent that you believe that would be helpful, and should any legitimate gaps be identified in our production we will of course act promptly to correct them.

From: Elaine Bredehoft [mailto:ebredehoft@charlsonbredehoft.com]
Sent: Thursday, November 05, 2020 10:16 AM
To: Chew, Benjamin G.
Cc: Vasquez, Camille M.; Crawford, Andrew C.; Moniz, Samuel A.; Adam Nadelhaft; David Murphy; brottenborn@woodsrogers.com; Treece, Joshua; McCafferty, Elaine; Michelle Bredehoft; Leslie Hoff
Subject: Discovery deficiencies and failure to adhere to Court Orders - requesting supplementation prior to next week's deposition

CAUTION: External E-mail. Use caution accessing links or attachments.

Ben:

We have spent a significant amount of time reviewing the discovery produced by Mr. Depp, the actual Requests, and the Court Orders. Given that Mr. Depp's UK counsel admitted that Mr. Depp engaged in a "document dump" in his production in this case (which as you know is not permitted under the Rules), we are requesting that you also engage in the exercise of reviewing the documents requested, determining what was produced, and in particular, reviewing Court Orders to ensure all documents responsive have been produced. In addition, we are requesting supplementation of your responses, and withdrawing objections, and ensuring the production of all responsive documents.

We are unaware of the purported quote you are referencing, and in any event Mr. Depp has not engaged in a "document dump." Given the representation in your email that you have reviewed the documents, you should already be aware of that fact, and should not have suggested otherwise in your email. Your frequent insinuations of bad faith have no basis in reality and are entirely inappropriate.

As for your request that we withdraw objections, our objections are appropriate and we decline to withdraw them, particularly on a blanket basis. We will certainly be pleased to meet and confer with you to the extent that you have a more specific concern about a specific objection.

These are particularly time-sensitive matters because of the deposition of Mr. Depp next week. We have taken the time to set all of these out, and we ask that you devote time now to reviewing and responding, and providing us with the outstanding responsive documents by 5 PM EST on Friday, November 6, 2020, to enable us to review them in time for the deposition.

1st Requests for Production of Documents:

Requests 11-12: On August 10, 2020 the Court entered its Order from the July 2 Motion requiring full production of these Requests seeking the following documents:

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

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our written response. The right to produce after-discovered documents is obviously reserved.

Request 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.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our written response. The right to produce after-discovered documents is reserved.

We have thoroughly reviewed the entirety of Mr. Depp's production, and are unable to locate any responsive documents. Mr. Depp did not serve a supplemental response to these Requests. If Mr. Depp contends that he produced these Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests.

If you are in possession of authority requiring us to cite Bates numbers in response to a request for production, please,

provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Requests 19-20: On both October 18, 2019 and August 10, 2020, the Court entered Orders requiring full production of these Requests, which seek the following documents:

Request 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.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our written response. The right to produce after-discovered documents is reserved.

Request 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.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our written response. The right to produce after-discovered documents is reserved.

Upon review of the entirety of Mr. Depp's production, we were unable to locate any documents responsive to these Requests. Mr. Depp did not serve a supplemental response to these Requests. If Mr. Depp contends that he produced these Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Request 33: On both October 18, 2019 and August 10, 2020, the Court entered Orders requiring full production of this Request, which seeks the following documents:

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

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our written response. The right to produce after-discovered documents is reserved.

Upon review of the entirety of Mr. Depp's production, we only located responsive documents related to food, wedding planning and movie/press matters (DEPP 1645, DEPP7803, DEPP7907, DEPP8127, DEPP8315-8330), and could not locate any other responsive communications. There has been extensive testimony relating to Ms. Dembrowski's involvement in obtaining a prenuptial or post nuptial agreement, yet none of the documents produced responsive documents. Ms. Dembrowski was Mr. Depp's manager, and there should be extensive documents responsive to this request. Mr. Depp did not serve a supplemental response to these Requests. If he contends that he produced all Court-Ordered responsive documents, please identify those documents by Bates number.

Ms. Dembrowski is not Mr. Depp's manager. We believe production to be complete. If you are aware of a specific document that you believe is missing from the productions, please identify it so that we can evaluate that claim.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may

evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Request 40: On both October 18, 2019 and August 10, 2020, the Court entered Orders requiring full production of this Request, which seeks the following documents:

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
To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our written response. The right to produce after-discovered documents is reserved.

Upon review of the entirety of Mr. Depp's production, we could not locate any documents revealing any documents responsive to this Request and nothing indicating any payments, even though there was testimony about payments being made on several occasions. Mr. Depp did not serve a supplemental response to this Request. If Mr. Depp contends that he produced Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no responsive documents.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

2nd Requests for Production of Documents

Request 12: On August 10, 2020, the Court entered Orders requiring full production of this Request seeking the following documents:

All documents and/or communications, from 2010 to the present, with any person or entity involved in any film, performance, appearance or advertisement involving You regarding the loss of any opportunity for You in connection with such film, performance, appearance or advertisement, including, without limitation, all films referred to in paragraphs 71- 73 of the Complaint.
To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. The right to produce after-discovered documents is reserved.

Upon review of the entirety of Mr. Depp's production, we could not locate any documents responsive to this Request. Mr. Depp did not serve a supplemental response to this Request. If Mr. Depp contends that he produced these Court-Ordered responsive documents, please identify those documents by Bates number. Alternatively, if Mr. Depp is not in possession of any responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Request 13: On August 10, 2020, the Court entered Orders requiring full production of this Request seeking the following documents:

All documents referring or relating to damages or losses for which You seek recovery in this Action.
To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. The right to produce after-discovered documents is reserved.

We have reviewed the entirety of the documents produced. The documents you have admitted Mr. White "prepared based on his review of documents" are not responsive documents, and further admit there are documents Mr. Depp has

withheld, in violation of the Court Order. Mr. Depp also did not serve a supplemental response to this Request. If Mr. Depp contends he has produced these Court-Ordered responsive documents, please identify those documents by Bates number.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

4th Requests for Production of Documents

Request 9: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking all the following documents:

All communications with the LA police department, including any police officers, relating in any manner to Ms. Heard from May 21, 2016 through the present

Mr. Depp served supplemental responses indicating he produced all responsive documents to this Court-Ordered Request, but upon review of the entirety of Mr. Depp's production we could not locate any responsive documents with the sole exception of transcripts of phone calls to the LAPD (DEPP17411-17430). Based on the testimony and evidence presented in the UK, there were obviously communications with the LA police department.

We are puzzled at your assertion that there "were obviously communications" with the LAPD. Please provide more specific support for this claim, including a description of the particular communications that you contend exist and have not been produced, and your basis for that assertion, so that we can evaluate it.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. The right to produce after-discovered documents is reserved.

If Mr. Depp contends he produced documents in addition to these transcripts, please identify the documents by Bates number that Mr. Depp contends are responsive. Alternatively, if Mr. Depp is not in possession of any further responsive documents, please serve a supplemental response indicating there are no documents responsive to these requests. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and those objections should be withdrawn.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Request 10: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking all the following documents:

All documents between or among Mr. Depp and Christi Dembrowski, Ben King, Kevin Murphy, Jerry Judge, Nathan Holmes, Malcolm Connelly, Steven Deuters, any other security for Mr. Depp, house personnel, housekeeping, and personal assistant staff, that refer or relate to Mr. Depp's substance or alcohol abuse or treatment, Mr. Depp's acts of physical violence, Mr. Depp's destruction of property, Ms. Heard's 2016 Domestic Violence Restraining Order, evidence or testimony related thereto, allegations of physical or nonphysical abuse by Ms. Heard or Mr. Depp, allegations that these are false, part of a hoax or fraud, and/or that otherwise refer or relate to the claims, counterclaims, defenses or allegations in this lawsuit during the following date periods: January 1 - March 30, 2013; June 27-July 7, 2013; May 1-May 31, 2014; August 1- September 15, 2014; December 1, 2014-January 3, 2015; January 20 - February 12, 2015; March 1-March 30, 2015; July 15-August 5, 2015; November 20, 2015-December 31, 2015; April 15, 2016-April 30, 2016; May 3, 2016-May 21, 2016; May 22, 2016 through the present.

Upon review of the entirety of Mr. Depp's production, we were unable to locate any documents responsive to the portion of the Request on "destruction of property," nor could we locate documents on most of these topics from 2019 to the present (with the exception of Mr. Heard's own communications and pictures taken by Ms. Heard that were in turn produced by Mr. Depp). There are obviously many documents in Mr. Depp's possession that should be produced. To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would

be responsive to this request. The right to produce after-discovered documents is reserved.

Please identify any additional documents by Bates number that Mr. Depp contends are responsive to these portions of the Request. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Request 11: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking the following documents:

All communications between Mr. Depp, or any representative of Mr. Depp, and anyone at Disney, or on behalf of Disney, relating in any manner to Disney's consideration of, and decision, not to cast Mr. Depp in the sixth Pirates of the Caribbean movie.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our response. The right to produce after-discovered documents is reserved.

It is possible that some arguably responsive documents may exist in possession of third parties in California, such Mr. Depp's agents and/or Disney, which are the subject of various California subpoenas issued by Ms. Heard, and are required to be addressed in connection with those California proceedings.

Mr. Depp served supplemental responses indicating he produced all responsive documents to this Court-Ordered Request, but upon review of the entirety of Mr. Depp's production we were unable to locate any responsive documents, nor we could we even locate a single communication from Disney on any subject.

Based on his supplemental response that he produced responsive documents, please identify the documents by Bates number that Mr. Depp contends are responsive to this Request. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production and even added a new objection, and those objections should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

Requests 12-13: On September 14, 2020, the Court Ordered (by Consent Order) full production of these Requests seeking the following documents:

Request 12: If Mr. Depp contends that he has lost any role or other job as the result of Ms. Heard's Op-Ed, please produce all document supporting such claim.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our response. The right to produce after-discovered documents is reserved.

Request 13: Please provide all documents supporting each aspect of Mr. Depp's claims that he has been damaged, including all documents supporting the \$50 million ad damnum clause.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. We are willing to supplement our response. The right to produce after-discovered documents is reserved.

Mr. Depp served supplemental responses indicating he produced all responsive documents to these Court-Ordered Requests, but upon review of the entirety of Mr. Depp's production we were unable to locate any responsive documents, nor we could we even locate a single communication from Disney, or any other entity or individual in the entertainment or commercial industries, on any subject relating in any manner to damages. Please identify the documents by Bates number that Mr. Depp contends are responsive to these Requests. Mr. Depp also maintained his

objections despite the Court-Ordered (and consented to) production, and those objections should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

5th Requests for Production of Documents

Request 11: On September 14, 2020, the Court Ordered (by Consent Order) full production of this Request seeking the following documents:

All records of the Hicksville trip, including but not limited to, the reservations, pictures and descriptions of accommodations, any pictures of damage to property, all receipts, records of payment and communications relating to the stay, all monies paid, and the reasons for such payments.

To our knowledge, Mr. Depp is in possession of no non-privileged documents that have not been produced that would be responsive to this request. The right to produce after-discovered documents is reserved.

Upon review of the entirety of Mr. Depp's production, we were unable to identify any receipts or payment records (or the reasons/basis for any receipts of payments) relating to the Hicksville trip. Mr. Depp served supplemental responses indicating he produced all responsive documents to this Court-Ordered Request, but we could not locate any receipts or payment records of the Hicksville trip.

Based on his own supplemental response, please identify the documents by Bates number that Mr. Depp contends are responsive to this Request. Mr. Depp also maintained his objections despite the Court-Ordered (and consented to) production, and they should be withdrawn. We request that Mr. Depp conduct an extensive search, as he was earlier ordered to do, and produce these responsive documents forthwith.

If you are in possession of authority requiring us to cite Bates numbers, please provide the same, so that we may evaluate it. Otherwise, please cease making demands for which you have no legal basis.

We look forward to receiving the documents, supplemental responses and identification of bates stamp number as soon as possible, in light of Mr. Depp's deposition next week, such that Ms. Heard is not prejudiced by Mr. Depp's failure to adhere to multiple Court Orders.

Your repeated references to a supposed "failure to adhere" to Court Orders are incorrect, as noted above.

Thank you for your immediate attention to these very serious matters. Elaine

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(703) 318-6800
(703) 919-2735 (mobile)
(703) 318-6808 (fax)
www.cbcblaw.com<<http://www.cbcblaw.com>>
Best regards,

Ben

The information contained in this electronic message may be legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Brown Rudnick LLP, (617) 856-8200 (if dialing from outside the US, 001-(617)-856-8200) and purge the communication immediately without making any copy or distribution.

To the extent Brown Rudnick is a "data controller" of the "personal data" (as each term is defined in the European General Data Protection Regulation) you have provided to us in this and other communications between us, please see our privacy statement and summary [here](#) which sets out details of the data controller, the personal data we have collected, the purposes for which we use it (including any legitimate interests on which we rely), the persons to whom we may transfer the data and how we intend to transfer it outside the European Economic Area.

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 has filed a motion to compel discovery by Plaintiff John C. Depp, II. Having reviewed the parties' pleadings and heard their argument on this matter, it is hereby:

ORDERED that Defendant's motion is granted. *By November 15, 2019* ~~Within seven (7) days of this Order.~~

Plaintiff must produce all non-privileged, responsive documents requested by Defendant's Document Requests 4, 5, 15, 17-21, and 30-44. In addition, within seven (7) days of this Order, Plaintiff must execute a HIPAA waiver to allow Defendant to subpoena Plaintiff's relevant medical records.

ENTERED this *18th* day of *October*, 2019.

Judge, Circuit Court for the County of Fairfax

*10/18/19
e: 11/15/19
HHef*

We ask for this:

[Redacted]
1. Benjamin Rottenbden (VSB #84796)
Woods Rogers PLLC
10 S. Jefferson St. Suite 1400
Roanoke, VA 24014
(2651208-1, 121024-00001-01)

*SEEN & OBJECTED TO FOR
THE REASONS STATED IN
PLAINTIFF'S OPPOSITION
BRIEF AND IN ORAL ARGUMENT
ON OCTOBER 18, 2019:*

[Redacted]
Benjamin G. Chow (VSB #29113)

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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 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),

DO ENO. 8-11-20

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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.**

VIRGINIA;

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**CONSENT ORDER RESPECTING PLAINTIFF'S RESPONSES TO
FOURTH, FIFTH, SIXTH AND SEVENTH REQUEST FOR DOCUMENTS**

Plaintiff John C. Depp, II, and Defendant Amber Laura Heard, by counsel, having engaged in extensive meet and confers respecting Defendant's Fourth, Fifth, Sixth and Seventh Requests for Production and Plaintiff having consented to an Order respecting certain of these discovery requests, as evidenced by their signatures below, it is hereby:

ORDERED that Plaintiff shall produce all non-privileged documents and for any claimed privileges, will produce a privilege log simultaneous with the production of the other recording, responsive to the following Requests:

Fourth Requests for Production of Documents (served July 2, 2020):

- Nos. 1-2;
- Nos. 4-5;
- Nos. 7-9;
- No. 10 (revised to "All documents between or among Mr. Depp and Christi Dembrowski, Ben King, Kevin Murphy, Jerry Judge, Nathan Holmes, Malcolm Connelly, Steven Deuters, any other security for Mr. Depp, house personnel, housekeeping, and personal assistant staff, that refer or relate to Mr. Depp's substance or alcohol abuse or treatment, Mr. Depp's acts of physical violence, Mr. Depp's destruction of property, Ms. Heard's 2016 Domestic Violence Restraining Order, evidence or testimony related thereto, allegations of physical or nonphysical abuse by Ms. Heard or Mr.

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Depp, allegations that these are false, part of a hoax or fraud, and/or that otherwise refer or relate to the claims, counterclaims, defenses or allegations in this lawsuit during the following date periods: January 1 - March 30, 2013; June 27-July 7, 2013; May 1-May 31, 2014; August 1-September 15, 2014; December 1, 2014-January 3, 2015; January 20 - February 12, 2015; March 1- March 30, 2015; July 15-August 5, 2015; November 20, 2015-December 31, 2015; April 15, 2016-April 30, 2016; May 3, 2016-May 21, 2016; May 22, 2016 through the present; and

- Nos. 11-13 and 15.

Fifth Requests for Production of Documents (served July 10, 2020):

- No. 2;
- No. 3 (revised to “All communications with the owner of the Australian house, Mick Doohan, from the period September 1, 2014 through September 1, 2017 that refer or relate to Mr. Depp’s substance or alcohol use, Mr. Depp’s acts of physical violence, Mr. Depp’s destruction of property, Mr. Depp’s finger injury, Mr. Doohan’s documentary, and/or otherwise refer or relate to the claims, counterclaims, defenses or allegations in this lawsuit”);
- Nos. 4-9, 11;
- and
- No. 16.

Sixth Requests for Production of Documents (served July 17, 2020):

- No. 7;
- No. 11;
- Nos. 13-22.

Seventh Requests for Production of Documents (served July 24, 2020):

- Nos. 2, 4, 8 and 10.

It is further **ORDERED** that all such responsive documents shall be produced no later than Wednesday, September 30, 2020.

Date: _____

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

WE ASK FOR THIS:

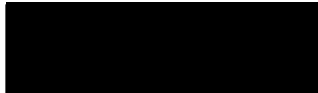


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