

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: <u>Elon Musk</u> | |
| ADDRESS: <u>1 Rocket Road, Hawthorne, CA 90250</u> | |
| <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. CL-2019-0002911

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

FAIRFAX COUNTY

Circuit Court

4110 CHAIN BRIDGE ROAD, FAIRFAX, VIRGINIA 22030

ADDRESS OF COURT

JOHN C. DEPP, II

v./In re:

AMBER LAURA HEARD

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Elon Musk

NAME

1 Rocket Road

STREET ADDRESS

Hawthorne

CA

90250

CITY

STATE

ZIP

TO THE PERSON SUMMONED: You are commanded to

attend and give testimony at a deposition

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

See Attachment A

FILED
CIVIL INTAKE
2021 OCT 26 AM 11:35
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

First Legal Records

at **1511 Beverly Blvd., Los Angeles, CA 90026**

LOCATION

at **January 17, 2022 at 10:00 a.m.**

DATE AND TIME

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

permit inspection of the premises

at the following location

LOCATION

on

DATE AND TIME

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

John C. Depp, II

NAME OF REQUESTING PARTY

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

STREET ADDRESS

Washington

DC

20005

(202) 536-1700

CITY

STATE

ZIP

TELEPHONE NUMBER

The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8.01-412.10.

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided [] below [x] on a

OCTOBER 26, 2021
DATE ISSUED

JOH

by

Benjamin G. Chew

2911

NAME OF ATTORNEY FOR REQUESTING

BAR N

601 Thirteenth Street, N.W., Suite 600

OFFICE ADDRESS

TELEPHONE NUMBER OF ATTORNEY

Washington, DC 20005

(202) 536-1701

OFFICE ADDRESS

FACSIMILE NUMBER OF ATTORNEY

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

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

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

Leo J. Presiado (*pro hac vice*)
Camille M. Vasquez (*pro hac vice*)
Samuel A. Moniz Vasquez (*pro hac vice*)
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2211 Michelson Drive
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Irvine, CA 92612
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Jessica N. Meyers (*pro hac vice*)
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New York, New York 10036
Telephone: (212) 209-4938
Facsimile: (212) 209-4801
jmeyers@brownrudnick.com

Counsel for Plaintiff and Counterclaim Defendant John C. Depp, II

SERVICE LIST

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kblocher@grsm.com
hpangan@grsm.com
mdailey@grsm.com

*Counsel for Defendant and Counterclaim
Plaintiff Amber Laura Heard*

1 ATTACHMENT A

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to Elon Musk.

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

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

23 4. "DEFAMATION ACTION" shall mean and refer to the action entitled *John C.*
24 *Depp II v. Amber Laura Heard*, Circuit Court of Fairfax County Virginia Civil Action No. CL-
25 2019-0002911.

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

1 12. All undefined terms shall be interpreted according to their plain and commonsense
2 meaning.

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

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

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

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

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

| | |
|--------------|--|
| | document/email is contained in a Mailstore |
| Number_Pages | The number of pages in the document |

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

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

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

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

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

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

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

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

23 ///

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1 **DOCUMENT REQUESTS**

2 **REQUEST NO. 1:**

3 All DOCUMENTS or COMMUNICATIONS YOU reviewed and/or relied upon in
4 preparation for YOUR deposition.

5 **REQUEST NO. 2:**

6 All COMMUNICATIONS between YOU and MS. HEARD RELATING TO any
7 allegations of physical injuries or harm sustained by MS. HEARD as a result of any alleged
8 conduct by MR. DEPP.

9 **REQUEST NO. 3:**

10 All COMMUNICATIONS between YOU and MS. HEARD RELATING TO any
11 allegations of physical abuse or domestic violence committed by either MR. DEPP or MS.
12 HEARD.

13 **REQUEST NO. 4:**

14 All COMMUNICATIONS between YOU and MS. HEARD regarding MR. DEPP.

15 **REQUEST NO. 5:**

16 All COMMUNICATIONS between YOU and MS. HEARD between March 7, 2013 and
17 March 15, 2013.

18 **REQUEST NO. 6:**

19 All COMMUNICATIONS between YOU and MS. HEARD between May 23, 2014 and
20 June 1, 2014.

21 **REQUEST NO. 7:**

22 All COMMUNICATIONS between YOU and MS. HEARD between August 16, 2014 and
23 August 24, 2014.

24 **REQUEST NO. 8:**

25 All COMMUNICATIONS between YOU and MS. HEARD between December 24, 2014
26 and January 1, 2015.

27 ///

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1 **REQUEST NO. 9:**

2 All COMMUNICATIONS between YOU and MS. HEARD between January 24, 2015 and
3 February 4, 2015.

4 **REQUEST NO. 10:**

5 All COMMUNICATIONS between YOU and MS. HEARD in March 2015.

6 **REQUEST NO. 11:**

7 All COMMUNICATIONS between YOU and MS. HEARD in August 2015.

8 **REQUEST NO. 12:**

9 All COMMUNICATIONS between YOU and MS. HEARD between November 25, 2015
10 and January 1, 2016.

11 **REQUEST NO. 13:**

12 All COMMUNICATIONS between YOU and MS. HEARD between April 20, 2016 and
13 May 1, 2016.

14 **REQUEST NO. 14:**

15 All COMMUNICATIONS between YOU and MS. HEARD between May 20, 2016 and
16 June 15, 2016.

17 **REQUEST NO. 15:**

18 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
19 the present relating to MR. DEPP.

20 **REQUEST NO. 16:**

21 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
22 the present relating to MS. HEARD'S relationship with MR. DEPP.

23 **REQUEST NO. 17:**

24 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
25 the present relating to the DIVORCE ACTION.

26 ///

27 ///

28 ///

1 **REQUEST NO. 18:**

2 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
3 the present relating to MS. HEARD'S alleged donation of the proceeds from the DIVORCE
4 ACTION to the American Civil Liberties Union.

5 **REQUEST NO. 19:**

6 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 to the
7 present relating to MS. HEARD'S alleged donation of the proceeds from the DIVORCE ACTION
8 to Children's Hospital Los Angeles.

9 **REQUEST NO. 20:**

10 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 to the
11 present relating to any donations made on MS. HEARD's behalf to Children's Hospital Los
12 Angeles and/or the American Civil Liberties Union.

13 **REQUEST NO. 21:**

14 All DOCUMENTS and COMMUNICATIONS regarding any donations by an anonymous
15 donor made on MS. HEARD's behalf and/or at her recommendation to Children's Hospital Los
16 Angeles or the American Civil Liberties Union from 2016 to present, including without limitation
17 the "anonymous donor" referenced in the correspondence that is attached hereto as Exhibit "1,"
18 and is Bates stamped as CHLA000008.

19 **REQUEST NO. 22:**

20 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 to the
21 present relating to the DIVORCE ACTION.

22 **REQUEST NO. 23:**

23 All COMMUNICATIONS between YOU and MS. HEARD between November 1, 2018 to
24 the present relating to the DEFAMATION ACTION.

25 **REQUEST NO. 24:**

26 All COMMUNICATIONS between YOU and MS. HEARD relating to THE SUN CASE.
27
28

Exhibit 1



July 18, 2017

Ms. Amber Heard
c/o John Blakeman, CPA



Dear Ms. Heard,

Children's Hospital Los Angeles (CHLA) would like to extend our heartfelt appreciation to you for recommending that a \$500,000 donation be made to the hospital by an anonymous donor. This extraordinary new donation will support our Children's Fund, a vital unrestricted program that allows CHLA leadership to direct funds to areas of greatest need—all in the furtherance of our mission to create hope and build healthier futures.

CHLA is proud of its ability to attend to the complex medical needs of the many underserved children who turn to us for care, and is only able to do this with the assistance of remarkable friends like you.

Should you find the time, we would welcome the opportunity to offer you a tour of the campus so that you can see—firsthand—the difference our programs and services make in the lives of children and their families every day.

On behalf of every child seeking health and hope at CHLA, thank you!

Sincerely,

Ellen B. Cheney
Director, Foundation Relations

cc: S. Tudor



CHLA000008

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): BROWN RUDNICK LLP LEO J. PRESIADO, #166721 / CAMILLE M. VASQUEZ, #273377 SAMUEL A. MONIZ, #313274 2211 Michelson Drive, Seventh Floor, Irvine, CA 92612 TELEPHONE NO.: (949) 752-7100 FAX NO.: (949) 252-1514 E-MAIL ADDRESS: lpresiado@brownrudnick.com /cvasquez@brownrudnick.com ATTORNEY FOR (Name): John C. Depp, II | 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: 111 N. Hill Street CITY, STATE, AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk | |
| Court in which action is pending: Name of Court: Circuit Court of Fairfax County STREET ADDRESS: 4110 Chain Bridge Road MAILING ADDRESS: 4110 Chain Bridge Road, Suite 320 CITY, STATE, AND ZIP CODE: Fairfax, Virginia 22030 COUNTRY: United States | |
| PLAINTIFF/PETITIONER: John C. Depp, II DEFENDANT/RESPONDENT: Amber Laura Heard | CALIFORNIA CASE NUMBER (if any assigned by court): 19STCP04763 |
| 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):

Elon Musk, 1 Rocket Road, Hawthorne, CA 90250

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

| | |
|--|-----------------------|
| To (name of deposition officer): First Legal Records On (date): January 17, 2022 Location (address): 1511 Beverly Blvd., Los Angeles, CA 90026 | At (time): 10:00 a.m. |
| 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): CL-2019-0002911 |
| DEFENDANT/RESPONDENT: Amber Laura Heard | |

5. If you have been served with this subpoena as a custodian of consumer or employee records under Code of Civil Procedure section 1985.6 and a motion to quash or an objection has been served on you, a court order or agreement of the parties, witnesses, and consumer or employee affected must be obtained before you are required to produce consumer or employee records.

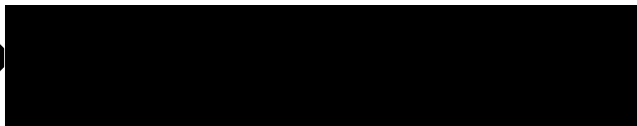
6. Other terms or provisions from out-of-state subpoena, if any (specify):
See attached Fairfax County Circuit Court Subpoena

Continued on Attachment 6 (use form MC-025).

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: October 26, 2021

CAMILLE M. VASQUEZ
(TYPE OR PRINT NAME)



Attorney for John C. Depp, II
(TITLE)

PROOF OF SERVICE OF SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

1. I served this Subpoena for Production of Business Records In Action Pending Outside California by personally delivering a copy to the person served as follows:

- a. Person served (name):
- b. Address where served:

c. Date of delivery: _____ d. Time of delivery: _____

e. Witness fees and mileage both ways (check one):

- (1) were paid. Amount:\$ _____
- (2) were not paid.
- (3) were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (specify): \$ _____

f. Fee for service:\$ _____

2. I received this subpoena for service on (date): _____

3. I also served a completed Proof of Service of Notice to Consumer or Employee and Objection (form SUBP-025) by personally delivering a copy to the person served as described in 1 above.

4. Person serving:

- a. Not a registered California process server
- b. California sheriff or marshal
- c. Registered California process server
- d. Employee or independent contractor of a registered California process server
- e. Exempt from registration under Business and Professions Code section 22350(b)
- f. Registered professional photocopier
- g. Exempt from registration under Business and Professions Code section 22451
- h. Name, address, telephone number, and, if applicable, county of registration and number:

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

Date:

▶ _____

(SIGNATURE)

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct.

Date:

▶ _____

(SIGNATURE)



1 ATTACHMENT 3

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to Elon Musk.

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

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

23 4. "DEFAMATION ACTION" shall mean and refer to the action entitled *John C.*
24 *Depp II v. Amber Laura Heard*, Circuit Court of Fairfax County Virginia Civil Action No. CL-
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26 5. "DIVORCE ACTION" shall mean and refer to the action entitled *In re the*
27 *Marriage of Amber Laura Depp and John Christopher Depp II*, Los Angeles Superior Court Case
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2 meaning.

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

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

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

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

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

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| | document/email is contained in a Mailstore |
| Number_Pages | The number of pages in the document |

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

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

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

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

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

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

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

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

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1 **DOCUMENT REQUESTS**

2 **REQUEST NO. 1:**

3 All DOCUMENTS or COMMUNICATIONS YOU reviewed and/or relied upon in
4 preparation for YOUR deposition.

5 **REQUEST NO. 2:**

6 All COMMUNICATIONS between YOU and MS. HEARD RELATING TO any
7 allegations of physical injuries or harm sustained by MS. HEARD as a result of any alleged
8 conduct by MR. DEPP.

9 **REQUEST NO. 3:**

10 All COMMUNICATIONS between YOU and MS. HEARD RELATING TO any
11 allegations of physical abuse or domestic violence committed by either MR. DEPP or MS.
12 HEARD.

13 **REQUEST NO. 4:**

14 All COMMUNICATIONS between YOU and MS. HEARD regarding MR. DEPP.

15 **REQUEST NO. 5:**

16 All COMMUNICATIONS between YOU and MS. HEARD between March 7, 2013 and
17 March 15, 2013.

18 **REQUEST NO. 6:**

19 All COMMUNICATIONS between YOU and MS. HEARD between May 23, 2014 and
20 June 1, 2014.

21 **REQUEST NO. 7:**

22 All COMMUNICATIONS between YOU and MS. HEARD between August 16, 2014 and
23 August 24, 2014.

24 **REQUEST NO. 8:**

25 All COMMUNICATIONS between YOU and MS. HEARD between December 24, 2014
26 and January 1, 2015.

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1 **REQUEST NO. 9:**

2 All COMMUNICATIONS between YOU and MS. HEARD between January 24, 2015 and
3 February 4, 2015.

4 **REQUEST NO. 10:**

5 All COMMUNICATIONS between YOU and MS. HEARD in March 2015.

6 **REQUEST NO. 11:**

7 All COMMUNICATIONS between YOU and MS. HEARD in August 2015.

8 **REQUEST NO. 12:**

9 All COMMUNICATIONS between YOU and MS. HEARD between November 25, 2015
10 and January 1, 2016.

11 **REQUEST NO. 13:**

12 All COMMUNICATIONS between YOU and MS. HEARD between April 20, 2016 and
13 May 1, 2016.

14 **REQUEST NO. 14:**

15 All COMMUNICATIONS between YOU and MS. HEARD between May 20, 2016 and
16 June 15, 2016.

17 **REQUEST NO. 15:**

18 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
19 the present relating to MR. DEPP.

20 **REQUEST NO. 16:**

21 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
22 the present relating to MS. HEARD'S relationship with MR. DEPP.

23 **REQUEST NO. 17:**

24 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
25 the present relating to the DIVORCE ACTION.

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1 **REQUEST NO. 18:**

2 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 and
3 the present relating to MS. HEARD'S alleged donation of the proceeds from the DIVORCE
4 ACTION to the American Civil Liberties Union.

5 **REQUEST NO. 19:**

6 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 to the
7 present relating to MS. HEARD'S alleged donation of the proceeds from the DIVORCE ACTION
8 to Children's Hospital Los Angeles.

9 **REQUEST NO. 20:**

10 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 to the
11 present relating to any donations made on MS. HEARD's behalf to Children's Hospital Los
12 Angeles and/or the American Civil Liberties Union.

13 **REQUEST NO. 21:**

14 All DOCUMENTS and COMMUNICATIONS regarding any donations by an anonymous
15 donor made on MS. HEARD's behalf and/or at her recommendation to Children's Hospital Los
16 Angeles or the American Civil Liberties Union from 2016 to present, including without limitation
17 the "anonymous donor" referenced in the correspondence that is attached hereto as Exhibit "1,"
18 and is Bates stamped as CHLA000008.

19 **REQUEST NO. 22:**

20 All COMMUNICATIONS between YOU and MS. HEARD between June 15, 2016 to the
21 present relating to the DIVORCE ACTION.

22 **REQUEST NO. 23:**

23 All COMMUNICATIONS between YOU and MS. HEARD between November 1, 2018 to
24 the present relating to the DEFAMATION ACTION.

25 **REQUEST NO. 24:**

26 All COMMUNICATIONS between YOU and MS. HEARD relating to THE SUN CASE.
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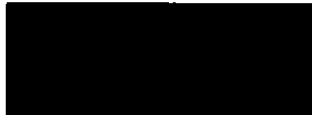
Exhibit 1



We Treat Kids Better

July 18, 2017

Ms. Amber Heard
c/o John Blakeman, CPA



Dear Ms. Heard,

Children's Hospital Los Angeles (CHLA) would like to extend our heartfelt appreciation to you for recommending that a \$500,000 donation be made to the hospital by an anonymous donor. This extraordinary new donation will support our Children's Fund, a vital unrestricted program that allows CHLA leadership to direct funds to areas of greatest need—all in the furtherance of our mission to create hope and build healthier futures.

CHLA is proud of its ability to attend to the complex medical needs of the many underserved children who turn to us for care, and is only able to do this with the assistance of remarkable friends like you.

Should you find the time, we would welcome the opportunity to offer you a tour of the campus so that you can see—firsthand—the difference our programs and services make in the lives of children and their families every day.

On behalf of every child seeking health and hope at CHLA, thank you!

Sincerely,

Ellen B. Cheney
Director, Foundation Relations

cc: S. Tudor



CHLA000008

| | |
|---|---------------------------------|
| SHORT TITLE: John C. Depp, II v. Amber Laura Heard | CASE NUMBER: CL-2019-0002911 |
|---|---------------------------------|

ATTACHMENT (Number): 4

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

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mdailey@grsm.com

*Counsel for Defendant and Counterclaim
Plaintiff Amber Laura Heard*

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1

(Add pages as required)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of October 2021, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

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