

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: Jerry Bruckheimer c/o Martin D. Singer, Esq. Lavelly & Singer	
ADDRESS: 2049 Century Park East Ste 2400 / Professional Corporation Los Angeles, California 90067-2906	
<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

JOHN T. FREY, CLERK
FAIRFAX COUNTY CIRCUIT COURT
4110 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030

**SUBPOENA/SUBPOENA DUCES TECUM
TO PERSON UNDER FOREIGN SUBPOENA**

File No. CL2019-0002911

Commonwealth of Virginia VA CODE §§ 8.01-412.8—8.01-412.15; Rule 4:9

Fairfax County

4110 Chain Bridge Road, Fairfax, Virginia 22030

ADDRESS OF COURT

John C. Depp, II

Amber Laura Heard

v./In re:

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Jerry Bruckheimer

NAME

C/o Martin D. Singer, Esq., Lavelly & Singer Professional Corporation, 2049 Century Park East, Suite 2400

STREET ADDRESS

Los Angeles

California

90067-2906

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 Exh. A

at First Legal Records Retrieval (1511 West Beverly Boulevard) at December 4, 2019 at 10:00 a.m. ;
LOCATION Los Angeles, CA 90029 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

Amber Laura Heard

NAME OF REQUESTING PARTY

c/o Ben Rottenborn, Woods Rogers, PLC, 10 S. Jefferson Street, Suite 1400

STREET ADDRESS

Roanoke

Virginia

24011

(540) 983-7540

CITY

STATE

ZIP

TELEPHONE NUMBER

FILED
COMPUTER SECTION
2019 NOV -7 AM 11:43
Clerk of Circuit Court
FAIRFAX, VA
JOHN T. GREY

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.

November 14, 2019
DATE ISSUED

JOHN T. FREY, CLERK

by



J. Benjamin Rottenborn
NAME OF ATTORNEY FOR REQUESTING PARTY
Woods Rogers PLC, 10 S. Jefferson St.
OFFICE ADDRESS
Suite 1400, Roanoke, Virginia 24011
OFFICE ADDRESS

84796 Virginia
BAR NUMBER LICENSING STATE
(540) 983-7540
TELEPHONE NUMBER OF ATTORNEY
(540) 983-7711
FACSIMILE NUMBER OF ATTORNEY

NAME
STREET ADDRESS
STREET ADDRESS

BAR NUMBER LICENSING STATE
TELEPHONE NUMBER
FACSIMILE NUMBER

NAME
STREET ADDRESS
STREET ADDRESS

BAR NUMBER LICENSING STATE
TELEPHONE NUMBER
FACSIMILE NUMBER

NAME
STREET ADDRESS
STREET ADDRESS

BAR NUMBER LICENSING STATE
TELEPHONE NUMBER
FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

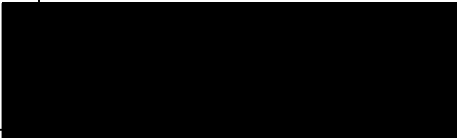
Defendant.

Civil Action No.: CL-2019-00291

FILED
COMPUTER SECTION
2019 NOV -7 AM 11:49
JOHN T. GREY
CLERK, CIRCUIT COURT
FAIRFAX VA

CERTIFICATE OF COUNSEL

This is to certify that I caused a true and accurate copy of the enclosed Subpoena for Production of Business Records in Action Pending Outside California and Subpoena Duces Tecum To Person Under Foreign Subpoena to be sent via United States Mail on the 6th day of November, 2019, to counsel of record.



J. Benjamin Rottenborn

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

Attorneys for Defendant Amber Laura Heard

I certify that on this 6th day of November 2019, a copy of the foregoing shall be served by first class mail, postage prepaid, and by email, upon:

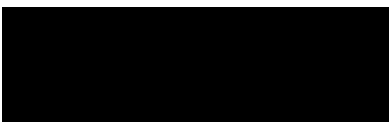
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jquinn@kaplanhecker.com

Counsel for Amber Laura Heard

Exhibit A

John C. Depp, II v. Amber Laura Heard
Fairfax County Circuit Court: CL 2019-0002911

DEFINITIONS

- a. **Action.** The term “Action” means the above-captioned action.
- b. **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).
- c. **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.

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

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

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

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

h. **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.

i. **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 all persons acting on her behalf.

j. **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.

k. **Complaint.** The term “Complaint” shall mean the Complaint filed by Plaintiff in this Action.

l. **Pirates of the Caribbean series.** The term “*Pirates of the Caribbean series*” includes all films, TV series, theme parks, or any other entertainment products developed, produced and or distributed by or with the involvement of You that include “Pirates of the

Caribbean” in the title or are derived from the *Pirates of the Caribbean* series of films, including films already released, films under development and/or production at the time of this Subpoena, and any contemplated future films, TV series, spin-offs, theme parks or other entertainment products.

m. ***Romantic Partners.*** The term “Romantic Partners” shall mean any persons You know to have been in a romantic or sexually intimate relationship with Mr. Depp.

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

INSTRUCTIONS

1. Where 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.

2. 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.

3. 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.

4. 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.

5. If You perceive any ambiguities in a question, instruction, definition, or other aspect of this Subpoena, set forth the matter deemed ambiguous and the construction used in answering.

6. 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 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.

7. 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 as to permit an informed ruling on the objection.

8. These Requests are continuing in character so as to require You to promptly amend or supplement Your production of documents within a reasonable time if You obtain or become aware of any further documents responsive to this Subpoena.

DOCUMENTS TO BE PRODUCED UNDER THIS SUBPOENA

In response to this subpoena, You are required to produce the original or an exact copy of the following:

1. All documents and communications concerning any use of drugs (whether legal or illegal) and/or alcohol by Mr. Depp.

2. All documents and communications concerning any act or alleged of physical violence and/or abuse involving Mr. Depp and any person (whether or not Mr. Depp himself was violent and/or abusive).

3. All documents and communications concerning any act or alleged act of Mr. Depp that resulted in damage to property.

4. All documents and communications concerning the relationship between Ms. Heard and Mr. Depp.

5. All documents and communications, from January 2012 to the present, concerning any decision, consideration, evaluation, assessment or recommendation concerning Mr. Depp's role in the *Pirates of the Caribbean* series, including (but not limited to) all documents and communications concerning: whether or not to cast (or continue to cast) Mr. Depp in any film, TV series, or other entertainment product in the *Pirates of the Caribbean* series; any consideration, evaluation, assessment or recommendation concerning Mr. Depp's past, present or future performance in the *Pirates of the Caribbean* series; expected, estimated, forecast or actual critical reception or commercial performance in relation to any role or potential role of or for Mr. Depp (whether past, present or future) in the *Pirates of the Caribbean* series; and compensation or potential compensation in relation to any role (past, existing or future) for Mr. Depp in the *Pirates of the Caribbean* series.

6. All documents and communications concerning Stuart Beattie's statement to DailyMailTV, published by the *Daily Mail* on October 25, 2018, concerning a "reboot" of the

Pirates of the Caribbean series, including whether Mr. Depp had been or would be cast in any future films in the *Pirates of the Caribbean* series.

7. All documents and communications concerning Sean Bailey's statement, published by *The Hollywood Reporter* on December 20, 2018, that "[w]e want to bring in a new energy and vitality" to "the [*Pirates*] movies" and that "we want to give it a kick in the pants."

8. All documents and communications concerning the critical reception, audience reception, and/or box office gross (domestic and/or international) of the film *Pirates of the Caribbean: Dead Men Tell No Tales*.

9. All documents and communications concerning the overall performance of the *Pirates of the Caribbean* series, including all documents and communications concerning any consideration, forecast, evaluation, assessment or recommendation regarding expected, estimated or actual revenues; expected, estimated or actual revenues costs; and expected, estimated or actual expenses incurred in relation to the series;

10. All documents and communications concerning planning for the *Pirates of the Caribbean* series subsequent to the release of the film *Pirates of the Caribbean: Dead Men Tell No Tales*., including all documents and communications concerning any consideration, forecast, evaluation, assessment or recommendation regarding expected, estimated or actual revenues; expected, estimated or actual revenues costs; and expected, estimated or actual expenses incurred in relation to the series in the future.

* * *

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Davida Brook (SBN 275370) Susman Godfrey L.L.P. 1900 Avenue of the Stars, Suite 1400, Los Angeles, CA 90067 TELEPHONE NO.: 310-789-3100 FAX NO. (Optional): E-MAIL ADDRESS (Optional): dbrook@susmangodfrey.com ATTORNEY FOR (Name): Defendant Amber Laura Heard	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District	
PLAINTIFF/ PETITIONER: JOHN C. DEPP, II DEFENDANT/ RESPONDENT: AMBER LAURA HEARD	CASE NUMBER: CL-2019-0002911
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3, 1985.6)	

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): JOHN C. DEPP, II

- PLEASE TAKE NOTICE THAT **REQUESTING PARTY (name):** Defendant, AMBER LAURA HEARD SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date): 12/4/2019
 The records are described in the subpoena directed to **witness (specify name and address of person or entity from whom records are sought):** Jerry Bruckheimer, Inc., c/o Martin Singer, 2049 Century Park East, Ste 2400, L.A., CA, 90067
 A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:
 - If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the **witness** and the **deposition officer** named in the subpoena at least five days before the date set for production of the records.
 - If you are not a party to this action, you must serve on the **requesting party** and on the **witness**, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should **not** be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: 11/5/2019

Davida Brook
(TYPE OR PRINT NAME)


 (SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- I object to the production of all of my records specified in the subpoena.
- I object only to the production of the following specified records:
- The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

(Proof of service on reverse)

PLAINTIFF/PETITIONER: JOHN C. DEPP, II	CASE NUMBER:
DEFENDANT/RESPONDENT: AMBER LAURA HEARD	CL-2019-0002911

PROOF OF SERVICE OF NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION
(Code Civ. Proc., §§ 1985.3, 1985.6)

Personal Service Mail

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
 2. I served a copy of the *Notice to Consumer or Employee and Objection* as follows (check either a or b):
 - a. **Personal service.** I personally delivered the *Notice to Consumer or Employee and Objection* as follows:

(1) Name of person served:	(3) Date served:
(2) Address where served:	(4) Time served:
 - b. **Mail.** I deposited the *Notice to Consumer or Employee and Objection* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(1) Name of person served:	(3) Date of mailing:
(2) Address:	(4) Place of mailing (city and state):
- (5) I am a resident of or employed in the county where the *Notice to Consumer or Employee and Objection* was mailed.
- c. My residence or business address is (specify):
 - d. My phone number is (specify):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PERSON WHO SERVED)

(SIGNATURE OF PERSON WHO SERVED)

PROOF OF SERVICE OF OBJECTION TO PRODUCTION OF RECORDS
(Code Civ. Proc., §§ 1985.3, 1985.6)

Personal Service Mail

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. I served a copy of the *Objection to Production of Records* as follows (complete either a or b):
 - a. **ON THE REQUESTING PARTY**
 - (1) **Personal service.** I personally delivered the *Objection to Production of Records* as follows:

(i) Name of person served:	(iii) Date served:
(ii) Address where served:	(iv) Time served:
 - (2) **Mail.** I deposited the *Objection to Production of Records* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(i) Name of person served:	(iii) Date of mailing:
(ii) Address:	(iv) Place of mailing (city and state):
 - b. **ON THE WITNESS**
 - (1) **Personal service.** I personally delivered the *Objection to Production of Records* as follows:

(i) Name of person served:	(iii) Date served:
(ii) Address where served:	(iv) Time served:
 - (2) **Mail.** I deposited the *Objection to Production of Records* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(i) Name of person served:	(iii) Date of mailing:
(ii) Address:	(iv) Place of mailing (city and state):

(v) I am a resident of or employed in the county where the *Objection to Production of Records* was mailed.

 3. My residence or business address is (specify):
 4. My phone number is (specify):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PERSON WHO SERVED)

(SIGNATURE OF PERSON WHO SERVED)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Davida Brook (SBN 275370) Susman Godfrey L.L.P. 1900 Avenue of the Stars, Suite 1400, Los Angeles, CA 90067 TELEPHONE NO.: 310-789-3100 FAX NO: E-MAIL ADDRESS: dbrook@susmangodfrey.com ATTORNEY FOR (Name): Defendant Amber Laura Heard	FOR COURT USE ONLY
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: CITY, STATE, AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District	
Court in which action is pending: Name of Court: In the Circuit Court of Fairfax, Virginia STREET ADDRESS: 4110 Chain Bridge Road MAILING ADDRESS: CITY, STATE, AND ZIP CODE: Fairfax, VA 22030-4009 COUNTRY: United States	
PLAINTIFF/PETITIONER: JOHN C. DEPP, II DEFENDANT/RESPONDENT: AMBER LAURA HEARD	CALIFORNIA CASE NUMBER (if any assigned by court):
SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS IN ACTION PENDING OUTSIDE CALIFORNIA	CASE NUMBER (of action pending outside California): CL-2019-0002911

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
Jerry Bruckheimer, Inc, c/o Martin Singer, 2049 Century Park East, Suite 2400, Los Angeles, CA

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer): First Legal Records Retrieval On (date): 12/4/2019 At (time): 10:00 AM Location (address): 1511 Beverly Blvd, Los Angeles, CA 90026
Do not release the requested records to the deposition officer prior to the date and time stated above.

- 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):
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 Attachment 6

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: 11/5/2019

David Brook

(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for Defendant Amber Laura Heard

(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)

SHORT TITLE: Depp v. Heard		CASE NUMBER: CL-2019-0002911
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ATTACHMENT (Number): 3

(This Attachment may be used with any Judicial Council form.)

See attached.

(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 _____ of _____

(Add pages as required)

ATTACHMENT NO. 3

John C. Depp, II v. Amber Laura Heard
Fairfax County Circuit Court: CL 2019-0002911

DEFINITIONS

- a. **Action.** The term “Action” means the above-captioned action.
- b. **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).
- c. **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.

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

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

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

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

h. **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.

i. **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 all persons acting on her behalf.

j. **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.

k. **Complaint.** The term “Complaint” shall mean the Complaint filed by Plaintiff in this Action.

l. **Pirates of the Caribbean series.** The term “*Pirates of the Caribbean series*” includes all films, TV series, theme parks, or any other entertainment products developed, produced and or distributed by or with the involvement of You that include “Pirates of the

Caribbean” in the title or are derived from the *Pirates of the Caribbean* series of films, including films already released, films under development and/or production at the time of this Subpoena, and any contemplated future films, TV series, spin-offs, theme parks or other entertainment products.

m. ***Romantic Partners.*** The term “Romantic Partners” shall mean any persons You know to have been in a romantic or sexually intimate relationship with Mr. Depp.

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

INSTRUCTIONS

1. Where 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.

2. 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.

3. 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.

4. 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.

5. If You perceive any ambiguities in a question, instruction, definition, or other aspect of this Subpoena, set forth the matter deemed ambiguous and the construction used in answering.

6. 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 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.

7. 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 as to permit an informed ruling on the objection.

8. These Requests are continuing in character so as to require You to promptly amend or supplement Your production of documents within a reasonable time if You obtain or become aware of any further documents responsive to this Subpoena.

DOCUMENTS TO BE PRODUCED UNDER THIS SUBPOENA

In response to this subpoena, You are required to produce the original or an exact copy of the following:

1. All documents and communications concerning any use of drugs (whether legal or illegal) and/or alcohol by Mr. Depp.

2. All documents and communications concerning any act or alleged of physical violence and/or abuse involving Mr. Depp and any person (whether or not Mr. Depp himself was violent and/or abusive).

3. All documents and communications concerning any act or alleged act of Mr. Depp that resulted in damage to property.

4. All documents and communications concerning the relationship between Ms. Heard and Mr. Depp.

5. All documents and communications, from January 2012 to the present, concerning any decision, consideration, evaluation, assessment or recommendation concerning Mr. Depp's role in the *Pirates of the Caribbean* series, including (but not limited to) all documents and communications concerning: whether or not to cast (or continue to cast) Mr. Depp in any film, TV series, or other entertainment product in the *Pirates of the Caribbean* series; any consideration, evaluation, assessment or recommendation concerning Mr. Depp's past, present or future performance in the *Pirates of the Caribbean* series; expected, estimated, forecast or actual critical reception or commercial performance in relation to any role or potential role of or for Mr. Depp (whether past, present or future) in the *Pirates of the Caribbean* series; and compensation or potential compensation in relation to any role (past, existing or future) for Mr. Depp in the *Pirates of the Caribbean* series.

6. All documents and communications concerning Stuart Beattie's statement to DailyMailTV, published by the *Daily Mail* on October 25, 2018, concerning a "reboot" of the

Pirates of the Caribbean series, including whether Mr. Depp had been or would be cast in any future films in the *Pirates of the Caribbean* series.

7. All documents and communications concerning Sean Bailey's statement, published by *The Hollywood Reporter* on December 20, 2018, that "[w]e want to bring in a new energy and vitality" to "the [*Pirates*] movies" and that "we want to give it a kick in the pants."

8. All documents and communications concerning the critical reception, audience reception, and/or box office gross (domestic and/or international) of the film *Pirates of the Caribbean: Dead Men Tell No Tales*.

9. All documents and communications concerning the overall performance of the *Pirates of the Caribbean* series, including all documents and communications concerning any consideration, forecast, evaluation, assessment or recommendation regarding expected, estimated or actual revenues; expected, estimated or actual revenues costs; and expected, estimated or actual expenses incurred in relation to the series;

10. All documents and communications concerning planning for the *Pirates of the Caribbean* series subsequent to the release of the film *Pirates of the Caribbean: Dead Men Tell No Tales*., including all documents and communications concerning any consideration, forecast, evaluation, assessment or recommendation regarding expected, estimated or actual revenues; expected, estimated or actual revenues costs; and expected, estimated or actual expenses incurred in relation to the series in the future.

* * *

SHORT TITLE: Depp v. Heard	CASE NUMBER: CL-2019-0002911
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ATTACHMENT (Number): 4

(This Attachment may be used with any Judicial Council form.)

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Counsel for John C. Depp, II

(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 2*(Add pages as required)*

SHORT TITLE: Depp v. Heard	CASE NUMBER: CL-2019-0002911
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ATTACHMENT (Number): 4 Cont.*(This Attachment may be used with any Judicial Council form.)*

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(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 2 of 2*(Add pages as required)*

SHORT TITLE: Depp v. Heard	CASE NUMBER: CL-2019-0002911
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ATTACHMENT (Number): 6

(This Attachment may be used with any Judicial Council form.)

See attached.

(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 _____ of _____
(Add pages as required)

FILED
CIVIL INTAKE

WOODS ROGERS
ATTORNEYS AT LAW

BEN ROTTENBORN
(540) 983-7540
brottenborn@woodsrogers.com

2019 NOV -7 PM 4:03

JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA
November 6, 2019

FILED
COMPUTER SECTION
2019 NOV -7 AM 11:42
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

VIA U.S. MAIL

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

Re: John C. Depp, II v. Amber Laura Heard; Fairfax County Circuit Court Case No. CL2019-0002911

Dear Mr. Frey,

In the above-referenced matter, enclosed for filing please find two copies of Defendant's Certificate of Counsel and corresponding subpoenas issued pursuant to Virginia Code Section 8.01-412.10 and California Civil Procedure Code Section 2029.100 (collectively, "Acts"). The enclosed Subpoena for Production of Business Records in Action Pending Outside California and Subpoena Duces Tecum To Person Under Foreign Subpoena have been issued in accordance with both Acts and the reciprocal privileges included therein.

The enclosed documents will be served by private process server and affidavits of service will be filed as necessary. 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 and please do not hesitate to call with any questions or concerns.

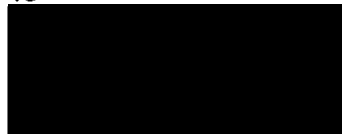
Very truly yours,

WOODS ROGERS PLC



Ben Rottenborn

*with permission by
Joshua R. Treese
Bar # 79149*



JBR:kpm

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P.O. Box 14125, Roanoke, Virginia 24038-4125
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www.woodsrogers.com

Charlottesville • Lynchburg • Richmond • Roanoke

Fairfax Circuit Court
Circuit Court
Receipt No. 865313
Receipt Date: 11/14/2019 09:51 AM

Received of: Woods Rogers PLC, \$ 42.00

Forty Two and 00/100

John C Depp II vs. Amber Laura Heard

Filer(s): Heard, Amber Laura

Case	Amount
CL-2019-0002911	
Copy - Certified	2.00
Subpoena Duces Tecum Clerks Fee	5.00
Total:	7.00

Balance due court: \$ 0.00
Next fine/fee due date:
Next restitution due date:

Check (Num: 63728, Exp: xx/xx)
Amount Tendered: 42.00
Overage: 35.00
Change Due: 0.00

John T. Frey, Clerk of Circuit Court

By: _____
Deputy Clerk
Clerk: TWOODE