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# Transcript of Hearing

**Date:** October 29, 2021  
**Case:** Depp, II -v- Heard

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A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF:

BENJAMIN G. CHEW, ESQUIRE

BROWN RUDNICK

601 Thirteenth Street, Northwest

Suite 600

Washington, D.C. 20005

(202) 536-1700

1 A P P E A R A N C E S C O N T I N U E D

2 O N B E H A L F O F T H E D E F E N D A N T :

3 J. BENJAMIN ROTTENBORN, ESQUIRE

4 WOODS ROGERS

5 10 South Jefferson Street

6 Suite 1400

7 Roanoke, Virginia 24038

8 (540) 983-7707

9

10 DAVID E. MURPHY, ESQUIRE

11 CHARLSON, BREDEHOFT, COHEN & BROWN

12 11260 Roger Bacon Drive

13 Suite 201

14 Reston, Virginia 20190

15 (703) 318-6800

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1 someone were really injured, why would she  
2 manipulate the image? And why would she then lie  
3 about it? Why wouldn't she explain why she  
4 manipulated the issue?

5 The second evidence of that is  
6 Mr. Neumeister has said, yes, these photographs,  
7 just as The Sun's expert had concluded -- it is  
8 obvious that some of these photographs that she --  
9 Ms. Bredehoft uses at every deposition, not only  
10 the officers' -- that was just an example -- have  
11 been manipulated, have passed through an editing  
12 machine.

13 And Mr. Rottenborn calls them into -- to  
14 task because he can't -- he can't be more  
15 specific. Well, he can't be more specific because  
16 he's using doctored images. Both of the experts  
17 agree that the best way to do this, the only way  
18 to do this is to have the original data. That's  
19 the only way.

20 And if -- if these were authentic,  
21 Ms. Heard should have no problem with this at all;  
22 but she knows they're not. She knows she doctored

1 have the forensic imaging we can admit or deny.

2 And we'll be happy to do that.

3 Mr. Neumeister is not a hired gun. He  
4 is out for the truth. The logo for their company  
5 is In Data There Is Truth. We just want to know  
6 what's real and what's fake. And because they are  
7 an essential part of Mr. Depp's defense in this  
8 case and an essential part of Ms. Heard's 100  
9 million dollar counterclaim -- she says it's not a  
10 hoax.

11 Well, then prove it. Prove it's not a  
12 hoax. If these are real photographs, well, then,  
13 you know, we're going to be in a much different  
14 situation. But if these are real photographs, she  
15 should want to be able to prove them.

16 And if she doesn't have her -- her  
17 device from 2012, well, then that's the answer.  
18 She can only produce for imaging and extraction  
19 what she's got; but then she's going to have  
20 another argument as to what happened and whether  
21 that's spoliation or not.

22 But, Your Honor, we have bent over

1 claims or defenses of either party in this case  
2 that are in Mr. Depp's possession and that he's  
3 agreed to produce in a consent order from a year  
4 ago.

5 We're asking for the Court to -- to not  
6 only grant the specific requests that we have  
7 today; but, you know, hopefully through that, the  
8 granting of that motion, Mr. Depp's side will get  
9 the picture that you can't just obfuscate and say  
10 that you don't have things that you do. Thank  
11 you.

12 THE COURT: All right. Thank you, sir.

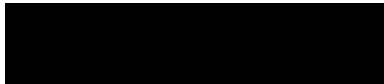
13 All right. In this matter as far as  
14 mutuality goes, because it's ordered in one case  
15 for one side, I'm -- I'm going to deny that  
16 request at this time. There still has to be a  
17 nexus shown when -- when you're asking for those  
18 types of items in discovery. And -- and, again, I  
19 do find that the ask is overbroad and there is no  
20 specificity to that.

21 As to the specific items, the full  
22 recording, it's -- it's -- Mr. Chew states that

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CERTIFICATE OF SHORTHAND REPORTER

I, CAROL A. LOWE, the court reporter before whom the foregoing hearing was taken, do hereby certify that the foregoing transcript is a true and correct record of the proceedings; that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



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Carol A. Lowe, RPR

**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**

Upon consideration of Plaintiff and Counterclaim-Defendant John C. Depp, II's ("Mr. Depp") Motion to Compel Defendant and Counterclaim-Plaintiff Amber Laura Heard's ("Ms. Heard") Production of Original Devices and Operating System Drives and Cloud Backups of These Original Devices as Requested in Plaintiff's Seventh Set of Requests for Production ("Plaintiff's Motion") and Ms. Heard's Cross-Motion to Compel Mr. Depp's Production of Forensic Evidence and for Sanctions ("Defendant's Motion"), the oppositions thereto, arguments of counsel, and being fully advised, it is, this 8 day of November 2021, hereby ORDERED as follows:

1. Defendant's Motion is **DENIED**, except Mr. Depp shall produce any native files with metadata of photographs reflecting injuries and audio and video recordings of Mr. Depp and Ms. Heard that are in Mr. Depp's possession, and that have been previously produced in discovery without metadata.
2. Plaintiff's Motion is **GRANTED** in part and **DENIED** in part.
3. Defendant Amber Laura Heard ("Ms. Heard") shall produce her original devices, including mobile devices and computers (including laptops and iPads), as well as operating system



drives and cloud backups of these original devices (the "Requested Material"), for purposes of performing a physical imaging of all data from the original devices, as requested in Plaintiff's Seventh Set of Requests for Production. For purposes of clarification, Ms. Heard's original devices shall include all devices on which the data was "taken or originated or have been maintained" as requested in Plaintiff's Seventh Set of Requests for Production, including but not limited to, Ms. Heard's current devices and all cloud backups.

4. **The Imaging of Devices:** Under the supervision of Mr. Depp's retained forensic expert, Bryan Neumeister and/or Mr. Neumeister's colleague, Matt Erickson, either in person or over Zoom (or an equivalent audio/visual platform), Ms. Heard's designated forensic expert shall perform forensic imaging of the Requested Material on a date agreeable to the parties but no later than November 30, 2021, in the following manner:

- a. For computers (laptops and desktops), a write-blocked "Raw (DD) non-segmented forensic image" shall be taken for each original computer drive;
- b. For mobile devices (cell phones and tablets), Ms. Heard shall provide the password(s) for the devices she used during the relevant time period so that the data can be accessed and a "CheckM8/checkra!n extraction" shall be performed, where possible, for each cell phone;
- c. For the cloud account(s) (iCloud, Gmail, etc.), Ms. Heard shall provide her username(s) and password(s) and extraction using Oxygen or Cellebrite software shall be performed;

5. If Ms. Heard's designated forensic experts do not have access to the hardware or software required to conduct the imaging described above, Mr. Neumeister will make arrangements with Ms. Heard's expert. In the event that a dispute arises between Ms. Heard's

expert and Mr. Neumeister or Mr. Erickson related to the manner in which the imagings are performed, Stephen Cochran, the Court-appointed conciliator, shall resolve the dispute.

6. **The Extraction of Relevant Data:** After the Requested Material is imaged, Ms. Heard’s designated expert, also under the supervision of Mr. Neumeister and/or Mr. Erickson, shall extract the following categories of relevant data for review and analysis (the “Extracted Data”):

- a. **Photographs of Ms. Heard:** All photographs of Ms. Heard taken during the following time periods, which all correspond to dates in which Ms. Heard alleges that Mr. Depp abused her:

<b>Date of Alleged Abuse</b>	<b>Time Period To Be Searched</b>
Late 2012/Early 2013	December 15, 2012 – January 15, 2013
March 8 and 22, 2013	March 6, 2013 – April 5, 2013
June 2013	June 1 – June 30, 2013
May 24, 2014	May 22, 2014 – June 7, 2014
August 17, 2014	August 15, 2014 – August 31, 2014
December 17, 2014	December 15, 2014 – December 31, 2014
January 25, 2015	January 23, 2015 – February 8, 2015
March 3-5, 2015	March 1, 2015 – March 19, 2015
March 22-23, 2015	March 20, 2015 – April 6, 2015
August 2015	August 1, 2015 – August 31, 2015
November 26, 2015	November 24, 2015 – December 10, 2015
December 15, 2015	December 13, 2015 – December 29, 2015
December 29, 2015	December 29, 2015 – January 12, 2016

April 21, 2016	April 19, 2016 – May 5, 2016
May 21, 2016	May 19, 2016 – June 4, 2016
July 22, 2016	July 15, 2016 – July 29, 2016

b. **Deleted Photographs:** All deleted photographs of Ms. Heard taken during the time periods outlined in the second column of the table in paragraph 6(a).

7. Only the Extracted Data (as opposed to the forensic image) can be and will be reviewed by anyone at this time.

8. Once the extraction is complete, Craig B. Young (“Mr. Young”), the Court-appointed limited discovery issue conciliator, will act as the neutral third-party attorney and will review the Extracted Data to identify and isolate any irrelevant or privileged information that will not be subject to Mr. Neumeister’s forensic analysis. At the same time, Ms. Heard shall also have the right to receive and review the Extracted Data for the purpose of reviewing Extracted Data for privilege or work product only. Any privileged Extracted Data identified by Mr. Young or Ms. Heard will be isolated and will not be disclosed to or reviewed by anyone else, including Mr. Neumeister until the Court makes a determination on the privilege or work product objections pursuant to a privilege protocol.

9. The relevant data from the extraction will, in the first instance, be treated as attorneys’ and expert’s eyes only. Mr. Neumeister will conduct his analysis of the relevant data from the extraction and the parties’ attorneys (and Ms. Heard’s expert(s)) will be permitted to review this set of data. Once both parties’ attorneys have had an opportunity to review the data that Mr. Neumeister has/will be analyzing, the data shall be re-designated or de-designated consistent with the operative Protective Order in this action.

10. Ms. Heard's attorneys shall disclose to Mr. Depp's attorneys an inventory of all previously imaged photographs, text messages, emails, and video and audio recordings (the "Inventory") by Bates stamp if produced, and in list form if not yet produced. For each of Ms. Heard's previously imaged Inventory, Ms. Heard's attorneys shall disclose to Mr. Depp's attorneys and to Mr. Neumeister the following information relating to the Inventory:

***For Computers (Laptops and Desktops)***

- a. What type of forensic image was created;
- b. What software and version of the software was used to create the forensic image;
- c. What make/type of write-blocker was used to create the forensic image;
- d. Was an uncompressed write-blocked forensic image extracted; and
- e. Whether a hash verification was completed for each file, and for the forensic image as a whole.

***For Mobile Devices (Cell Phones and Tablets)***

- a. What type of extraction(s) were performed: a logical, advanced logical, CheckM8/checkra!n, or physical extraction if jail-broken- by the other forensic company;
- b. Whether a jailbreak method was used in the extraction process;
- c. What iOS was on the phone; and
- d. What software make and version were used for the extraction(s).

***Cloud Accounts (iCloud, Gmail)***

- a. Whether a forensic analysis was conducted and, if so, what software was used.

11. Upon review of the Inventory by Mr. Depp's attorneys and Mr. Neumeister, Mr. Neumeister together with Mr. Depp's attorneys may decide to have Mr. Neumeister conduct an

independent forensic imaging of any previously imaged Inventory in the same manner as described above for the Requested Material.

November 8, 2021



The Honorable Penney S. Azcarate  
Chief Judge, Fairfax County Circuit  
Court

***Compliance with Rule 1:13 requiring the endorsement of counsel of record is modified by the Court, in its discretion, to permit the submission of the following electronic signatures of counsel in lieu of an original endorsement or dispensing with endorsement.***

**WE ASK FOR THIS:**

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*Counsel for Plaintiff John C. Depp, II*

**SEEN AND OBJECTED TO:**

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Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
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*Counsel to Defendant Amber Laura Heard*

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff and Counterclaim  
Defendant,*

v.

AMBER LAURA HEARD,

*Defendant and  
Counterclaim Plaintiff.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF AND COUNTERCLAIM DEFENDANT JOHN C. DEPP, II'S RESPONSES  
AND OBJECTIONS TO DEFENDANT AND COUNTERCLAIM PLAINTIFF  
AMBER LAURA HEARD'S FOURTEENTH REQUEST FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff and Counterclaim Defendant John C. Depp, II ("Plaintiff" and/or "Mr. Depp"), by and through his undersigned counsel, hereby responds and objects to Defendant and Counterclaim Plaintiff Amber Laura Heard's ("Defendant" and/or "Ms. Heard") Fourteenth Set of Requests for Production of Documents (each, a "Request" and collectively, the "Requests"), dated November 8, 2021 and served in the above captioned action ("Action") as follows:

**GENERAL OBJECTIONS**

1. These General Objections are incorporated into each specific response to the numbered Requests below as if fully repeated therein and are intended, and shall be deemed, to be in addition to any specific objection included in any response below. The assertion of the same, similar, or additional objections or partial responses to the individual Requests does not



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

**RESPONSE:** No objection.

p. *Pirates of the Caribbean Films.* The phrase “Pirates of the Caribbean Films” collectively refers to the films “Pirates of the Caribbean: The Curse of the Black Pearl,” “Pirates of the Caribbean: Dead Man’s Chest,” “Pirates of the Caribbean: At World’s End,” “Pirates of the Caribbean: On Stranger Tides,” and “Pirates of the Caribbean: Dead Men Tell No Tales.”

**RESPONSE:** No objection.

q. *Fantastic Beasts Films.* The phrase “Fantastic Beasts Films” collectively refers to the films “Fantastic Beasts and Where to Find Them,” “Fantastic Beasts: The Crimes of Grindelwald,” and the tentatively titled “Fantastic Beasts and Where to Find Them 3,” along with any other future film in this series referred to in any contract such as Fantastic Beasts and Where to Find Them 4 and Fantastic Beasts and Where to Find Them 5.

**RESPONSE:** No objection.

r. *Disney.* The phrase “Disney” refers to the Walt Disney Company and any of its divisions, parents, subsidiaries, related or affiliated companies or organizations.

**RESPONSE:** No objection.

s. *Inventory.*

- (i) The term “Inventory” in relation to a computer refers to a forensic image of any computers (including Laptops and Desktops), operating systems, or drives sufficient to identify: a) the computer by manufacturer, make, model, and serial number; b) the type of forensic image taken/created (e.g. logical, advanced logical, write-blocked Raw (DD) non-segmented forensic image, etc.); c) the

software and version of the software used to create the forensic image; d) the make/type of write-blocker used to create the forensic image; e) whether an uncompressed write-blocked forensic image was extracted; f) whether a hash verification was completed for each file and for the forensic image as a whole; and g) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, or in list form if not yet produced.

- (ii) The term “Inventory” in relation to a mobile device (including Cell Phones and Tablets) refers to a forensic image sufficient to identify: a) the mobile device by manufacturer, make, model, and serial number; b) the type of extraction performed (e.g. logical, advanced logical, Checkm8/checkra!n extraction, physical extraction if jail-broken, etc.); c) the software used in taking the forensic image; d) whether a jailbreak method was used in the extraction process; e) the operating system in use on the mobile device at the time it was imaged (e.g. iOS); and f) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, or in list form if not yet produced.
- (iii) The term “Inventory” in relation to a “cloud account” or “iCloud” refers to a forensic image of any cloud accounts sufficient to identify: a) the type of cloud account and company hosting the data on the cloud account; b) the type of forensic image taken of the cloud account; c) the software used in taking the forensic image (e.g. Oxygen, Cellebrite, etc.); d) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, and in list form if not yet produced; and e) whether a forensic analysis was conducted and, if so, what software was used.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege and privacy.

### **REQUESTS**

1. Please produce all documents supporting, refuting, or otherwise relating to Mr. Depp’s statement to Christian Carino in the audio recording produced as DEPP8296 that “have gotten emails from every fucking studio fucking head from every motherfucker, I didn’t do a thing. ‘I’m sorry you’re going through this. I’m so sorry.’ Clearly she’s out of her fucking mind. She is viewed as out of her fucking mind across the globe.”

relating.” Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds that it seeks documents that belong to or are in possession of third parties, and/or are not within Plaintiff’s possession, custody, or control. Plaintiff further objects to this Request on the grounds that it seeks documents that are irrelevant and appears calculated to harass.

4. Please produce an Inventory of the iPhone that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff’s possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague,

ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

5. Please produce an Inventory of the iPad that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the

scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

6. Please produce an Inventory of the MacBook Pro that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff

further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

7. Please produce an Inventory of the iCloud account that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the

grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

8. Please produce an Inventory of the iPhone belonging to Stephen Deuters collected in May 2017 that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request openly and improperly relates to a device belonging to a third party. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects



to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

9. Please produce an Inventory of the iPad belonging to Stephen Deuters collected in May 2017 that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request openly and improperly relates to a device belonging to a third party and exceeds the permissible scope of discovery as to that third party. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous,

and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

10. Please produce an Inventory of any additional “devices and data” belonging to Stephen Deuters that Mr. Depp confirmed under penalty of perjury are in his possession, custody, and control and contain ESI that relate to the claims or defenses in this case (or are reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request openly and improperly relates to a device belonging to a third party and exceeds the

permissible scope of discovery as to that third party. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

11. Please produce an Inventory of the iPhone belonging to Nathan Holmes collected in March 2018 that Mr. Depp confirmed under penalty of perjury is in his possession, custody, and control and contains ESI that relates to the claims or defenses in this case (or is reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request openly and improperly relates to a device belonging to a third party and exceeds the permissible scope of discovery as to that third party. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff's possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent

that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

12. Please produce an Inventory of any additional “devices and data” belonging to Nathan Holmes collected in March 2018 that Mr. Depp confirmed under penalty of perjury are in his possession, custody, and control and contain ESI that relate to the claims or defenses in this case (or are reasonably likely to lead to the discovery of admissible evidence).

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request openly and improperly relates to a device belonging to a third party and exceeds the permissible scope of discovery as to that third party. Plaintiff further objects that the Request represents an improper attempt to impose on Plaintiff discovery obligations beyond the scope of legitimate discovery, and seeks to impose an arbitrary mutuality on Plaintiff that has already been rejected by the Court, since the authenticity and veracity of devices in Plaintiff’s possession are not at issue. Plaintiff further objects to this Request on the grounds that it lacks reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad. Plaintiff further objects to this Request on the grounds that it seeks documents and/or information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing and unreasonably intrusive because it seeks information unrelated to

the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents or information protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds and to the extent that it seeks documents or information that belong to or are in possession of third parties, and/or do not belong to Plaintiff. Plaintiff further objects to this Request on the grounds that it seeks documents or information that are irrelevant and appears calculated to harass. Plaintiff further objects that the Request is vague and ambiguous. Plaintiff further objects to the Request on the grounds that it represents an unreasonable intrusion on the privacy and other rights of Plaintiff and third parties to this litigation.

13. Please produce all communications between Mr. Depp (or any of Mr. Depp's agents or employees on his behalf) and any journalist, newspaper, publication (including but not limited to The Daily Mail) referring, reflecting, or otherwise relating to any audio or video recordings (or partial recordings) of Mr. Depp or Ms. Heard.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it fails to reasonably particularize the categories of documents sought. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because of its use of the phrase "referring, reflecting, or otherwise relating." Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly

burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds that it seeks documents that belong to or are in possession of third parties, and/or are not within Plaintiff's possession, custody, or control. Plaintiff further objects to this Request on the grounds that it seeks documents that are irrelevant and appears calculated to harass.

14. Please produce all documents and communications referring, reflecting, or otherwise relating to any purported investigation of Ms. Heard in Australia, including but not limited to all communications sent or received between Mr. Depp (or any of Mr. Depp's agents or employees on his behalf) and any journalist, newspaper, or publication.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it fails to reasonably particularize the categories of documents sought. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because of its use of the phrase "referring, reflecting, or otherwise relating." Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case. Plaintiff

further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff and/or third parties to this litigation, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it seeks documents protected by the attorney-client privilege, work-product doctrine, and/or any other applicable privilege, immunity, or protection. Plaintiff further objects to this request on the grounds that it seeks documents that belong to or are in possession of third parties, and/or are not within Plaintiff's possession, custody, or control. Plaintiff further objects to this Request on the grounds that it seeks documents that are irrelevant and appears calculated to harass.

Dated: November 29, 2021

Respectfully submitted,



---

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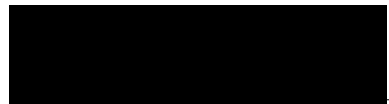
*Counsel for Plaintiff and  
Counterclaim Defendant John C. Depp, II*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of November 2021, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

J. Benjamin Rottenborn  
Joshua R. Treece  
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brottenborn@woodsrogers.com  
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Elaine Charlson Bredehoft  
Adam S. Nadelhaft  
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anadelhaft@cbcblaw.com  
cpintado@cbcblaw.com  
dmurphy@cbcblaw.com



Andrew C. Crawford (VSB #89093)



Blair Berk	Unknown
Jacob Bloom	Unknown

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

**ANSWER:**

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

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

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

**ANSWER:**

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

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

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

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

**ANSWER:**

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

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

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

**ANSWER:**

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

Dated: October 28, 2019

Respectfully submitted,



**Benjamin G. Chew** (VSB #29113)  
Elliot J. Weingarten (*pro hac vice*)  
Camille M. Vasquez (*pro hac vice*)  
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- and -

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

*Counsel for Plaintiff John C. Depp, II*

**CERTIFICATE OF SERVICE**

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

Roberta A. Kaplan (*pro hac vice*)  
Julie E. Fink (*pro hac vice*)  
John C. Quinn (*pro hac vice*)  
Joshua Matz (*pro hac vice*)  
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*Counsel for Defendant Amber Laura Heard*

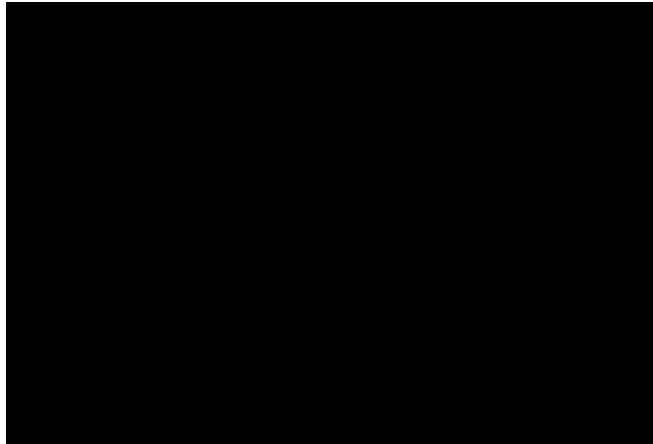
  
Benjamin G. Chew

**CERTIFICATION**

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

Dated: 28 Oct., 2019

Location: \_\_\_\_\_





VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff and Counterclaim  
Defendant,*

v.

AMBER LAURA HEARD,

*Defendant and  
Counterclaim Plaintiff.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF AND COUNTERCLAIM DEFENDANT JOHN C. DEPP, II'S RESPONSES  
AND OBJECTIONS TO DEFENDANT AND COUNTERCLAIM PLAINTIFF  
AMBER LAURA HEARD'S FIFTEENTH REQUEST FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff and Counterclaim Defendant John C. Depp, II ("Plaintiff" and/or "Mr. Depp"), by and through his undersigned counsel, hereby responds and objects to Defendant and Counterclaim Plaintiff Amber Laura Heard's ("Defendant" and/or "Ms. Heard") Fifteenth Set of Requests for Production of Documents (each, a "Request" and collectively, the "Requests"), dated November 12, 2021 and served in the above captioned action ("Action") as follows:

**GENERAL OBJECTIONS**

1. These General Objections are incorporated into each specific response to the numbered Requests below as if fully repeated therein and are intended, and shall be deemed, to be in addition to any specific objection included in any response below. The assertion of the same, similar, or additional objections or partial responses to the individual Requests does not

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

**RESPONSE:** No objection.

p. *Pirates of the Caribbean Films.* The phrase “Pirates of the Caribbean Films” collectively refers to the films “Pirates of the Caribbean: The Curse of the Black Pearl,” “Pirates of the Caribbean: Dead Man’s Chest,” “Pirates of the Caribbean: At World’s End,” “Pirates of the Caribbean: On Stranger Tides,” and “Pirates of the Caribbean: Dead Men Tell No Tales.”

**RESPONSE:** No objection.

q. *Fantastic Beasts Films.* The phrase “Fantastic Beasts Films” collectively refers to the films “Fantastic Beasts and Where to Find Them,” “Fantastic Beasts: The Crimes of Grindelwald,” and the tentatively titled “Fantastic Beasts and Where to Find Them 3,” along with any other future film in this series referred to in any contract such as Fantastic Beasts and Where to Find Them 4 and Fantastic Beasts and Where to Find Them 5.

**RESPONSE:** No objection.

r. *Disney.* The phrase “Disney” refers to the Walt Disney Company and any of its divisions, parents, subsidiaries, related or affiliated companies or organizations.

**RESPONSE:** No objection.

s. *Inventory.*

- (i) The term “Inventory” in relation to a computer refers to a forensic image of any computers (including Laptops and Desktops), operating systems, or drives sufficient to identify: a) the computer by manufacturer, make, model, and serial number; b) the type of forensic image taken/created (e.g. logical, advanced logical, write-blocked Raw (DD) non-segmented forensic image, etc.); c) the

software and version of the software used to create the forensic image; d) the make/type of write-blocker used to create the forensic image; e) whether an uncompressed write-blocked forensic image was extracted; f) whether a hash verification was completed for each file and for the forensic image as a whole; and g) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, or in list form if not yet produced.

- (ii) The term “Inventory” in relation to a mobile device (including Cell Phones and Tablets) refers to a forensic image sufficient to identify: a) the mobile device by manufacturer, make, model, and serial number; b) the type of extraction performed (e.g. logical, advanced logical, Checkm8/checkra!n extraction, physical extraction if jail-broken, etc.); c) the software used in taking the forensic image; d) whether a jailbreak method was used in the extraction process; e) the operating system in use on the mobile device at the time it was imaged (e.g. iOS); and f) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, or in list form if not yet produced.
- (iii) The term “Inventory” in relation to a “cloud account” or “iCloud” refers to a forensic image of any cloud accounts sufficient to identify: a) the type of cloud account and company hosting the data on the cloud account; b) the type of forensic image taken of the cloud account; c) the software used in taking the forensic image (e.g. Oxygen, Cellebrite, etc.); d) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, and in list form if not yet produced; and e) whether a forensic analysis was conducted and, if so, what software was used.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege and privacy.

t. ***Mr. Depp’s Devices.*** The phrase “Mr. Depp’s Devices” refers to the devices that Mr. Depp identified in response to Interrogatory No. 3 of Ms. Heard’s 1st Set of Interrogatories under penalty of perjury were in his possession, custody, and control and on which ESI that relates to the claims or defenses in this case, or is reasonably likely to lead to the

discovery of admissible evidence, is likely to be stored. These identified devices include an iPhone, an iPad, a MacBook Pro, an iCloud account, the devices and data belonging to Stephen Deuters collected in May 2017 (iPad and iPhone), and the devices and data belonging to Nathan Holmes collected in March 2018 (iPhone). This definition further includes Mr. Depp's current devices and current cloud backups containing any data from the devices identified in response to Interrogatory No. 3 of Ms. Heard's 1st Set of Interrogatories.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing, especially in light of the Court's November 8, 2021 Order, denying Defendant's Motion to Compel Plaintiff's devices. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law including that it requests documents and information not in Plaintiff's actual possession, custody, or control and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege, privacy, and relevance.

u. ***Depp Abuse of Heard Dates.*** The phrase "Depp Abuse of Heard Dates" refers to the time periods contained in the Court's November 8, 2021 Order: December 15, 2012-January 15, 2013; March 6-April 5, 2013; June 1-June 30, 2013; May 22-June 7, 2014; August 15-August 31, 2014; December 15-December 31, 2014; January 23-February 8, 2015; March 1-April 6, 2015; August 1-August 31, 2015; November 24-December 10, 2015; December 13, 2015-January 12, 2016; April 19-May 5, 2016; May 19-June 4, 2016; and July 15-July 29, 2016.

**RESPONSE:** No objection to the dates. Objection to the use of the term "Depp Abuse of Heard Dates" on the grounds that it assumes facts that are disputed, and lacks foundation for the same.

v. ***Mr. Depp's Forensic Experts.*** The phrase "Mr. Depp's Forensic Experts" refers to Bryan Neumeister and/or Mr. Neumeister's colleague, Matt Erickson.

**RESPONSE:** No objection.

w. ***Depp Alleged Abuse by Heard Dates.*** The phrase "Depp Alleged Abuse by Heard Dates" refers to the following time periods reflected in Mr. Depp's Declaration submitted to

the Fairfax County Circuit Court in May 2019 and in Mr. Depp's Witness Statements submitted in the UK Litigation: November 21, 2014- March 11, 2015; March 1- April 6, 2015; October 12- November 1, 2015; December 5-26, 2015; April 11- May 6, 2016; and May 11- June 4, 2016.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege and privacy. Plaintiff further objects on the grounds that this definition overlaps with some of the same time periods outlined in Defendant's definition of "Depp Abuse of Heard Dates."

### **REQUESTS**

1. Please produce all photographs and deleted photographs of Ms. Heard on Mr. Depp's Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

### **RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to

the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all photographs of Ms. Heard in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court’s November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted photographs of Ms. Heard in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

2. Please produce all video recordings and deleted video recordings of Ms. Heard on Mr. Depp’s Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial

of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all video recordings of Ms. Heard in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court's November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings of Ms. Heard in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

3. Please produce all audio recordings and deleted audio recordings of Ms. Heard on Mr. Depp's Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this

Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all audio recordings of Ms. Heard in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court's November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted audio recordings of Ms. Heard in his possession, custody, or control during the



aforementioned time periods and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

4. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of Ms. Heard during the time period of the Depp Abuse of Heard Dates.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request appears to have been served for purposes of harassment. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it

is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

5. Please produce all photographs and deleted photographs of Mr. Depp on Mr. Depp’s Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging and explicit limitation of permissible discovery to “photographs reflecting injuries.” November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to

seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

6. Please produce all video recordings and deleted video recordings of Mr. Depp on Mr. Depp’s Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any

other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

7. Please produce all audio recordings and deleted audio recordings of Mr. Depp on Mr. Depp’s Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging and explicit limitation of permissible discovery to “photographs reflecting injuries.” November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any

other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

8. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of Mr. Depp during the time period of the Depp Abuse of Heard Dates.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to

seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff further objects that this Request seeks to impose burdens beyond those imposed under applicable law, and no legitimate basis has been shown to seek a forensic imaging of Mr. Depp’s devices. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

9. Please produce all photographs and deleted photographs reflecting any damage to property on Mr. Depp’s Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this

Request is overbroad, vague, and ambiguous. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all photographs reflecting damage to property in his possession, custody, or control during the time periods outlined in paragraph 6 of the

Court's November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted photographs reflecting damage to property in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

10. Please produce all video recordings and deleted video recordings reflecting any damage to property on Mr. Depp's Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects that this Request is overbroad, vague, and ambiguous. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other



discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all video recordings reflecting any damage to property in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court’s November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings reflecting any damage to property in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

11. Please produce all audio recordings and deleted audio recordings reflecting any damage to property on Mr. Depp’s Devices during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that the very nature of this

Request is vague, ambiguous, unintelligible, and overbroad, including because it seeks “audio recordings reflecting any damage to property.” Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

12. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of any damage to property during the time period of the Depp Abuse of Heard Dates.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks

information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard's request, stating: "as far as mutuality goes, because it's ordered in one case for one side, I'm -- I'm going to deny that request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery." November 8, 2021 Order at 68:13-18 (emphasis added).

13. Please produce all communications sent or received by Mr. Depp that refer or relate to Ms. Heard during the time period of the Depp Abuse of Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced non-privileged communications sent or

received by Mr. Depp that regarding Ms. Heard during the time period outlined in paragraph 6 of the Court's November 8, 2021 Order in native form with all metadata.

14. Please produce all photographs and deleted photographs of Mr. Depp on Mr. Depp's Devices that Mr. Depp contends show any injuries or otherwise evidence any alleged abuse of Mr. Depp by Ms. Heard, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request as duplicative of Request 5. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is

inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all photographs of Mr. Depp reflecting his injuries in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court's November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted photographs of Mr. Depp reflecting his injuries in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

15. Please produce all video recordings and deleted video recordings of Mr. Depp on Mr. Depp's Devices that Mr. Depp contends show any injuries or otherwise evidence any alleged abuse of Mr. Depp by Ms. Heard, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request as duplicative of Request 6. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are

protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all video recordings of Mr. Depp, if any, that show any injuries or otherwise evidence any alleged abuse of Mr. Depp by Ms. Heard, in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court’s November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings of Mr. Depp in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

16. Please produce all audio recordings and deleted audio recordings of Mr. Depp on Mr. Depp’s Devices that Mr. Depp contends relate to any injuries or otherwise evidence any alleged abuse of Mr. Depp by Ms. Heard, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably

calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request as duplicative of Request 7. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all audio recordings of Mr. Depp relating to any injuries or alleged abuse of Mr. Depp by Ms. Heard, if any, in his possession, custody, or control during the time periods outlined in paragraph 6 of the Court's November 8, 2021 Order in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings



of Mr. Depp in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

17. Please produce all photographs and deleted photographs of Mr. Depp on Mr. Depp's Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request as duplicative of Requests 5 and 14. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is

inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all photographs of Mr. Depp reflecting his injuries in his possession, custody, or control during the time periods outlined in Defendant's definition of "Depp Alleged Abuse by Heard" in native form with all metadata. Further, Plaintiff is not aware of any deleted photographs of Mr. Depp reflecting his injuries in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

18. Please produce all video recordings and deleted video recordings of Mr. Depp on Mr. Depp's Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request as duplicative of Requests 6 and 15. Plaintiff further objects to this Request to the extent that it could be construed to seek documents

that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all video recordings of Mr. Depp that show any injuries or otherwise evidence any alleged abuse of Mr. Depp by Ms. Heard, if any, in his possession, custody, or control during the time periods outlined in Defendant’s definition of “Depp Alleged Abuse by Heard” in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings of Mr. Depp in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

19. Please produce all audio recordings and deleted audio recordings of Mr. Depp on Mr. Depp’s Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably

calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request as duplicative of Requests 7 and 16. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

20. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of Mr. Depp during the time period of the Depp Alleged Abuse by Heard Dates.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard's request, stating: "as far as mutuality goes, because it's ordered in one case

for one side, I'm -- I'm going to deny that request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

21. Please produce all photographs and deleted photographs of Ms. Heard on Mr. Depp's Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to “photographs reflecting injuries.” November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is duplicative of Request 1. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds

that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

22. Please produce all video recordings and deleted video recordings of Ms. Heard on Mr. Depp’s Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is duplicative of Request 2. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds

that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all video recordings of Ms. Heard, if any, in his possession, custody, or control during the time periods outlined in Defendant’s definition of “Depp Alleged Abuse by Heard” in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings of Ms. Heard in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

23. Please produce all audio recordings and deleted audio recordings of Ms. Heard on Mr. Depp’s Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is duplicative of



Request 3. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all audio recordings of Ms. Heard in his possession, custody, or control during the time periods outlined in Defendant’s definition of “Depp Alleged Abuse by Heard” in native form with all metadata. Further, Plaintiff is not aware of any deleted audio recordings of Ms. Heard in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

24. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of Ms. Heard during the time period of the Depp Alleged Abuse by Heard Dates.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard's request, stating: "as far as mutuality goes, because it's ordered in one case

for one side, I'm -- I'm going to deny that request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery." November 8, 2021 Order at 68:13-18 (emphasis added).

25. Please produce all photographs and deleted photographs of any damage to property on Mr. Depp's Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is duplicative of Request 9. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds

that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all photographs reflecting damage to property, if any, in his possession, custody, or control during the time periods outlined in Defendant’s definition of “Depp Alleged Abuse by Heard” in native form with all metadata. Further, Plaintiff is not aware of any deleted photographs reflecting damage to property in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

26. Please produce all video recordings and deleted video recordings of any damage to property on Mr. Depp’s Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is duplicative of

Request 10. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce and/or has already produced all video recordings reflecting any damage to property in his possession, custody, or control during the time periods outlined in Defendant’s definition of “Depp Alleged Abuse by Heard” in native form with all metadata. Further, Plaintiff is not aware of any deleted video recordings reflecting any damage to property in his possession, custody, or control during the aforementioned time periods and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

27. Please produce all audio recordings and deleted audio recordings of any damage to property on Mr. Depp’s Devices during the time period of the Depp Alleged Abuse by Heard Dates, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably

calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that the very nature of this Request is vague, ambiguous, unintelligible, and overbroad, including because it seeks "audio recordings of any damage to property." Plaintiff further objects to this Request on the grounds that it is duplicative of Request 11. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

28. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video

recordings, or audio recordings) of any damage to property during the time period of the Depp Alleged Abuse by Heard Dates.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court

denied Ms. Heard's request, stating: "as far as mutuality goes, because it's ordered in one case for one side, I'm -- I'm going to deny that request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery." November 8, 2021 Order at 68:13-18 (emphasis added).

29. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of Ms. Heard's Los Angeles home, (as described in ¶ 6 of Ms. Heard's April 10, 2019 Declaration) on Mr. Depp's Devices between February 26-March 18, 2013, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "Ms. Heard's Los Angeles home" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control,



which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

30. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of Ms. Heard’s Los Angeles home (as described in ¶ 6 of Ms. Heard’s April 10, 2019 Declaration) between February 26-March 18, 2013.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because “Ms. Heard’s Los Angeles home” is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are

protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

31. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the Boston Plane (as described in ¶¶ 7-8 of Ms. Heard’s April 10, 2019 Declaration) on Mr. Depp’s Devices between May 22-May 26, 2014, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the

needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "Boston Plane" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

32. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the Boston Plane (as described in ¶¶ 7-8 of Ms. Heard's April 10, 2019 Declaration) between May 22- May 26, 2014.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "Boston Plane" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard's request, stating: "as far as

mutuality goes, because it's ordered in one case for one side, I'm -- I'm going to deny that request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery." November 8, 2021 Order at 68:13-18 (emphasis added).

33. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the house in the Bahamas (as described in ¶¶ 9-11 of Ms. Heard's April 10, 2019 Declaration) on Mr. Depp's Devices between August 1-31, 2014, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the house in the Bahamas" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the

circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

34. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the house in the Bahamas (as described in ¶¶ 9-11 of Ms. Heard’s April 10, 2019 Declaration) between August 1-31, 2014.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because “the house in the Bahamas” is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable

privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

35. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the house in Australia (as described in ¶¶ 14-18 of Ms. Heard’s April 10, 2019 Declaration) on Mr. Depp’s Devices between March 1-31, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks

information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the house in Australia" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

36. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the house in Australia (as described in ¶¶ 14-18 of Ms. Heard's April 10, 2019 Declaration) between March 1-31, 2015.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this



Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the house in Australia" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard's request, stating: "as far as mutuality goes, because it's ordered in one case for one side, I'm -- I'm going to deny that

request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

37. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building (as described in ¶¶ 19-20 of Ms. Heard’s April 10, 2019 Declaration) on Mr. Depp’s Devices between March 1-31, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s November 8, 2021 Order explicitly denying Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because “the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building” is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this

Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

38. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building (as described in ¶¶ 19-20 of Ms. Heard’s April 10, 2019 Declaration) between March 1-31, 2015.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because “the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building” is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek

documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

39. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building (as described in ¶¶ 23-33 of Ms. Heard’s April 10, 2019 Declaration) on Mr. Depp’s Devices between December 10-21, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this

Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

40. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any

Penthouses owned by Mr. Depp in the Eastern Columbia (as described in ¶¶ 23-33 of Ms. Heard's April 10, 2019 Declaration) between December 10-21, 2015.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's

Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

41. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building (as described in ¶¶ 34-35 of Ms. Heard’s April 10, 2019 Declaration) on Mr. Depp’s Devices between April 15-27, 2016, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging and explicit limitation of permissible discovery to “photographs reflecting injuries.” November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous,

and overbroad, including because “the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building” is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

42. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia (as described in ¶¶ 34-35 of Ms. Heard’s April 10, 2019 Declaration) between April 15-27, 2016.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks



information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard's request, stating: "as far as mutuality goes, because it's ordered in one case for one side, I'm -- I'm going to deny that request at this time. There still has to be a *nexus* shown when -- when you're asking for those types of items in discovery." November 8, 2021 Order at 68:13-18 (emphasis added).

43. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building (as described in ¶¶ 36-42 of Ms. Heard's April 10, 2019 Declaration) on Mr. Depp's Devices between May 15-27, 2016, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because "the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building" is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds

that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

44. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s Ms. Heard’s [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia (as described in ¶¶ 36-42 of Ms. Heard’s April 10, 2019 Declaration) between May 15-27, 2016.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging and explicit limitation of permissible discovery to “photographs reflecting injuries.” November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because “the inside, outside, or any portion of the Eastern Columbia Building and/or any Penthouses owned by Mr. Depp in the Eastern Columbia Building” is undefined. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other

applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

45. Please produce all photographs and video recordings (or deleted photographs and video recordings) of the property Mr. Depp and Ms. Heard stayed at in Hicksville, including but not limited to the inside, outside, or any portion of all trailers, cabins, and campfires (as described in ¶ 21 of Ms. Heard’s February 26, 2020 Third Witness Statement in the UK Litigation) on Mr. Depp’s Devices between June 1-July 5, 2013, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the

needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because it seeks "all photographs and video recordings (or deleted photographs and video recordings) of the property Mr. Depp and Ms. Heard stayed at in Hicksville, including but not limited to the inside, outside, or any portion of all trailers, cabins, and campfires." Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court.

46. Please produce Mr. Depp's Devices for purposes of forensic imaging by Mr. Depp's Forensic Experts (under the supervision of Ms. Heard's Ms. Heard's [sic] forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs and video recordings (or deleted photographs or video recordings) of the property Mr. Depp and Ms. Heard stayed at in Hicksville, including but not limited to the inside, outside, or any portion of all trailers, cabins, and campfires (as described in ¶

21 of Ms. Heard's February 26, 2020 Third Witness Statement in the UK Litigation) between June 1-July 5, 2013.

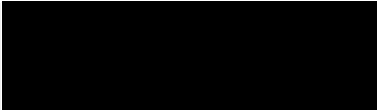
**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging and explicit limitation of permissible discovery to "photographs reflecting injuries." November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and overbroad, including because it seeks "*all* photographs and video recordings (or deleted photographs and video recordings) of the property Mr. Depp and Ms. Heard stayed at in Hicksville, *including but not limited to the inside, outside, or any portion of all trailers, cabins, and campfires.*" Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request

on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added).

Dated: December 3, 2021

Respectfully submitted,



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

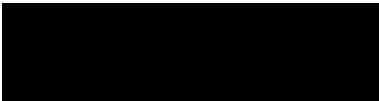


**CERTIFICATE OF SERVICE**

I hereby certify that on this 3rd day of December 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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Andrew C. Crawford (VSB #89093)

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA**

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

**PLAINTIFF AND COUNTERCLAIM DEFENDANT JOHN C. DEPP, II'S RESPONSES AND OBJECTIONS TO DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S SIXTEENTH REQUEST FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff and Counterclaim Defendant John C. Depp, II ("Plaintiff" and/or "Mr. Depp"), by and through his undersigned counsel, hereby responds and objects to Defendant and Counterclaim Plaintiff Amber Laura Heard's ("Defendant" and/or "Ms. Heard") Sixteenth Set of Requests for Production of Documents (each, a "Request" and collectively, the "Requests"), dated November 19, 2021 and served in the above captioned action ("Action") as follows:

**GENERAL OBJECTIONS**

1. These General Objections are incorporated into each specific response to the numbered Requests below as if fully repeated therein and are intended, and shall be deemed, to be in addition to any specific objection included in any response below. The assertion of the same, similar, or additional objections or partial responses to the individual Requests does not

software and version of the software used to create the forensic image; d) the make/type of write-blocker used to create the forensic image; e) whether an uncompressed write-blocked forensic image was extracted; f) whether a hash verification was completed for each file and for the forensic image as a whole; and g) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, or in list form if not yet produced.

- (ii) The term “Inventory” in relation to a mobile device (including Cell Phones and Tablets) refers to a forensic image sufficient to identify: a) the mobile device by manufacturer, make, model, and serial number; b) the type of extraction performed (e.g. logical, advanced logical, Checkm8/checkra!n extraction, physical extraction if jail-broken, etc.); c) the software used in taking the forensic image; d) whether a jailbreak method was used in the extraction process; e) the operating system in use on the mobile device at the time it was imaged (e.g. iOS); and f) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, or in list form if not yet produced.
- (iii) The term “Inventory” in relation to a “cloud account” or “iCloud” refers to a forensic image of any cloud accounts sufficient to identify: a) the type of cloud account and company hosting the data on the cloud account; b) the type of forensic image taken of the cloud account; c) the software used in taking the forensic image (e.g. Oxygen, Cellebrite, etc.); d) a list of all photographs, text messages, emails, and video/audio recordings contained in the image by BATES stamp if produced, and in list form if not yet produced; and e) whether a forensic analysis was conducted and, if so, what software was used.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege and privacy.

t. ***Mr. Depp’s Devices.*** The phrase “Mr. Depp’s Devices” refers to the devices that Mr. Depp identified in response to Interrogatory No. 3 of Ms. Heard’s 1st Set of Interrogatories under penalty of perjury were in his possession, custody, and control and on which ESI that relates to the claims or defenses in this case, or is reasonably likely to lead to the

discovery of admissible evidence, is likely to be stored. These identified devices include an iPhone, an iPad, a MacBook Pro, an iCloud account, the devices and data belonging to Stephen Deuters collected in May 2017 (iPad and iPhone), and the devices and data belonging to Nathan Holmes collected in March 2018 (iPhone). This definition further includes Mr. Depp's current devices and current cloud backups containing any data from the devices identified in response to Interrogatory No. 3 of Ms. Heard's 1st Set of Interrogatories.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing, especially in light of the Court's November 8, 2021 Order, denying Defendant's Motion to Compel Plaintiff's devices. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law including that it requests documents and information not in Plaintiff's actual possession, custody, or control and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege, privacy, and relevance.

u. ***Depp Abuse of Heard Dates.*** The phrase "Depp Abuse of Heard Dates" refers to the time periods contained in the Court's November 8, 2021 Order: December 15, 2012-January 15, 2013; March 6-April 5, 2013; June 1-June 30, 2013; May 22-June 7, 2014; August 15-August 31, 2014; December 15-December 31, 2014; January 23-February 8, 2015; March 1-April 6, 2015; August 1-August 31, 2015; November 24-December 10, 2015; December 13, 2015-January 12, 2016; April 19-May 5, 2016; May 19-June 4, 2016; and July 15-July 29, 2016.

**RESPONSE:** No objection to the dates. Objection to the use of the term "Depp Abuse of Heard Dates" on the grounds that it assumes facts that are disputed, and lacks foundation for the same.

v. ***Mr. Depp's Forensic Experts.*** The phrase "Mr. Depp's Forensic Experts" refers to Bryan Neumeister and/or Mr. Neumeister's colleague, Matt Erickson.

**RESPONSE:** No objection.

w. ***Depp Alleged Abuse by Heard Dates.*** The phrase "Depp Alleged Abuse by Heard Dates" refers to the following time periods reflected in Mr. Depp's Declaration submitted to

the Fairfax County Circuit Court in May 2019 and in Mr. Depp's Witness Statements submitted in the UK Litigation: November 21, 2014- March 11, 2015; March 1- April 6, 2015; October 12- November 1, 2015; December 5-26, 2015; April 11- May 6, 2016; and May 11- June 4, 2016.

**RESPONSE:** Plaintiff objects to this as overbroad, unduly burdensome and harassing. Plaintiff further objects to this on the grounds that it exceeds the obligations applicable to discovery responses under Virginia law and would require the generation of unnecessary documents, which are not legitimately at issue. Plaintiff further objects on grounds of privilege and privacy. Plaintiff further objects on the grounds that this definition overlaps with some of the same time periods outlined in Defendant's definition of "Depp Abuse of Heard Dates."

### **REQUESTS**

1. Please produce all documents and communications containing the word "monster" from January 1, 2012 to the present.

#### **RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case, including because it seeks "all" documents and communications. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request on the grounds that it seeks documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects to this Request

categories of documents for production and instead has improperly attempted to shift the burden to Plaintiff to analyze what documents might be deemed to “support, refute, or otherwise relate” to a particular statement, which implicates the work product of counsel. Plaintiff further objects to the Request as being unduly cumulative and harassing. Plaintiff further objects to this Request on the grounds that it openly seeks documents related to Mr. Waldman that are protected by the attorney-client privilege and work-product doctrine, and are not subject to discovery in this action. Defendant has articulated no valid basis to seek privileged materials. Plaintiff further objects that the Request is vague, ambiguous, and unintelligible.

28. Please produce all photographs and deleted photographs of Mr. Depp’s fingers, finger injury, severed finger, or hands on Mr. Depp’s Devices during the time period of March 1-19, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession,

custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects to the Request on the grounds that it implicates rights of medical privacy, the patient-physician privilege, and HIPAA. Plaintiff further objects that the Request is unreasonably cumulative and duplicative of other discovery. Plaintiff further objects that the Request is unreasonably overbroad, including because of its open-ended demand for any photograph of Mr. Depp’s “hands” or fingers,” apart from pictures reflecting an injury.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce (and is believed to have already produced) all photographs of Mr. Depp’s finger injury or severed finger during the time period of March 1-19, 2015. Further, Plaintiff is not aware of any deleted photographs of Mr. Depp’s fingers, finger injury, or severed finger on Mr. Depp’s Devices during the time period of March 1-19, 2015 and the Court has denied Ms. Heard’s request to forensically image Mr. Depp’s devices.

29. Please produce all video recordings and deleted video recordings of Mr. Depp’s fingers, finger injury, severed finger, or hands on Mr. Depp’s Devices during the time period of March 1-19, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this

Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects to the Request on the grounds that it implicates rights of medical privacy, the patient-physician privilege, and HIPAA. Plaintiff further objects that the Request is unreasonably cumulative and duplicative of other discovery. Plaintiff further objects that the request is unreasonably overbroad, including because of its open-ended demand for any recording of Mr. Depp's "hands" or "fingers," apart from recordings reflecting an injury.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce (and is believed to have already produced) all video recordings of Mr. Depp's finger injury during the time period of March 1-19, 2015. Further, Plaintiff is not aware



of any deleted video recordings of Mr. Depp's fingers, finger injury, or severed finger on Mr. Depp's Devices during the time period of March 1-19, 2015 and the Court has denied Ms. Heard's request to forensically image Mr. Depp's devices.

30. Please produce all audio recordings and deleted audio recordings of Mr. Depp's fingers, finger injury, severed finger, or hands on Mr. Depp's Devices during the time period of March 1-19, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been

defined to include devices belonging to third parties to this litigation. Plaintiff further objects to this Request on the grounds that the very nature of this Request is vague, ambiguous, unintelligible, and overbroad, including because it seeks “audio recordings of Mr. Depp’s fingers, finger injury, severed finger, or hands.”

31. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of Mr. Depp’s fingers, finger injury, severed finger, or hands between March 1-19, 2015.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks

private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added). Plaintiff further objects that this Request is duplicative of numerous other discovery requests, and appears calculated to harass.

32. Please produce all communications on Mr. Depp’s devices between February 17-March 19, 2015 referring to, reflecting, or otherwise relating to Mr. Depp’s fingers, finger injury, severed finger, or hands.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable

particularity. Plaintiff further objects to this Request on the grounds that it seeks documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects to this Request on the grounds that it is unreasonably overbroad and harassing.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will produce or has already produced all non-privileged communications relating to Mr. Depp’s finger injury.

33. Please produce all photographs and deleted photographs of Mr. Depp on Mr. Depp’s Devices between February 17-March 19, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial

of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term "Mr. Depp's Devices" is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that the Request is overbroad, duplicative, and appears calculated to harass.

34. Please produce all video recordings and deleted video recordings of Mr. Depp on Mr. Depp's Devices between February 17-March 19, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court's denial of Ms. Heard's motion to compel Mr. Depp's devices for forensic imaging. November 8, 2021

Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that the Request is overbroad, duplicative, and appears calculated to harass.

35. Please produce all audio recordings and deleted audio recordings of Mr. Depp on Mr. Depp’s Devices between February 17-March 19, 2015, in native form with all metadata.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable

particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent that it could be construed to demand an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that the Request is overbroad, duplicative, and appears calculated to harass.

36. Please produce Mr. Depp’s Devices for purposes of forensic imaging by Mr. Depp’s Forensic Experts (under the supervision of Ms. Heard’s forensic discovery consultant Mr. Ackert, either in person or by Zoom) for purposes of extraction of all photographs, video recordings, or audio recordings (or deleted photographs, video recordings, or audio recordings) of Mr. Depp between February 17-March 19, 2015.

**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome taking into account the needs of the case. Plaintiff further objects to this Request as harassing because it seeks information unrelated to the subject matter of this case, especially in light of the Court’s denial of Ms. Heard’s motion to compel Mr. Depp’s devices for forensic imaging. November 8, 2021 Order, ¶ 1. Plaintiff further objects to this Request on the grounds that it is lacking in reasonable

particularity. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it demands an imaging of any device in his possession, custody, or control, which has already been denied by the Court and is not appropriate or warranted under the circumstances of this case. Plaintiff further objects to this Request on the grounds that it seeks private or confidential documents. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery. Plaintiff further objects that the term “Mr. Depp’s Devices” is inappropriate and overbroad, because, among other reasons, it has been defined to include devices belonging to third parties to this litigation. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff further objects that this Request seeks to impose burdens beyond those imposed under applicable law, and no legitimate basis has been shown to seek a forensic imaging of Mr. Depp’s devices. Plaintiff further objects that this Request is duplicative of discovery that has already been denied by the Court. Plaintiff will not produce his original devices for forensic imaging. This request was squarely before the Court and the Court denied Ms. Heard’s request, stating: “as far as mutuality goes, because it’s ordered in one case for one side, I’m -- I’m going to deny that request at this time. There still has to be a *nexus* shown when -- when you’re asking for those types of items in discovery.” November 8, 2021 Order at 68:13-18 (emphasis added). Plaintiff further objects that the Request is overbroad, duplicative, and appears calculated to harass.

37. Any payments made by Mr. Depp, any of Mr. Depp’s entities, or agents, to anyone asserting claims against Mr. Depp.



Dated: December 10, 2021

Respectfully submitted,



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jmeyers@brownrudnick.com

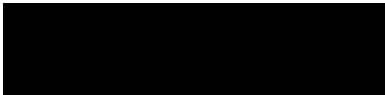
*Counsel for Plaintiff and  
Counterclaim Defendant John C. Depp, II*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of December 2021, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

J. Benjamin Rottenborn  
Joshua R. Treece  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
Telephone: (540) 983-7540  
brottenborn@woodsrogers.com  
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Elaine Charlson Bredehoft  
Adam S. Nadelhaft  
Clarissa K. Pintado  
David E. Murphy  
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Andrew C. Crawford (VSB #89093)

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff and Counterclaim-  
Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim-  
Plaintiff.

Civil Action No.: CL-2019-0002911

**CONSENT ORDER**

COME NOW the Parties, Defendant and Counterclaim-Plaintiff Amber Laura Heard (“Ms. Heard”) and Plaintiff and Counterclaim-Defendant John C. Depp, II (“Mr. Depp”) (collectively the “Parties”), through their respective counsel, and agree to the following, as evidenced by their signatures below, and it is hereby

**ORDERED** as follows:

1. Plaintiff John C. Depp, II (“Mr. Depp”) shall produce Mr. Depp’s original devices, including mobile devices and computers (including laptops and iPads), as well as operating system drives and cloud backups of these original devices (the “Requested Material”), for purposes of performing a physical imaging of all data from the original devices, as requested in Ms. Heard’s 15<sup>th</sup> Set of Requests for Production of Documents. For purposes of clarification, Mr. Depp’s original devices shall include all devices on which the data was taken or originated, including but not limited to Mr. Depp’s current devices and all cloud backups and the devices and cloud backups identified by Mr. Depp in response to Interrogatory No. 3 of Ms. Heard’s 1<sup>st</sup> Set of Interrogatories.

2. **The Imaging of Devices:** Under the supervision of Ms. Heard's retained forensic expert, Julian Ackert, either in person or over Zoom (or equivalent audio/visual platform), Mr. Depp's designated forensic expert shall perform forensic imaging of the Requested Material on a date agreeable to the parties, but no later than 5 P.M. EST on Thursday, December 23, 2021, in the following manner:

- a. For computers (laptops and desktops), a write-blocked "Raw (DD) non-segmented forensic image" shall be taken for each original computer drive;
- b. For mobile devices (cell phones and tablets), Mr. Depp shall provide the password(s) for the devices he used during the relevant time period so that the data can be accessed and a "CheckM8/checkra!n extraction" shall be performed, where possible, for each cell phone;
- c. For the cloud account(s) (iCloud, Gmail, etc.), Mr. Depp shall provide his username(s) and password(s) and extraction using Oxygen, Cellebrite or Elcomsoft software shall be performed.

3. If Mr. Depp's designated forensic experts do not have access to the hardware or software required to conduct the imaging described above, Mr. Ackert will make arrangements with Mr. Depp's expert. In the event a dispute arises between Mr. Depp's expert and Mr. Ackert related to the manner in which the imagings are performed, Stephen Cochran, the Court-appointed conciliator, shall resolve the dispute.

4. **The Extraction of Relevant Data:** After the Requested Material are imaged, Mr. Depp's designated expert, also under the supervision of Mr. Ackert, shall extract the following categories of relevant data for review and analysis (the "Extracted Data"):

- a. **Photographs, Video Recordings, and Audio Recordings of Ms. Heard (and deleted):** All photographs, video recordings, and audio recordings (or deleted photographs, video recordings, and audio recordings) of Ms. Heard taken during the following time periods, which all correspond to dates in which Ms. Heard alleges that Mr. Depp abused her (defined as the “Depp Abuse of Heard Dates”):

<b>Date of Alleged Abuse</b>	<b>Time Period To Be Searched</b>
Late 2012/Early 2013	December 15, 2012 – January 15, 2013
March 8 and 22, 2013	March 6, 2013 – April 5, 2013
June 2013	June 1 – June 30, 2013
May 24, 2014	May 22, 2014 – June 7, 2014
August 17, 2014	August 15, 2014 – August 31, 2014
December 17, 2014	December 15, 2014 – December 31, 2014
January 25, 2015	January 23, 2015 – February 8, 2015
March 3-5, 2015	March 1, 2015 – March 19, 2015
March 22-23, 2015	March 20, 2015 – April 6, 2015
August 2015	August 1, 2015 – August 31, 2015
November 26, 2015	November 24, 2015 – December 10, 2015
December 15, 2015	December 13, 2015 – December 31, 2015
December 29, 2015	December 29, 2015 – January 12, 2016
April 21, 2016	April 19, 2016 – May 5, 2016
May 21, 2016	May 19, 2016 – June 4, 2016
July 22, 2016	July 15, 2016 – July 29, 2016

- b. **Photographs, Video Recordings, and Audio Recordings of Mr. Depp (and deleted):** All photographs, video recordings, and audio recordings (or deleted photographs, video recordings, and audio recordings) of Mr. Depp taken during the Depp Abuse of Heard Dates.
- c. **Photographs, Video Recordings, and Audio Recordings of Property Damage (and deleted):** All photographs, video recordings, and audio recordings (or deleted photographs, video recordings, and audio recordings) reflecting any damage to property taken during the Depp Abuse of Heard Dates.
- d. **Photographs, Video Recordings, and Audio Recordings of Mr. Depp (and deleted):** All photographs, video recordings, and audio recordings (or deleted photographs, video recordings, and audio recordings) of Mr. Depp taken during the following time periods, which all correspond to dates in which Mr. Depp alleges that Ms. Heard abused him (defined as the “Depp Alleged Abuse by Heard Dates”):

<b>Time Period To Be Searched</b>
November 21, 2014- March 11, 2015
March 1-April 6, 2015
October 12- November 1, 2015
December 5- December 31, 2015
April 11- May 6, 2016
May 11- June 4, 2016
July 15– July 29, 2016

- e. **Photographs, Video Recordings, and Audio Recordings of Ms. Heard (and deleted):** All photographs, video recordings, and audio recordings (or deleted photographs, video recordings, and audio recordings) of Ms. Heard taken during the Depp Alleged Abuse by Heard Dates.
- f. **Photographs, Video Recordings, and Audio Recordings of Property Damage (and deleted):** All photographs, video recordings, and audio recordings (or deleted photographs, video recordings, and audio recordings) reflecting any damage to property taken during the Depp Alleged Abuse by Heard Dates.
- g. **Photographs and Video Recordings of Property (and deleted):** All photographs and video recordings (or deleted photographs and video recordings) of the following properties (including the inside, outside, or any portion of such properties) during the following dates for each property:

<b>Property</b>	<b>Time Period to be Searched</b>
Ms. Heard's Los Angeles home	February 26- March 18, 2013
Hicksville property (including the inside, outside, and/or any portion of all trailers, cabins, and campfires on property)	July 1-5, 2013
The Boston Plane	May 22-26, 2014
Bahamas House	August 1-31, 2014
Australia House	March 1-31, 2015

Eastern Columbia Building (or any Penthouses owned by Mr. Depp in the Eastern Columbia Building)	March 1-31, 2015
	December 10-31, 2015
	April 15-27, 2016
	May 15-27, 2016

5. Only the Extracted Data (as opposed to the forensic image) can be and will be reviewed by anyone at this time.

6. Once the extraction is complete, Craig B. Young (“Mr. Young”), the Court-appointed limited discovery issue conciliator, will act as the neutral third-party attorney and will review the Extracted Data to identify and isolate any irrelevant or privileged documents and information that will not be subject to Mr. Ackert’s forensic analysis. At the same time, Mr. Depp shall also have the right to receive and review the Extracted Data for the purpose of reviewing Extracted Data for privilege or work product only, and shall complete such privilege and work-product review within ten (10) days of receipt of the Extracted Data. Any privileged Extracted Data identified by Mr. Young or Mr. Depp will be isolated and will not be disclosed to or reviewed by anyone else, including Mr. Ackert, until the Court makes a determination on the privilege or work product objections pursuant to a privilege protocol.

7. The relevant data from the extraction will, in the first instance, be treated as attorneys’ and expert’s eyes only, and shall be produced to Ms. Heard’s counsel within two (2) days of Mr. Young’s completion of review for irrelevant or privileged documents and information. Mr. Ackert will conduct his analysis of the relevant data from the extraction and the parties’ attorneys (and Mr. Depp’s expert(s)) will be permitted to review this set of



data. Once both parties' attorneys have had an opportunity to review the data that Mr. Ackert has/will be analyzing, but in no event longer than ten (10) days from receipt of that this set of data, the data shall be re-designated or de-designated consistent with the operative Protective Order in this action. The Extracted Data shall then be available to Ms. Heard without any attorneys' and expert's eyes only restrictions.

8. Mr. Depp's attorney shall disclose to Ms. Heard's attorneys an Inventory (as defined in Definition s of Ms. Heard's Fourteenth and Fifteenth Set of Requests for Production) of all previously imaged photographs, text messages, emails, and video and audio recordings (the "Inventory") by Bates stamp if produced, and in list form if not yet produced, on all of the Requested Material by 5 P.M. E.S.T. on Friday, December 17, 2021. For each of Mr. Depp's previously imaged Inventory, Mr. Depp's attorneys shall disclose to Ms. Heard's attorneys and to Mr. Ackert the following information relating to the Inventory:

***For Computers (Laptops and Desktops)***

- a. What type of forensic image was created;
- b. What software and version of the software was used to create the forensic image;
- c. What make/type of write-blocker was used to create the forensic image;
- d. Was an uncompressed write-blocked forensic image extracted; and
- e. Whether a hash verification was completed for each file, and for the forensic image as a whole.

***For Mobile Devices (Cell Phones and Tablets)***

- a. What type of extraction(s) were performed: a logical, advanced logical, CheckM8/checkra!n, or physical extraction if jail-broken- by the other forensic company;

- b. Whether a jailbreak method was used in the extraction process;
- c. What iOS was on the phone; and
- d. What software make and version were used for the extraction(s).

***Cloud Accounts (iCloud, Gmail)***

- a. Whether a forensic analysis was conducted and, if so, what software was used.

9. Upon review of the Inventory by Ms. Heard's attorneys and Mr. Ackert, Mr. Ackert together with Ms. Heard's attorneys may decide to have Mr. Ackert conduct an independent forensic imaging of any previously imaged Inventory in the same manner as described above for the Requested Material.

**SO ORDERED.**

December \_\_\_\_, 2021

\_\_\_\_\_  
The Honorable Penney S. Azcarate  
Chief Judge, Fairfax County Circuit Court

**WE ASK FOR THIS:**

---

Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
Clarissa K. Pintado (VSB No. 86882)  
David E. Murphy (VSB No. 90938)  
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J. Benjamin Rottenborn (VSB No. 84796)  
Joshua R. Treece (VSB No. 79149)  
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*Counsel for Defendant Amber Laura Heard*

**WE CONSENT TO THIS:**

---

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*Counsel for Plaintiff John C. Depp, II*

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counterclaim-Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim-Plaintiff.

Civil Action No.: CL-2019-0002911

**Declaration of Julian Ackert**

1. I am a Managing Director at iDiscovery Solutions, Inc. (“iDS”), an expert services and consulting firm that provides independent digital forensics analysis, electronic discovery services, expert testimony, original authoritative studies, and strategic consulting services to the business and legal community.

2. I have over 20 years of experience in consulting and litigation technologies that focus on electronic discovery and digital forensics. I have a Bachelor of Science degree in Computer Science from the University of Virginia. My curriculum vitae is attached here to as Exhibit A, which details my professional experience and all articles and testimony I have completed over the last ten years.

3. Specifically, I have extensive experience creating and implementing

preservation, collection, and production strategies and performing digital forensics and metadata analysis on electronically stored information (“ESI”). I have performed preservation, collection, analysis, and production of ESI in hundreds of matters.

4. This declaration is based on my personal knowledge, years of experience, training, education, and the information provided to date. The opinions provided herein are given to a reasonable degree of professional certainty.

5. My forensic analysis and testimony rate is \$525/hour and iDS is also being reimbursed for reasonable expenses and the cost of other employees working under my supervision. My opinions are not contingent on fees earned by iDS in this matter.

6. When I state “I,” “Myself,” or “iDS” I mean this work was done by me, or by people working at my direction and supervision within iDS.

7. iDS has been retained by Ms. Amber Laura Heard (“Ms. Heard”) through her counsel in this matter to provide digital forensic preservation and analysis services and electronic discovery consulting, search, and production services.

8. I have reviewed the metadata for many of Mr. Depp’s produced documents – specifically multimedia documents such as audio files and pictures, including those documents referenced in my declaration below.

9. Based on my review of the produced metadata, there are anomalies that call into question the authenticity of the multimedia documents. Specifically, I find instances where the date metadata, such as creation and modification date metadata, is either missing or is significantly after the alleged date of the incident. Missing creation dates and/or modification dates that post-date the facts can be a sign of digital evidence manipulation.

10. For example, DEPP00007303 is a picture produced with limited creation and

modification metadata – all of which is dated July 22, 2019. I understand that the date of the alleged incident captured by this image is March 2015, and I would expect to see creation and modification date metadata that aligns with the alleged date of the incident.

11. In another example, DEPP00009916 is a picture produced with no creation date metadata and modification date metadata of July 3, 2020. On the face of the picture, I can see a date of March 9, 2015, but I have no way of authenticating that the picture was not modified or altered on July 3, 2020.

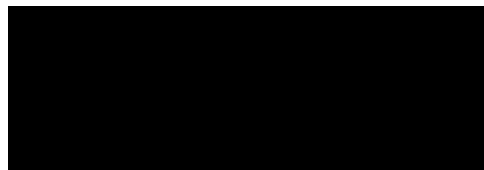
12. DEPP00009047 is yet another example of a produced document with metadata anomalies - the metadata indicates that the audio content was created in September 2015 and then somehow modified in June 2016.

13. When there are metadata anomalies such as these, an appropriate process to investigate and resolve them would start first with forensic images of the devices used to create and/or store the documents, followed by an extraction of targeted information, including all available metadata for each active and deleted document, which can then be analyzed for potential manipulations.

14. I reserve the right to supplement my findings if additional evidence or information is provided to me.

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

Executed on this 22<sup>nd</sup> day of December 2021.



---

Julian Ackert

# **Exhibit A**





## **JULIAN ACKERT**

**Managing Director**



Mr. Julian Ackert, a Managing Director at iDiscovery Solutions (iDS) in Washington DC, has over 20 years of consulting and project management experience in the technology and litigation industries.

He has extensive experience with forensic data collection, computer forensic analysis, creating and implementing preservation and collection strategies, managing electronic data processing and review endeavors, analyzing complex transactional data systems, and working with large multi-national corporations to establish and develop methodologies and best practices for litigation preparedness. Mr. Ackert has written expert reports and provided testimony on the forensic preservation, acquisition, and analysis of electronic information. Additionally, he has worked on several international projects involving complex data privacy, collection, and review challenges.

Mr. Ackert is a member of The Sedona Conference, Working Group 11 (Data Security and Privacy Library) and Working Group 12 (Trade Secrets). Prior to joining iDS, he was a Principal and New York regional lead at LECG and a Manager at FTI Consulting. Mr. Ackert began his career designing, developing, and implementing Knowledge Management / Content Management applications, government middleware solutions, and E-business applications for Federal Government services at Accenture.

**iDiscovery Solutions, Inc.**

202.249.7865

[jackert@idsinc.com](mailto:jackert@idsinc.com)

[Profile on LinkedIn](#)

[@iDiscoveryInc](#)



## SELECT CONSULTING EXPERIENCE

- Directed a team of consultants on the identification, preservation, collection and production of structured data for an antitrust MDL. Implemented custom preservation and collection protocols and extracted approximately 10 terabytes of structured data from proprietary client data-base systems for analysis and review. Developed a structured data ESI protocol that governed the parameters of structured data productions.
- Managed a team of consultants on the analysis of 100s of millions of database records for a complex litigation in the commercial real estate industry. Analyzed trends and patterns in the data-base records that assisted counsel with identifying potentially relevant employees, partner relationships, and timeframes of interest.
- Managed a team of UK and US consultants on a data preservation and email data analysis endeavor. Established an on-site review room in the UK and worked with UK outside counsel to ensure that electronic discovery processes upheld EU data privacy laws.
- Directed a team of computer forensic consultants and contractors on forensic data preservation, backup tape recovery, email, and electronic file culling and search for approximately 100 custodians. Established an onsite triage center at an offshore facility to handle nearly 5 terabytes of data. Authored expert report on the methods, processes, types, and volumes of data preserved, processed, and delivered for attorney review.
- Led a data analysis engagement consisting of metadata examination on Lotus Notes database documents. Acted as the client's Subject Matter Expert on Lotus Notes databases and authored expert testimony on the electronic discovery methods implemented during the project and subsequent project findings.
- Managed investigative team of computer forensic and complex data analysis consultants through the preservation, acquisition, and analysis of over 5 billion rows of NYSE trade data. Analysis period covered over 5 years of transactional data focusing on the alleged fraudulent trading activity. Additional responsibilities included administration of a SQL database containing key transactional trade data.
- Managed a data acquisition, e-file processing, and document review project in response to an SEC inquiry of over 45 custodians. Engagement required leading a multi-city team of computer forensic professionals through the forensic acquisition, electronic data processing, and document review phase of a project with a condensed project timeline of three weeks.
- Led multi-national electronic discovery preservation and analysis team on an internal audit committee investigation of a global metallurgy company. Engagement required managing computer forensic technicians through data preservation, forensic analysis, and automated culling of both Finnish and English enterprise email, financial data, and business documents related to the investigation.



## EDUCATION

- University of Virginia, Charlottesville, VA
- School of Engineering and Applied Sciences
- B.S. Computer Science, January 1998

## SELECT PUBLICATIONS

- "GDPR and Data Maps: "X" Marks the Spot to Delete", Today's General Counsel, July 2018
- "5 Tips to Help Mitigate Insider Theft", Metropolitan Corporate Counsel, March 2017
- "A Practical Approach to Data Preservation and Collection", Metropolitan Corporate Counsel, May 2015
- "Big Data: The Elephant in The E-Discovery Room", Metropolitan Corporate Counsel, June 2013

## TESTIFYING EXPERIENCE

1. Declaration on computer forensic analysis activities, Gilead Tenofovir Cases, JCCP No. 5043, December 2021
2. Declaration on computer forensic analysis activities, Michael David Testa, Individually and as Trustee of The M. David Testa Revocable Living Trust, Dated October 25, 2017 v. Town of Jupiter Island, December 2021
3. Expert report on forensic data analysis activities, Megan Enger and Sarah Infante. v. Thomas L. Cardella & Associates, November 2021
4. Declaration on collection and production of social media, In Re: Zantac (Ranitidine) Products Liability Litigation, November 2021
5. Declaration on computer forensic analysis activities, Chi Nguyen v. City of Philadelphia, October 2021
6. Declaration on computer forensic analysis activities, John C. Depp, II, v. Amber Laura Heard, October 2021
7. Declaration on computer forensic analysis activities, Marley R. Dominguez v. Iconiq Capital Management, LLC, October 2021
8. Declaration on computer forensic analysis activities, Sunlight Financial LLC, and Sunlight Financial Holdings, Inc. v. Duncan Hinkle, and Sunstone Credit, Inc., August 2021
9. Declaration on ESI search and production, Gilead Tenofovir Cases, JCCP No. 5043, July 2021
10. Deposition on forensic data analysis activities, Lainhart et. al. and Doyle et. al. v. Louisville/Jefferson County Metro Government, July 2021
11. Expert report on forensic data analysis activities, Lainhart et. al. and Doyle et. al. v. Louisville/Jefferson County Metro Government, June 2021
12. Deposition on computer forensic analysis activities, Havana Docs Corporation v. Carnival Corporation d/b/a Carnival Cruise Line, June 2021
13. Declaration on computer forensic analysis activities, eHealthInsurance Services, Inc. v. Healthpiolt Technologies LLC., May 2021
14. Declaration on computer forensic analysis activities and spoliation issues, Medidata Solutions, Inc. and MDSOL Europe Limited v. Veeva Systems, Inc., April 2021
15. Declaration on computer forensic analysis activities, Havana Docs Corporation v. Carnival Corporation d/b/a Carnival Cruise Line, March 2021
16. Court Testimony on computer forensic analysis activities, State of Maryland v. Darrian McAfee
17. Expert report on forensic data analysis activities, Kaelin et. al. v. Louisville/Jefferson County Metro Government, January 2021
18. Declaration on computer forensic analysis activities, Sequoia Benefits & Insurance Services DBA Sequoia Consulting Group v. Sageview Advisory Group et. al., January 2021
19. Declaration on computer forensic analysis activities, Doneyda Perez v. DirectTV Group Holdings LLC, et al., December 2020
20. Declaration on ESI search and production protocols, Trust-ED Solutions, LLC v. Gilbert, LLP, November 2020



21. Declaration on computer forensic analysis activities, Smithfield Packaged Meats Sales Corp. v. Dietz & Watson, Inc. and Chris Conrad, November 2020
22. Declaration on ESI review and production effort, Gilead Tenofovir Cases, JCCP No. 5043, August 2020
23. Declaration on collection and production of social media, Adrian Holley, et al. v. Gilead Sciences, Inc., August 2020
24. Declaration on collection and production of social media, Gilead Tenofovir Cases, JCCP No. 5043, July 2020
25. Declaration on computer forensic analysis activities, Doneyda Perez v. DirectTV Group Holdings LLC, et al., July 2020
26. Expert report on forensic data analysis activities, Smithfield Packaged Meats Sales Corp. v. Dietz & Watson, Inc. and Chris Conrad, June 2020
27. Declaration on ESI review and production effort, Adrian Holley, et al. v. Gilead Sciences, Inc., May 2020
28. Declaration on ESI production protocols, Adrian Holley, et al. v. Gilead Sciences, Inc., April 2020
29. Declaration on computer forensic analysis activities, Krista Brill v. Draeger, Inc. and Miguel Angel Armendariz, April 2020
30. Deposition on computer forensic analysis activities, Medidata Solutions, Inc. and MDSOL Europe Limited v. Veeva Systems, Inc., April 2020
31. Trial Testimony on computer forensic analysis activities, Smithfield Packaged Meats Sales Corp. v. Dietz & Watson, Inc. and Chris Conrad, March 2020
32. Declaration on computer forensic analysis activities, Jesus Jiminez v. CRC Property Management West, Inc., March 2020
33. Declaration on computer forensic analysis activities, Denver Cooley v. Solar Turbines Incorporated, February 2020
34. Supplemental expert report on forensic data analysis activities, Medidata Solutions, Inc. and MDSOL Europe Limited v. Veeva Systems, Inc., February 2020
35. Declaration on ESI data types, Anthony Robles, Individually and on Behalf of Other Persons Simi-larly Situated v. The Coca-Cola Company, Coca-Cola Refreshments USA, Inc., and Does 1-10, February 2020
36. Declaration on computer forensic analysis activities, Smithfield Packaged Meats Sales Corp. v. Dietz & Watson, Inc. and Chris Conrad, January 2020
37. Expert report on forensic data analysis activities, Medidata Solutions, Inc. and MDSOL Eu-rope Limited v. Veeva Systems, Inc., January 2020
38. Declaration on ESI collection and production effort, Kristopher Lawson, Vincent McCleery, and Sean McMurrin, Individually and on Behalf of Other Persons Similarly Situated v. Love's Travel Stops & Country Stores, Inc., December 2019
39. Declaration on ESI review and production effort, Sandra Wolford et. al. v. Bayer Corp. et. al., De-cember 2019
40. Declaration on ESI systems and data recovery options, In the Matter of Certain Lithium Batteries, Battery Cells, Battery Modules, Battery Packs, Components Thereof, and Processes Thereof, Oc-tober 2019
41. Trial Testimony on computer forensic analysis activities, Futrend Technology Inc. v. Microhealth LLC, et. al., October 2019
42. Supplemental expert report on forensic data analysis activities, Futrend Technology Inc. v. Microhealth LLC, et. al., October 2019
43. Declaration on collection, search, and disposition process, Strategic Delivery Solutions, LLC v. Stallion Express, LLC, September 2019
44. Expert report on forensic data analysis activities, Futrend Technology Inc. v. Microhealth LLC, et. al., July 2019
45. Declaration on social media e-Discovery, Helen McLaughlin v. Bayer Essure Inc, et. al., May 2019
46. Declaration on ESI collection and search scoping, Sandra Wolford et. al. v. Bayer Corp. et. al., May 2019
47. Declaration on computer forensic analysis activities, Employee Benefit Services of Maryland, Inc. v. Nicholas Mafale, May 2019
48. Declaration on collection activities, IQVIA Inc. et. al. v. Veeva Systems, Inc., May 2019



49. Declaration on ESI collection and search scoping, Sandra Wolford et. al. v. Bayer Corp. et. al., April 2019
50. Declaration on production activities, Synchronisys, Inc. v. DataSync, Inc. et. al., February 2019
51. Declaration on collection and production activities, Catalus Capital USVI, LLC et. al. v. The Service-master Company, LLC, et. al., January 2019
52. Declaration on collection and search protocols, Strategic Delivery Solutions, LLC v. Stallion Ex-press, LLC, December 2018
53. Expert Report on computer forensic analysis activities, Quandra Speights v. The Boeing Company, December 2018
54. Affidavit on computer forensic analysis activities, Futrend Technology Inc. v. Microhealth LLC et. al., October 2018
55. Affidavit on preservation, collection and search protocols, Sarah Lankford Sprecher v. Leroy E. Myers, Jr., September 2018
56. Declaration on computer forensic analysis activities, Yifat Oren et. al, v. Stefanie Cove, et. al., August 2018
57. Trial Testimony on metadata and computer forensic analysis activities, Broadcast Sports International, LLC v. Gil Pascal, et. al., June 2018
58. Declaration on computer forensic analysis activities, Airgas, Inc. v. The Carlyle Group, Carlyle Investment Management, LLC, and Leslie Graff, June 2018
59. Supplemental Declaration on e-Discovery deduplication and production protocols, Helen McLaughlin v. Bayer Essure Inc, et. al., May 2018
60. Declaration on computer forensic analysis activities, Charlotte Pinckney and Kyle Pinckney v. The Pep Boys Manny Moe & Jack O/D/B/A Pep Boys, May 2018
61. Declaration on e-Discovery deduplication and production protocols, Helen McLaughlin v. Bayer Essure Inc, et. al., March 2018
62. Declaration on e-Discovery deduplication and production protocols, Hannah Dorman et. al. v. Bayer, Corp, et. al., February 2018
63. Court Testimony on computer forensic analysis activities, MRP UO Partners, LLC, et. al, v. Raymond Rahbar, Jr. et. al., October 2017 – November 2017
64. Deposition on computer forensic analysis activities, MRP UO Partners, LLC, et. al, v. Raymond Rahbar, Jr. et. al., September 2017
65. Declaration on computer forensic analysis activities, MRP UO Partners, LLC, et. al, v. Raymond Rahbar, Jr. et. al., August 2017
66. Deposition on computer forensic analysis activities, Broadcast Sports International, LLC v. Gil Pascal, et. al., July 2017
67. Declaration on computer forensic analysis activities, Meridian Imaging Solutions, Inc. et. al. v. Omni Business Solutions LLC, et. al., July 2017
68. Declaration on computer forensic analysis activities, Yadkin Bank v. George Mason Mortgage, Inc. et. al, June 2017
69. Declaration on computer forensic analysis activities, Nichole Baibos v. ConnectYourCare LLC, May 2017
70. Expert report on forensic data analysis activities, Broadcast Sports International, LLC v. Gil Pascal, et. al., April 2017
71. Declaration on preservation and collection protocols, MD Helicopters, Inc. v. Aerometals, Inc., April 2017
72. Affidavit on computer forensic analysis activities, Yadkin Bank v. George Mason Mortgage, Inc. et. al, March, 2017
73. Court Testimony on metadata and computer forensic analysis activities, George Mason Mortgage, Inc. v. Caliber Home Loans, Inc., February 2017
74. Deposition on computer forensic analysis and deletion activities, Medidata Solutions, Inc. v. Michael Petrarca and Bioclinica, Inc., November 2016



75. Expert Rebuttal Report on data breach analysis, Employment Background Investigations, Inc. v. Federal Insurance Company, October 2016
76. Expert Report on data breach analysis, Employment Background Investigations, Inc. v. Federal Insurance Company, July 2016
77. Affidavit on computer forensic analysis activities, Compass Systems, Inc. v. Frank D. Deaton, July 2016
78. Affidavit on computer forensic analysis activities, Broadcast Sports International, LLC v. Gil Pascal, et. al., June 2016
79. Affidavit on forensic analysis and data recovery, Felicia M. Barlow Clar et. al, v. Kyle C. Muehlhauser, et. al, May 2016
80. Affidavit on preservation and collection protocols, IN RE: Blue Cross Blue Shield Antitrust Litigation, December 2015
81. Affidavit and Court Testimony on computer forensic analysis activities, Stradtman v. Republic Services, Inc., May 2015
82. Expert report and Deposition on metadata and forensic data analysis activities, Headfirst Baseball LLC, et. al., v. Robert Elwood, et al., May 2015
83. Expert report and Deposition on metadata and forensic data analysis activities, Integrated Direct Marketing, LLC v. Drew May and Merkle, Inc., April 2015
84. Expert report on metadata and forensic data analysis activities, George Mason Mortgage, Inc. v. Caliber Home Loans, Inc. et al., April 2015
85. Court Testimony on metadata and computer forensic analysis activities, JK Moving & Storage, Inc. v. Daniel Pesta, et al, August 2014
86. Declaration on forensic examination of document metadata, US District Court (New Jersey) Grand Jury investigation of a drug wholesale company, February 2014
87. Declaration on collection and analysis of document metadata, Everett v. Everett, February 2014
88. Affidavit and Expert Report on forensic data analysis activities, Symphony Health Solutions v. David Gascoigne, January 2014
89. Court Testimony on computer forensic analysis activities, Taylor v. Republic Services Inc, et al, January 2013
90. Affidavit on preservation and collection protocols, King Industries, Inc. v. United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the US and Canada, December 2012
91. Deposition on issues associated with alleged metadata spoliation, Dyncorp International v. Jane T. Flowers, et al, July 2012
92. Trial Testimony on metadata, forensic analysis, and e-Discovery best practices, City Pharmacy of Elkton v. Northside Pharmacy, April 2012
93. Declaration on forensic collection of social media content, Peters v. Veez Grille, January 2012
94. Affidavit and Expert Report on metadata, forensic data analysis, and e-Discovery best practices, City Pharmacy of Elkton v. Northside Pharmacy, May 2011

## **SELECT SPEAKING ENGAGEMENTS AND CONFERENCES**

1. Sedona Conference Working Group 11 – “Artificial Intelligence (AI) model transparency: Core principles in promoting transparency of AI and algorithms”, October 2019
2. Sedona Conference Working Group 11 – “Data Security and Privacy Legal issues in Artificial Intelligence”, March 2018
3. Webinar, Metropolitan Corporate Counsel – “Data Breach Response: Orchestrating Legal & Technical Resources to Contain & Mitigate”, March 2017
4. Sedona Conference Working Group 11 – “Privacy by Design”, St. Petersburg, January 2017
5. CLE, ZwillGen, Cloud Computing and Mobile Devices, November 2016
6. Sedona Conference Working Group 11 – “Privacy by Design”, Seattle, August 2016



7. The Exchange (Today's General Counsel Institute) – "Strategic Use of Objections and Responses Under New Rule 34", Chicago, June 2016
8. CLE Panel, "Engaging and Managing the Presentation and Preparation of Expert Witnesses in Bankruptcy and Federal Court", May 2016
9. CLE Webinar, The Knowledge Group – "Mobile Data and BYOD: Mitigating eDiscovery and Data Breach Risks", April 2016
10. CLE Webinar, The Knowledge Group – "Mobile Privacy and Security Issues in 2015: Practical Guidance to Mitigate Data Breaches", August 2015
11. The Exchange (Today's General Counsel Institute) - "The Importance of Project and Process Management", Chicago, June 2015
12. Masters Conference - "Cloud Computing and Mobile Devices – How to Be Prepared for Litigation", Philadelphia, July 2014
13. The Exchange (Today's General Counsel Institute) - "The 'eWorkplace' and its Impact on eDiscovery", New York, July 2014
14. Masters Conference - "Discussion and Debate Over Potential Changes to the Federal Rules of Civil Procedure", Chicago, May 2014
15. Masters Conference, "Predictive Analytics and Its Effect on Big Data", Chicago, May 2014
16. Chicago Association of Litigation Support Managers (CALSM-posium), "Forensic Collection Trends Now and into the Near Future", October 2013
17. CLE, Tydings & Rosenberg LLP, "E-Discovery Primer", October 2013
18. Masters Conference, "Cloud Computing and Mobile Device Usage: Challenges They Bring to Your Litigation", July 2013
19. CLE, Williams & Connolly LLP, "Mobile Forensics for Lawyers", January 2013
20. Chicago Association of Litigation Support Managers (CALSM-posium), "How to Prepare for E-Discovery Supplementation Obligations", October 2012
21. Paraben Forensic Innovations Conference, "Analyzing Structured Data", November 2010

## PROFESSIONAL AFFILIATIONS

- The Sedona Conference, Working Group 11 (Data Security and Privacy)
- The Sedona Conference, Working Group 12 (Trade Secrets)



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:

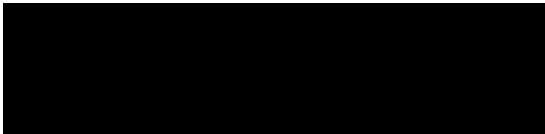
**Fourth Requests for Production of Documents (served July 2, 2020):**

- 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.




Date:

9/14/20

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


WE ASK FOR THIS:

  
Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
David E. Murphy (VSB No. 90938)  
Charlson Bredehoft Cohen & Brown, P.C.  
11260 Roger Bacon Drive, Suite 201  
Reston, Virginia 20190  
Telephone: (703) 318-6800  
[cbredehoft@cbcblaw.com](mailto:cbredehoft@cbcblaw.com)  
[anadelhaft@cbcblaw.com](mailto:anadelhaft@cbcblaw.com)  
[dmurphy@cbcblaw.com](mailto:dmurphy@cbcblaw.com)

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

*Counsel to Defendant Amber Laura Heard*

SEEN AND CONSENTED TO:

  
Benjamin G. Chew (VSB 29113)  
Andrew C. Crawford (VSB 89093)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W.  
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[acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com)

Camille M. Vasquez (admitted *pro hac vice*)  
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Adam R. Waldman  
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*Counsel for Plaintiff John C. Depp, II*

**VIRGINIA :**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA**

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S RESPONSES AND OBJECTIONS TO DEFENDANT  
AMBER LAURA HEARD'S FOURTH REQUEST FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II ("Plaintiff" and/or "Mr. Depp"), by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard's ("Defendant" and/or "Ms. Heard") Fourth Request for Production of Documents (each, a "Request" and collectively, the "Requests"), dated July 2, 2020 and served in the above captioned action ("Action") as follows:

**GENERAL OBJECTIONS**

1. These General Objections are incorporated into each specific response to the numbered Requests below as if fully repeated therein and are intended, and shall be deemed, to be in addition to any specific objection included in any response below. The assertion of the same, similar, or additional objections or partial responses to the individual Requests does not waive any of Plaintiff's General Objections. Failure to make a specific reference to any General Objection is not a waiver of any General Objection.

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

**RESPONSE:** No objection.

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

**RESPONSE:** No objection.

### **REQUESTS**

1. All audio and video recordings including Ms. Heard. Note: It has been represented by Depp’s UK counsel that Mr. Depp has 50-51 recordings that include Ms. Heard.

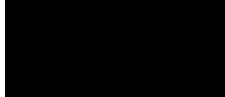
**RESPONSE:**

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instruction above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks the productions of documents that are already within Defendant’s possession, custody, or control, and/or are publicly available. Plaintiff further objects to this Request to the extent that it could be construed to seek documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request as vague and ambiguous as to the meaning of the phrase “recordings including Ms. Heard.”

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, that are located after a reasonable search, on a rolling basis.

Dated: July 23, 2020

Respectfully submitted,



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

- and -

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

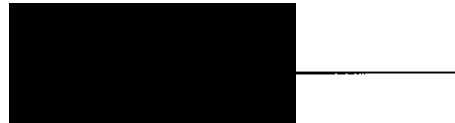
*Counsel for Plaintiff John C. Depp, II*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of July, 2020, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

A. Benjamin Rottenborn (VSB No. 84796)  
Joshua R. Treece (VSB No. 79149)  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
Telephone: (540) 983-7540  
brottenborn@woodsrogers.com  
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Elaine Charlson Bredehft (VSB No. 23766)  
Carla D. Brown (VSB No. 44803)  
Adam S. Nadelhaft (VSB No. 91717)  
David E. Murphy (VSB No. 90938)  
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IN THE HIGH COURT OF JUSTICE

CLAIM NO. QB 2018 006323

QUEEN'S BENCH DIVISION

MEDIA AND COMMUNICATIONS LIST

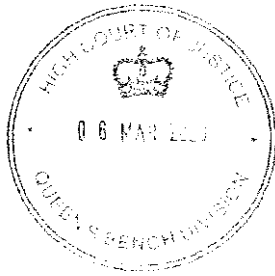
Before: The Honorable Mr Justice Nicol

Dated: 6th March 2020

BETWEEN:

JOHN CHRISTOPHER DEPP II

Claimant



and

(1) NEWS GROUP NEWSPAPERS LTD

(2) DAN WOOTTON

Defendants

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Disclosure ORDER

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**UPON** the Defendants' application dated 19 February 2020 insofar as it concerns the Claimant's disclosure only, supported by the Third Witness Statement of Louis Charalambous dated 19 February 2020 ("the Defendants' Disclosure Application")

**AND UPON** reading the witness statement of Jenny Afia dated 21 February 2020

**AND UPON** hearing Counsel for the Claimant and Counsel for the Defendants at the Pre-Trial Review on 26 February 2020

**IT IS ORDERED THAT:**

Recordings

1. In respect of all recordings (whether made digitally or by any other means) which include the voice of Amber Heard (whether or not they also include the voice of the Claimant) ("the recordings") the Claimant do by 4pm on 10th March 2020 provide a witness statement verified with a statement of truth from him personally listing all of the recordings within his control that fall within the scope of CPR 31.6.
2. The Claimant do by 4pm on 10th March 2020 provide the Defendants with a copy of the recordings falling within paragraph 1 above.

Documents from US libel proceedings

3. In respect of all documents which have been disclosed by either party, or by any non-party, in the US Proceedings Depp v Heard (CL - 2019 0002911) ("the US libel claim documents"), in the event that the Defendants do provide to the Claimant's solicitors written notification from Amber Heard personally or through her lawyers that Amber Heard has provided her consent to disclosure of such documents pursuant to the Protective Order of Chief Judge Bruce D. White of the Circuit Court of Fairfax County in Virginia, USA dated 25 September 2019:
  - a. Within 48 hours of such notification the Claimant do provide a witness statement verified with a statement of truth from him personally confirming that he has provided all the US libel claim documents to Schillings;
  - b. Within 72 hours from the step in paragraph 3(a) above, Schillings do confirm in a witness statement verified by a statement of truth that they have conducted a review of the US libel claim documents which have not yet been disclosed to the Defendants and ascertained which of those documents fall within the scope of CPR 31.6; and
  - c. In so far as the Claimant has not hitherto disclosed to the Defendants any of the US libel claim documents which fall within the scope of CPR 31.6, the Claimant, through his solicitors, Schillings, do disclose all such documents by list, and provide copies of all such documents, within 72 hours of the step in paragraph 3(a) above.

Documents from US Divorce proceedings



4. In respect of all documents which have been disclosed by either party, or by any non-party, in the US Divorce Proceedings Depp v Heard (BD 641052) ("the US divorce claim documents"):
  - a. By no later than 4pm on 10<sup>th</sup> March 2020 the Claimant do provide a witness statement verified with a statement of truth from him personally confirming that he has provided all the US divorce claim documents to Schillings;
  - b. By no later than 4pm on 13<sup>th</sup> March 2020 Schillings do confirm in a witness statement verified by a statement of truth that they have conducted a review of all the US divorce claim documents that have not been disclosed to the Defendants and ascertained which of those documents fall within the scope of CPR 31.6;
  - c. In so far as the Claimant has not hitherto disclosed any of the US divorce claim documents which fall within the scope of CPR 31.6, the Claimant, through his solicitors, Schillings, do disclose all such documents by list, and provide copies of all such documents, by 4pm on 13<sup>th</sup> March 2020.

#### Medical records

5. By no later than 4pm on 10<sup>th</sup> March 2020 the Claimant is to serve a witness statement
  - a. Setting out the steps that have been undertaken by the Claimant and those acting on his behalf to obtain medical records and other documentation relevant to the issues in these proceedings from each of the medical professionals from whom the Claimant has received relevant medical treatment;
  - b. Exhibiting the correspondence (howsoever recorded, including electronic communications and notes of conversations) between the Claimant and his legal representatives(s) and each of the medical professionals pertaining to the requests referred to in paragraph 5(a) above;
  - c. To the extent that he has not already done so, by 4pm on 6 March 2020 the Claimant must send to the practitioners identified in paragraph 5(a) above a letter seeking medical records and other documentation relevant to the issues

in these proceedings which includes such consent as is required by any relevant US or state law for the medical professional concerned to provide the records concerned (including, if necessary, for the purpose of passing to the Defendants any such records or documentation which come within CPR 31.6).

#### Redactions

6. In so far as the medical records disclosed by the Claimant have been redacted, the Claimant or Schillings do by 4pm on 10<sup>th</sup> March 2020 confirm with proper particularity in the manner required by the CPR the grounds upon which the Claimant contends that he has a right or duty to withhold inspection in respect of each of those redactions.
7. Save as provided for in paragraphs 1 to 6 above of this Order, the Defendants' Disclosure Application is dismissed.

#### Costs

8. The parties' costs of and occasioned by this application are reserved.

Dated 10 March 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 WOTTON**

**Defendants**

---

**SECOND WITNESS STATEMENT OF JENNY AFIA**

---

I, **JENNY AFIA**, a Partner in the firm of Schillings, 41 Bedford Square, London WC1B 3HX, 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. The case is a claim for libel brought for damages and an injunction by the Claimant, Mr Depp, a well-known actor more commonly known as Johnny Depp. The First Defendant, News Group Newspapers Ltd is the publisher of The Sun and its associated website. The Second

Dated 10 March 2020

**Permission for witnesses to give evidence via video-conferencing facilities**

12. We are currently in the process of determining which of the above-mentioned witnesses will be in a position to attend trial to give oral evidence. Ms Paradis lives in France while Ms James, Mr Killackey and Ms Ryder all reside in Los Angeles. In the event that it proves disproportionately difficult for those individuals to attend trial in London, I presently believe that the witnesses would be content to give evidence via video-conferencing facilities. The parties are currently organising such a facility for the cross-examination of numerous of the parties' witnesses who reside in the Los Angeles/wider Californian area.
  
13. The draft Order attached to the application notice explicitly stipulates that the permission of any witness to give evidence via video-conferencing facilities would be contingent on the trial judge granting permission to the Claimant to call that witness to give oral evidence, which is in keeping with the Directions Order.
  
14. For completeness, I should also state that having previously made enquiries at the Foreign and Commonwealth Office in relation to other witnesses who will give evidence by VCF at trial, the Claimant is not aware of any reason why the governments in question would not permit giving evidence in this manner.

**Extension of deadlines set out in the Disclosure Order – audio recordings**

15. Pursuant to paragraph 1 of the Disclosure Order, the Claimant is required by 4pm on 10th March 2020 (i.e. today) to provide a witness statement verified with a statement of truth from him personally listing all of the recordings (whether made digitally or by any other means) which include the voice of Amber Heard (whether or not they also include the voice of the Claimant), within his control that fall within the scope of CPR 31.6 (“the recordings”).

Dated 10 March 2020

16. We are currently in the process of listening to all of the audio and video files which have been extracted from the Claimant's devices that were supplied to our firm by the Claimant's previous solicitors. This involved firstly ensuring that all of the audio and visual files were transferred into a format that could be reviewed. A first sift was then carried out by members of the team to filter out all recordings which did not include Ms Heard's voice. The resulting files included numerous voicemails left on the Claimant's mobile phones and many videos. There were in excess of 50 such files. Of the 50 files so far reviewed, none of the documents fall to be disclosed. In addition to those files, our team extracted more than fifteen and a half hours of audio recordings that include the voice of Ms Heard, which a senior lawyer has started to review in order to apply the tests for disclosure pursuant to CPR 31.6.
17. We are also endeavouring to contact the company who 'mirrored' the relevant devices of the Claimant in order to ascertain that we have a complete file.
18. At the time of finalising this witness statement, it appears to me highly improbable that the Claimant could provide a definitive list all of the recordings within his control that fall to be disclosed in a witness statement personally signed by him by the deadline of 4pm today. We anticipate being in a position to listen to all of the recordings Schillings has in its possession within the next few days at the very latest.
19. With these time constraints in mind, we respectfully request that the Court grant an extension of the time for service of the Claimant's witness statement required by paragraph 1 of the Disclosure Order and time for provision of copies of recordings falling within that paragraph (if any) be extended until 4.30pm on 13 March 2020.

**US libel claim proceedings**

Dated 10 March 2020

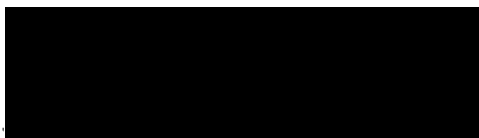
when our team is also seeking to agree and produce voluminous bundles for trial, the Claimant seeks an extension for the deadline provided for by paragraph 6 of the Disclosure Order to be extended until 4.30pm on 16 March 2020.

40. Finally, while the parties used their best endeavours to agree a trial bundle index in good time, regrettably the index remains in its final stages of agreement. We therefore seek an order, and by the time this application is heard, we hope that it is with the consent of the parties, that the trial bundle index be agreed by 12 noon on 10 March 2020, save for any additional documents disclosed in response to the varied Disclosure Order (if any), as to which the parties do agree the contents of a supplementary bundle (if any) by 4pm on 18 March 2020. We also seek an extension by an additional 48 hours for the time for supplying the Defendants with a copy of the trial bundle, that is by midday on 12 March 2020.
41. While I acknowledge that there is a substantial amount of work to be done by Schillings within the next week, we are well resourced and we anticipate that we will have within our possession, over the next day or so, the necessary information to perform the relevant analyses that are needed to determine our responses to the Disclosure Order.
42. If the Disclosure Order is varied in the terms sought, I am firmly of the view that we will be prepared for trial to commence on 23 March 2020.

#### **STATEMENT OF TRUTH**

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

Signed...



**JENNY AFIA**

On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Fourth  
Date: 12 March 2020

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

**Claim No. QB-2018-006323**

**JOHN CHRISTOPHER DEPP II**

**Claimant**

**-and-**

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

**Defendants**

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**FOURTH WITNESS STATEMENT OF  
JOHN CHRISTOPHER DEPP II**

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I, **JOHN CHRISTOPHER DEPP II**, of Infitum Nihil, 1472 N Sweetzer Avenue, LA 90069, USA, **WILL SAY** as follows:

1. I am the Claimant in these proceedings.
2. Unless stated otherwise, the facts and matters referred to in this witness statement are within my own knowledge and true or are true to the best of my knowledge, information and belief based on sources stated within this witness statement.
3. I make this witness statement in order to satisfy my obligations pursuant to paragraphs 1 and 3(a) of the Order of Mr Justice Nicol dated 5 March 2020 (the 'Directions Order'), which relates to the Defendants' application for specific disclosure of certain documents within my

On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Fourth  
Date: 12 March 2020

control. I understand that the deadline for compliance with the terms of that Order was kindly extended by subsequent Order of Nicol J made at a hearing on 10 March 2020.

4. Pursuant to paragraph 1 of the Directions Order, I am required to list all of the recordings that contain the voice of Amber Heard within my control that fall within the scope of CPR 31.6. In order to satisfy that obligation, I instructed Schillings to carry out on my behalf the necessary search of all audio and visual files that were previously extracted by my legal representatives, Brown Rudnick, from the devices and storage accounts under my control. For the avoidance of doubt, I confirm that I provided to Brown Rudnick full access to all of those devices and storage accounts.
5. The terms of this search and review are set out more fully in the N265 form I have signed and dated 12 March 2020 and in the Second Witness Statement of Jenny Afia, of today's date.
6. I am advised that Schillings have, on my behalf, carried out an analysis pursuant to CPR 31.6 to determine which of those audio and visual recordings fell to be disclosed.
7. Following this search and analysis, I am advised that all of the recordings which include the voice of Ms Heard which fall within my control and which fall within the scope of CPR 31.6 are as follows:
  - a. An audio recording with the filename 20150326 040115.m4a, recorded on 26 March 2015 at 11:01:16pm (UTC+0);
  - b. An audio recording with the filename 20160103 183858.m4a, recorded on 4 January 2016 at 2:38:58pm (UTC+0);

#### **US Libel proceedings**

8. I confirm that I have provided to Schillings all documents which have been disclosed by either party, or by any non-party, in the US Proceedings *Depp v Heard* (CL - 2019 0002911) ("the US libel claim documents").



On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Fourth  
Date: 12 March 2020

9. I hereby confirm, on the advice of Schillings that through Brown Rudnick, my legal  
 libel claim, I have provided to Schillings  
my review platform.

are true.



On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Fourth  
Date: 12 March 2020

**Claim No. QB-2018-006323**  
**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**MEDIA COMMUNICATIONS LIST**  
**BETWEEN:**

**JOHN CHRISTOPHER DEPP II**

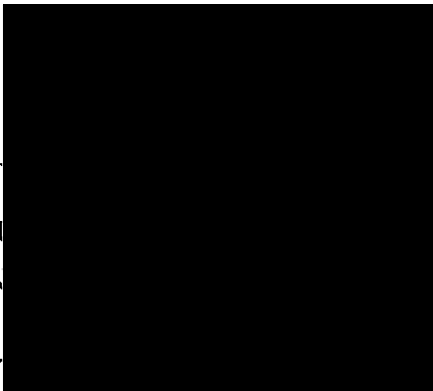
Claimant

- and -

**(1) NEWS GROUP NEWSPAPERS LTD**

**(2) DAN WOOTTON**

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ant

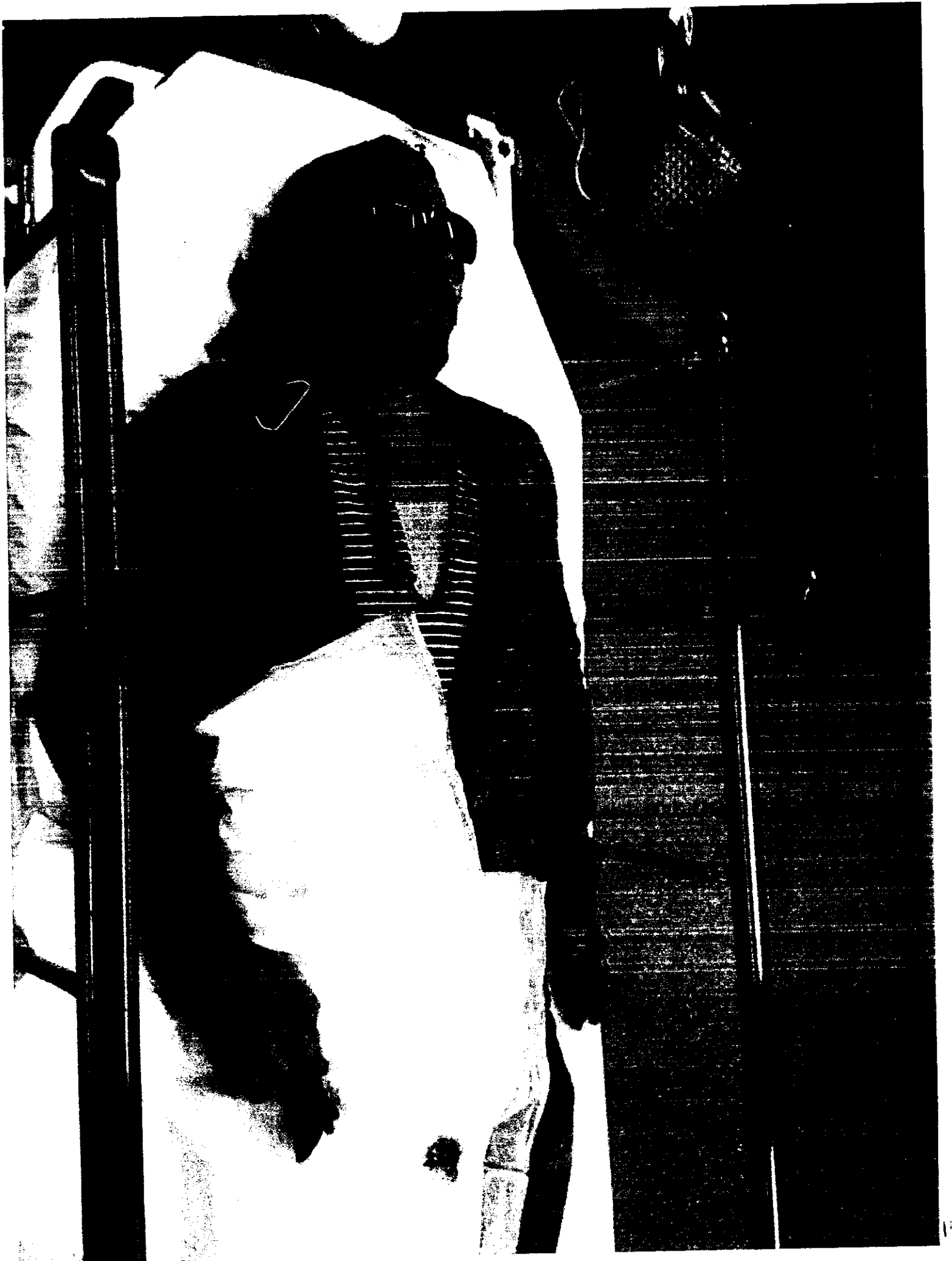
**Ref: JA/JR/VA/D0185/001**

**Schillings International LLP**  
41 Bedford Square  
London  
WC1B 3HX

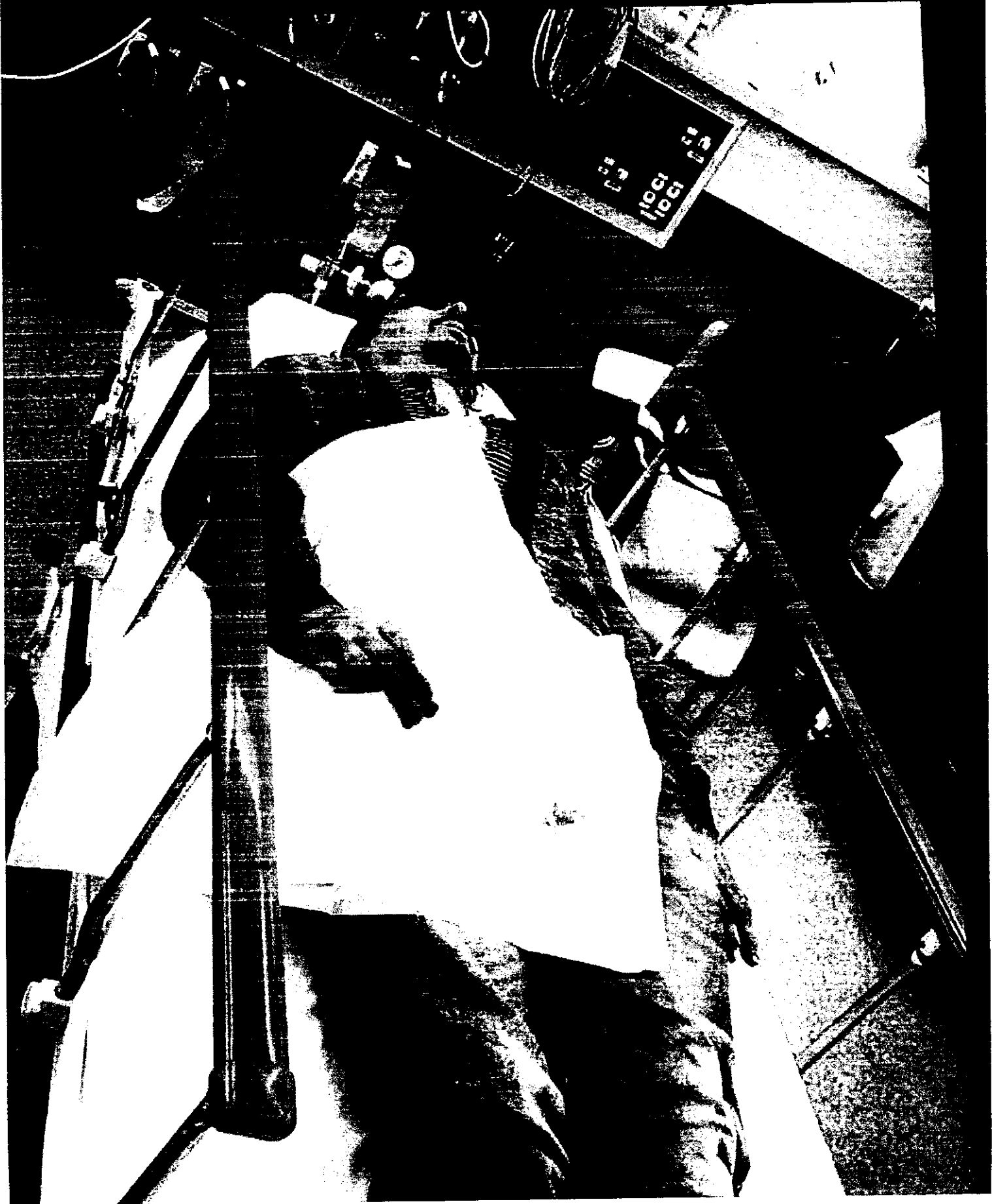
Tel: 020 7034 9000

Atts 11-16

Flash Drive



Gold Coast University Hospital  
March 9, 2015 11:31 AM



100-100-100-100

West Hollywood - Sunset Strip  
March 23, 2015 11:37 AM









M Fri Jul 3

Napa

July 30, 2016 5:21 PM







FILED  
CIVIL INTAKE

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY 2019 MAR -1 PM 12:45

JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

John C. Depp, II,

Plaintiff,

v.

Amber Laura Heard,

Defendant.

Civil Action No. 2019 02911

COMPLAINT

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

NATURE OF THE ACTION

1. This defamation action arises from an op-ed published in the *Washington Post* by actress Amber Heard ("Ms. Heard"). In the op-ed, Ms. Heard purported to write from the perspective of "a public figure representing domestic abuse" and claimed that she "felt the full force of our culture's wrath for women who speak out" when she "spoke up against sexual violence."

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

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

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

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

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

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

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

### **PARTIES**

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

- “Then two years ago [the precise time frame of her allegations against and divorce from Mr. Depp], I became a public figure representing domestic abuse, and I felt the full force of our culture’s wrath for women who speak out.”
- “I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.”
- “I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. I felt as though I was on trial in the court of public opinion — and my life and livelihood depended on myriad judgments far beyond my control.”

23. As these statements reflect, the whole op-ed proceeds from the notion—presented as an unassailable truth—that Ms. Heard was the victim of domestic violence at the hands of Mr. Depp. She was not. Ms. Heard is not a victim of domestic violence, and Mr. Depp is not a perpetrator of domestic violence. And the centerpiece of Ms. Heard’s attention-seeking hoax—her claim that Mr. Depp savagely injured her face by throwing her own iPhone at her from point blank range as hard as he could and then continued to beat her face with other “appendages of his body” on the evening of May 21, 2016, which caused her to have the battered face that she first presented to the court and the world on May 27, 2016—was a poorly executed lie that nevertheless has endured for nearly three years. The statements in her “Sexual Violence” op-ed that imply otherwise are false and defamatory.

**Ms. Heard Was Not A Victim Of Domestic Violence: She Was A Perpetrator**

24. Long before Ms. Heard became a self-described “public figure representing domestic abuse” based on her false domestic violence allegations against Mr. Depp, Ms. Heard was in an abusive relationship. **But Ms. Heard was not the victim in that relationship. She was the abuser.**

25. On September 14, 2009, police officers at the Seattle-Tacoma International Airport witnessed Ms. Heard physically assault her then-domestic partner, Tasya van Ree. Ms. Heard grabbed Ms. van Ree by the arm, hit Ms. van Ree in the arm, and yanked Ms. van Ree's necklace off her neck. Ms. Heard was arrested. She was booked for misdemeanor domestic violence, a mug shot was taken of her, and she spent the night in jail. The following day, the Seattle-based prosecutor declined to press charges against Ms. Heard, but only because both she and her domestic abuse victim were California residents who were merely passing through Washington state.

26. Since casting herself as a domestic abuse victim, Ms. Heard has attempted to blame misogyny and homophobia for her domestic violence arrest—claiming that she was arrested “on a trumped up charge” because she was in a same-sex relationship. In truth, the police officer who arrested Ms. Heard for domestic violence was both a woman and a lesbian activist, who publicly said so after she was publicly disparaged by Ms. Heard.

27. Ms. Heard's violent domestic abuse did not end when her relationship with Ms. van Ree ended. **Ms. Heard committed multiple acts of domestic violence against Mr. Depp during their marriage. Ms. Heard's physical abuse of Mr. Depp is documented by eyewitness accounts, photographs, and even Ms. Heard's own admissions under oath.**

28. In one particularly gruesome episode that occurred only one month into their marriage, Ms. Heard shattered the bones in the tip of Mr. Depp's right middle finger, almost completely cutting it off. Ms. Heard threw a glass vodka bottle at Mr. Depp—one of many projectiles that she launched at him in this and other instances. The bottle shattered as it came into contact with Mr. Depp's hand, and the broken glass and impact severed and shattered Mr.



Depp's finger. Mr. Depp's finger had to be surgically reattached. Ms. Heard then disseminated false accounts of this incident, casting Mr. Depp as the perpetrator of his own injury.

29. Ms. Heard's domestic abuse of Mr. Depp continued unabated throughout their 15-month marriage. Ms. Heard threw dangerous objects at Mr. Depp, and also kicked and punched him with regularity.

30. Shockingly, Ms. Heard even has used one of her attacks on Mr. Depp to push her false narrative that she is a domestic abuse victim. In her false affidavit to obtain a restraining order against Mr. Depp, Ms. Heard recounted a domestic violence incident that occurred between her and Mr. Depp on April 21, 2016 and reversed the roles, claiming that she was the victim when in truth she was the perpetrator. Ms. Heard falsely claimed that Mr. Depp physically attacked her, threw glasses at her, and broke a champagne bottle in their penthouse after her thirtieth birthday celebration on April 21, 2016. In truth, Ms. Heard—angry with Mr. Depp because he was late to her birthday celebration due to a business meeting — punched Mr. Depp twice in the face as he lay in bed reading, forcing him to flee their penthouse to avoid further domestic violence at the hands of Ms. Heard. Mr. Depp's security detail member, Sean Bett (an 18-year veteran of the Los Angeles County Sherriff's Department) picked up Mr. Depp immediately after Ms. Heard assaulted him and witnessed firsthand the aftermath and damage to Mr. Depp's face. On other occasions—after Ms. Heard violently attacked Mr. Depp in December 2015—Mr. Bett insisted on taking photographs to document the damage to Mr. Depp's face inflicted by Ms. Heard.

31. Thus, contrary to the false and defamatory implication in her "Sexual Violence" op-ed, Ms. Heard was never a victim of domestic violence at the hands of Mr. Depp. Ms. Heard herself is a domestic abuser, who committed multiple acts of domestic violence against Mr. Depp

during their marriage, in addition to the domestic abuse that she perpetrated against her former partner.

**Ms. Heard's Domestic Abuse Allegations Against Mr. Depp Are False And Have Been Refuted Conclusively By Police, Neutral Third-Party Witnesses, and 87 Surveillance Videos**

32. Ms. Heard did not “[speak] up against sexual violence” as she claimed in her op-ed. She made false allegations of domestic abuse against Mr. Depp to execute her hoax.

33. The centerpiece of Ms. Heard's false abuse allegations is an incident that she claimed took place around 7:15 pm on Saturday, May 21, 2016 at Mr. Depp's penthouse in the Eastern Columbia Building in downtown Los Angeles. After Ms. Heard lured Mr. Depp to pick up personal items from his own penthouse, Ms. Heard, sitting on the sofa with her friend, Raquel Pennington, and talking on the phone with her friend, iO Tillett Wright, claimed that Mr. Depp “grabbed the cell phone, wound up his arm like a baseball pitcher and threw the cell phone at me striking my cheek and eye with great force.” Ms. Heard also claimed that Mr. Depp further battered her face with some “appendage of his body” and then used a magnum-sized bottle of wine to destroy the penthouse, spilling wine, broken glass, and other items around the penthouse. “Penthouse 3 was destroyed” by Mr. Depp's bottle swinging, claimed Ms. Heard in her sworn testimony. Her two friends testified accordingly. Ms. Heard used these allegations to obtain a temporary restraining order against Mr. Depp on May 27, 2016, appearing in court six days after the alleged incident with the first appearance of a battered face, notwithstanding that a litany of people witnessed her throughout the week with no injury and building surveillance videos similarly showed her uninjured.

34. Mr. Depp, it is worth noting, left Los Angeles for many weeks almost immediately after the alleged incident. And it is also worth noting that building personnel

62. Ms. Heard acted with actual malice when she published her false and defamatory “Sexual Violence” op-ed and implied that she was a victim of domestic abuse at the hands of Mr. Depp.

63. **Ms. Heard knew that she was not the domestic abuse victim, but the domestic abuser.**

64. Ms. Heard knew that her domestic abuse allegations against Mr. Depp were false and that she leveled them and enlisted her friends to act as surrogates for her lies, as part of an elaborate hoax to generate positive publicity for herself.

65. Ms. Heard also knew that her elaborate hoax worked: as a result of her false allegations against Mr. Depp, Ms. Heard became a darling of the #MeToo movement, was the first actress named a Human Rights Champion of the United Nations Human Rights Office, was appointed ambassador on women’s rights at the American Civil Liberties Union, and was hired by L’Oréal Paris as its global spokesperson.

66. Because of the past success that her false domestic abuse allegations against Mr. Depp had brought her, Ms. Heard revived the false allegations to promote her new movie.

67. *Aquaman*, Ms. Heard’s first leading role in a big-budget studio film, premiered in theatres across the United States (and in Virginia) on December 21, 2019. The movie ended up making over \$1 billion at the box office globally.

68. Tellingly, just days before the premiere, Heard published her “Sexual Violence” op-ed with its false implication that she was a domestic abuse victim at the hands of Mr. Depp on December 18, 2019 in the *Washington Post’s* online edition and on December 19, 2019 in the *Washington Post’s* hardcopy edition. The op-ed in the *Washington Post’s* online edition was accompanied by a picture of Ms. Heard on the red carpet at *Aquaman’s* Los Angeles premiere.

- a. Mr. Depp did not commit “domestic abuse” or “sexual violence” against Ms. Heard. Ms. Heard’s allegation that Mr. Depp violently attacked her on May 21, 2016 has been refuted conclusively by police, neutral third-party witnesses, and 87 newly obtained surveillance camera videos.
- b. **Ms. Heard is not a victim of domestic violence; rather, she is a perpetrator.** Ms. Heard was arrested for domestic violence against her former domestic partner in 2009. **Ms. Heard also committed multiple acts of domestic violence against Mr. Depp, some of which she has confessed to under oath.**

79. The substantial danger of injury to Mr. Depp’s reputation from Ms. Heard’s false statements is readily apparent. Such statements would tend to so harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

80. By publishing these false statements, Ms. Heard caused harm to Mr. Depp’s reputation.

81. At the time of publication, Ms. Heard knew these statements were false.

82. Ms. Heard’s false statements are defamatory *per se* because they impute to Mr. Depp the commission of a crime involving moral turpitude for which Mr. Depp, if the charge was true, could be indicted and punished. Moreover, Ms. Heard’s false statements prejudice Mr. Depp in his profession as a film actor. Mr. Depp therefore is entitled to presumed damages.

83. As a direct and proximate result of these false statements by Ms. Heard, Mr. Depp has suffered damages, including, *inter alia*, injury to his reputation, harm to his ability to carry on his profession, embarrassment, humiliation, and emotional distress, in an amount to be determined at trial.

- “Then two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture’s wrath for women who speak out.”
- “I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse.”
- “I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. I felt as though I was on trial in the court of public opinion — and my life and livelihood depended on myriad judgments far beyond my control.”

88. These statements are of and concerning Mr. Depp, as he is Ms. Heard’s former husband and she publicly (and falsely) accused him of domestic abuse in May 2016. Moreover, Ms. Heard intended to refer to Mr. Depp in these statements, and those who know Mr. Depp or who read the “Sexual Violence” op-ed understood these statements to be about Mr. Depp.

89. These statements, which imply that Ms. Heard was the victim of domestic violence at the hands of Mr. Depp, are false:

- Mr. Depp did not commit “domestic abuse” or “sexual violence” against Ms. Heard. Ms. Heard’s allegation that Mr. Depp violently attacked her on May 21, 2016 has been refuted conclusively by police, neutral third-party witnesses, and 87 newly obtained surveillance camera videos.
- Ms. Heard is not a victim of domestic violence; rather, she is a perpetrator.** Ms. Heard was arrested for domestic violence against her former partner in 2009. **Ms. Heard also committed multiple acts of domestic violence against Mr. Depp.**

90. The substantial danger of injury to Mr. Depp’s reputation from Ms. Heard’s false statements is readily apparent. Such statements would tend to so harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

- a. Mr. Depp did not commit “domestic abuse” or “sexual violence” against Ms. Heard. Ms. Heard’s allegation that Mr. Depp violently attacked her on May 21, 2016 has been refuted conclusively by police, multiple, neutral third-party witnesses, and 87 newly obtained surveillance camera videos.
- b. **Ms. Heard is not a victim of domestic violence; rather, she is a perpetrator.** Ms. Heard was arrested for domestic violence against her former partner in 2009. **Ms. Heard also committed multiple acts of domestic violence against Mr. Depp.**

101. The substantial danger of injury to Mr. Depp’s reputation from Ms. Heard’s false statements is readily apparent. Such statements would tend to so harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

102. By publishing these false statements, Ms. Heard caused harm to Mr. Depp’s reputation.

103. At the time of publication, Ms. Heard knew these statements were false.

104. Ms. Heard’s false statements are defamatory *per se* because they impute to Mr. Depp the commission of a crime involving moral turpitude for which Mr. Depp, if the charge was true, could be indicted and punished. Moreover, Ms. Heard’s false statements prejudice Mr. Depp in his profession as a film actor. Mr. Depp therefore is entitled to presumed damages.

105. As a direct and proximate result of these false statements by Ms. Heard, Mr. Depp has suffered damages, including, *inter alia*, injury to his reputation, harm to his ability to carry on his profession, embarrassment, humiliation, and emotional distress, in an amount to be determined at trial.

Facsimile: (202) 296-8312  
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Adam R. Waldman  
THE ENDEAVOR LAW FIRM, P.C.  
1775 Pennsylvania Avenue, N.W., Suite 350  
Washington, DC 20006



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**Benjamin G. Chew (VSB # 29113)**  
Elliot J. Weingarten (*pro hac vice* application forthcoming)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W.  
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Facsimile: (202) 536-1701  
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Counsel for Plaintiff John C. Depp, II

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

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Civil Action No.: CL-2019-0002911

DECLARATION OF JOHN CHRISTOPHER DEPP, II

I, John Christopher Depp, II, declare as follows:

1. I am a party in the above-entitled action. I have firsthand, personal knowledge of the facts set forth below and if called as a witness could competently testify thereto.

2. Ms. Heard's fabricated domestic violence allegations against me are categorically and demonstrably false. I have denied Ms. Heard's allegations vehemently since she first made them in May 2016, when she walked into court to obtain a temporary restraining order with painted-on bruises that witnesses and surveillance footage show she did not possess each day of the preceding week. I will continue to deny them for the rest of my life. I never abused Ms. Heard or any other woman.

3. I am bringing this lawsuit not only to clear my name and restore my reputation, but to attempt to bring clarity to the women and men whose lives have been harmed by abuse and who have been repeatedly lied to by Ms. Heard purporting to be their spokesperson. Fortunately, there is now clear evidence from over two dozen objective third parties, including police officers, former employees and neighbors of Ms. Heard's, and 4 Eastern Columbia building personnel, supported by 87 surveillance camera videos and other written and



photographic that directly refute Ms. Heard's domestic violence allegations against me and other false assertions. The appearance of new evidence not previously in my possession was the impetus for my bringing this lawsuit because, after years of asserting my innocence, I am finally in a position to prove it by dismantling each element of her hoax. I set forth this evidence in detail below.

4. When confronted with direct evidence that exposes her domestic violence claims as a poorly executed yet surprisingly effective hoax, Ms. Heard responded by weaving more fantastical lies to prop up her false narrative that she is a domestic violence victim. Those lies too cannot withstand scrutiny and clear evidence. Ms. Heard's false narratives are dependent on the "evidence" of her word and that of her perjurious, co-conspirator friends who have chosen to assist her in her hoax. Those lies are internally inconsistent, shifting, and directly contradicted by overwhelming sworn testimonial, photographic, audio, video, and other evidence. And Ms. Heard has a documented history, of which I will submit evidence herein, of violence against men and women, of lying to courts and government agencies, and of suborning and attempting to suborn the perjurious testimony of third parties to deliver to courts.

5. **Notwithstanding Ms. Heard's false domestic abuse allegations about me, there was actual, documented domestic violence in our relationship: she was the perpetrator, and I was the victim.** While mixing prescription amphetamines and non-prescription drugs with alcohol, Ms. Heard committed innumerable acts of domestic violence against me, often in the presence of third party witnesses, which in some instances caused me serious bodily injury. Multiple of these commissions of violence against me she has even admitted to under oath. Multiple episodes of her violence against me are documented and supported by objective evidence, which I set forth below.

### **Ms. Heard's Well-Documented History And Prior Arrest For Domestic Violence**

6. Ms. Heard was arrested in Seattle-Tacoma International Airport in 2009 after police officers observed her committing domestic violence against her then-wife Tasya Van Ree. Ms. Heard's wife asked police to arrest Ms. Heard. The King County prosecutor declined to charge Ms. Heard only because neither she nor her victim were residents of King County, Washington, but not before Ms. Heard spent a night in jail and appeared before a judge in court. Ms. Heard lied about this domestic violence incident under oath, saying "it was a trumped up charge and it was dropped immediately for being such." Ms. Heard also subsequently tried to minimize this arrest for domestic violence to the media, claiming that the police officers were "homophobic" and "misogynists." In fact, the arresting officer was a female, self-described lesbian activist who has publicly disputed Ms. Heard's claims about the circumstances of her arrest. *See* <https://www.t TMZ.com/2016/06/07/amber-heard-domestic-violence-arrest-partner-tasya-van-ree/>; *see also* <https://people.com/movies/amber-heards-arresting-officer-speaks-out-i-am-so-not-homophobic/>

7. **Throughout our relationship, Ms. Heard also committed domestic violence against me. She hit, punched, and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls, and paint thinner cans, which severely injured me.** As part of our divorce case, Ms. Heard was deposed on or about August 13, 2016. Ms. Heard admitted to some of these acts of violence against me in her deposition, although in the cherry-picked, sworn deposition snippet she submitted to this court, she also contradicted her own sworn admissions and further perjured herself by saying she only committed violence against me one single time. Excerpts of Amber

Heard's depositions are attached here as Exhibit A. Ms. Heard also admitted under oath to throwing a can of paint thinner into my head in front of witnesses:

Q: Isn't it true, Ms. Heard, that in front of two different employees at the island you threw the paint thinner and hit him in the head on December 15th?

...

A: Oh, that's true... Exhibit A.

8. **There also is an audio recording in which Ms. Heard admits to and apologizes for kicking a door into my head and punching me in the face.** After first denying these acts of violence under oath in her deposition, Ms. Heard was forced grudgingly to concede that she did perpetrate the violence against me that she can be heard admitting to only after being confronted with the audio recordings of her confession and apology. Excerpts of Amber Heard's depositions are attached here as Exhibit A.

9. Many people who worked for Ms. Heard and me during our marriage also observed firsthand her violence against me or observed me with injuries that she inflicted upon me immediately after the fact, which in some instances they felt compelled to document by taking photographs of my injuries. Many of them have provided sworn statements attesting to the violence they witnessed Ms. Heard commit against me.

10. **Attached here as Exhibit B is a photograph of me with a black eye caused by Ms. Heard punching me in the face on or about April 22, 2016.** This photograph was taken by my bodyguard Sean Betts, who is a former 18 year veteran of the LA Sherriff's Department, on April 22, 2016.

11. **Attached here as Exhibit C are three photographs of me with scratches on my cheek, chin and nose from an incident that took place on December 15, 2015.** These

photographs were taken by Sean Bett at his insistence. Following a pattern she deployed throughout our relationship, Ms. Heard later perversely claimed it was I who committed violence against her on December 15, 2015, splitting her lip, bashing her in the nose so hard it nearly broke, blackening both her eyes and beating her so violently that she claimed I broke the bed in the process. Her account is disputed by multiple witnesses who each provided sworn testimony that they engaged face to face with a makeup-free and clearly uninjured Ms. Heard the following day, December 16, 2016, immediately prior to her appearance on the “James Corden” show, which can also be viewed to see the severe injuries she claims are a lie. These witnesses include Ms. Heard’s own stylist Samantha McMillen, who also testified to witnessing Ms. Heard visibly uninjured on other occasions when Ms. Heard claimed I had beaten her.

12. **One of Ms. Heard’s attacks caused me grave bodily injury.** While I was in Australia filming a movie approximately one month after I married Ms. Heard, on a day where my then-lawyer tried to discuss with Ms. Heard the need that she sign a post-nuptial agreement with me, she went berserk and began throwing bottles at me. **The first bottle sailed past my head and missed, but then she threw a large glass vodka bottle. The bottle struck the marble countertop where my hand was resting and exploded. The projectile’s impact shattered the bone in my finger and entirely severed the tip of my finger. Attached as Exhibit D is a photograph of my finger. I had to have 3 surgeries to reconstruct my finger and contracted MRSA three times. I feared that I would lose my finger, my arm, and my life.**

13. **To conceal the fact that her domestic violence against me caused me grievous bodily injury,** Ms. Heard has concocted various, shifting, false stories claiming that I cut off my own finger. First, in the midst of our divorce case, Ms. Heard caused to be leaked to the media a fake story that I cut off my finger by punching a hole in a wall. Now, Ms. Heard has crafted a

new, but equally fake, story that I cut off my finger by smashing a plastic phone to smithereens while violently beating her in a “three-day ordeal.” Neither of these stories is true. I did not beat Ms. Heard in Australia at any time; nor did I cut off my own finger and shatter the bones. **The truth is that Ms. Heard threw a glass vodka bottle at me, and the bottle smashed on the marble countertop where my hand was resting. The impact and the broken glass shattered the bone and cut off the end of my finger.** To cover for Ms. Heard, I told the emergency room doctor that it happened in “an accident.” The doctor knew better, and told me: “this is a wound of velocity.”

14. Unfortunately, Ms. Heard’s pattern of violence and abuse extends beyond me. Several women who have been in a relationship with Ms. Heard have come forward to share their personal experiences of brutal violence and other abuse at the hands of Ms. Heard. My advisors have and continue to interview these victims, who remain deeply fearful of Ms. Heard, and to collect evidence from these victims.

15. On May 21, 2016, I went to a penthouse in the Eastern Columbia Building that I owned and shared with Ms. Heard. We had not spoken for a month.

16. Our last interaction had been at my penthouse on April 21, 2016, and involved an **enraged Ms. Heard physically attacking me** because I was late to her birthday dinner that I threw for her and her friends. My lateness had been due to an important business meeting, of which Ms. Heard was aware. **Among other violent acts, Ms. Heard punched me repeatedly in the face as I lay in bed reading after the party, leaving me with an egg shaped swelling under my left eye. A photograph of my injured face following her April 21, 2016 attack is attached as Exhibit B. This photograph was taken by Sean Bett on April 22, 2016 after I returned to my West Hollywood home.**

17. After I removed myself from Ms. Heard's presence in the penthouse on April 21, 2016, the following morning Ms. Heard or one of her friends defecated in my bed as some sort of a sick prank before they left for Coachella together. Indeed, our Estate Manager Kevin Murphy told me (and later testified under oath) that Ms. Heard admitted to him that the feces was "just a harmless prank." **As a result of the years of domestic abuse I had suffered at the hands of Ms. Heard—most recently the April 21 physical attack** and defecation on my bed sometime before she and her friends left the next morning—I resolved to divorce Ms. Heard. I went to pick up my things on May 21, 2016, and also resolved to tell her that I was divorcing her. I arrived at the penthouse in the early evening, and brought my two security guards Jerry Judge and Sean Bett as a precautionary measure, asking them to wait just outside the door of penthouse 3. It appeared that Ms. Heard was alone in the penthouse, although according to witness interviews, she was not. Her friend Raquel Pennington was hiding somewhere in the penthouse, although Ms. Pennington later falsely testified that she was summoned by Ms. Heard by text to Penthouse 3 at 8:06 PM, one of their many concocted lies. After I entered and went upstairs to collect personal belongings, Ms. Heard and I called our then-Estate Manager Kevin Murphy together and I asked Mr. Murphy to repeat to Ms. Heard what he had told me about her admission that the defecation in my bed was "just a harmless prank." Upon hearing Mr. Murphy's recount her admission, she went berserk and started screaming and cursing at Mr. Murphy, prompting Mr. Murphy to ultimately hang up the phone. Before he hung up, I told Ms. Heard that I intended to divorce her. She insisted on calling her friend iO Tillett Wright, who had been living rent-free in my properties for years, to try to explain away the feces that she left in my bed.

18. Ms. Heard put iO Tillett Wright on speakerphone. I had no interest in speaking with Mr. Tillett Wright. Nevertheless, both iO Tillett Wright and Ms. Heard had their chance to

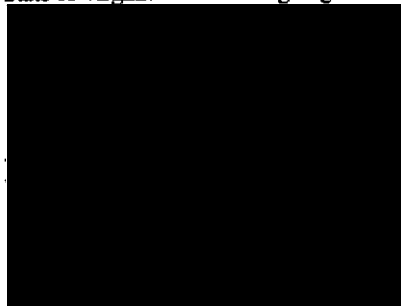
anywhere and it has nothing to do with a case. I wouldn't be so naïve as to think that a lawyer or cop would ever use Instagram geotags because as soon as a judge found out you can change them it would get thrown out.”

38. On December 16, 2015, Ms. Heard also summoned our then-Estate Manager Mr. Murphy to my penthouse to complain about the fact that I had beaten her up the night before. Mr. Murphy testified that Ms. Heard's face was utterly uninjured and unmarked, and appeared makeup free, as they spoke face to face and in good light the day after she alleged the brutal attack. Mr. Murphy also testified that Ms. Heard called him back up to the penthouse bedroom specifically to show him a clump of blonde hair on the ground purporting to be hair I had pulled out of her head. Because of Ms. Heard's demeanor and the fact that she showed Mr. Murphy a clump of hair on the floor but not the place that hair was pulled from, Mr. Murphy grew suspicious and took a time- and date-stamped cell phone photograph of the hair clump, and later compared it to the hair clump Ms. Heard submitted to the court under oath. The hair clumps do not resemble each other, as Mr. Murphy testified in his declaration. Mr. Murphy, like other eyewitnesses, also testified to the very real violence Ms. Heard committed against me, that left real injuries.

39. Cynically relying on the concept of #believewomen that that has been promoted as part of the important #metoo movement, Ms. Heard's "evidence" rests primarily on her word and that of her dependent friends. She and they have falsely accused me of violence, although interestingly none of her "witnesses" say they ever witnessed any violence. **And they did this despite the inconvenient truth of my possession of eyewitness statements provided under penalty of perjury and photographs of her converse violence committed against me,** overwhelming evidence that her various abuse claims and the injuries that she claimed ensued from them are

Executed this \_\_\_\_ day of May, 2019 in Los Angeles, California.

I declare under the penalty of perjury under the laws of the United States of America and the State of Virginia that the foregoing is true and correct.





VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF JOHN C. DEPP, II'S  
MOTION TO COMPEL DEFENDANT AMBER LAURA HEARD'S PRODUCTION OF  
ORIGINAL DEVICES AND OPERATING SYSTEM DRIVES AND CLOUD BACKUPS  
OF THESE ORIGINAL DEVICES AS REQUESTED IN PLAINTIFF'S SEVENTH SET  
OF REQUESTS FOR PRODUCTION**

Pursuant to Virginia Supreme Court Rule 4:12, Plaintiff John C. Depp, II (“Mr. Depp”) seeks an Order requiring Defendant Amber Laura Heard (“Ms. Heard”) to produce for inspection her original devices, including mobile devices, computers, laptops, and iPads, as well as operating system drives and cloud backups (the “Requested Material”), for purposes of forensically imaging all relevant data, as requested in Plaintiff’s Seventh Set of Requests for Production, attached as **Exhibit 1** (the “Seventh Requests”). Such an inspection is vitally necessary to evaluate the veracity of Ms. Heard’s anticipated evidence at trial. In support of her abuse allegations, Ms. Heard has proffered supposed documentary evidence such as photographs taken on her devices that purport to show injuries. Mr. Depp contends that Ms. Heard completely made up her claims of abuse, and that her purported evidence has been staged, modified, or otherwise falsified. *Mr. Depp’s expert has already determined that at least some of Ms. Heard’s photographs appear to have been run through a photo editing program*, but the full extent of any manipulation cannot be determined without a forensic examination.

Ms. Heard relies heavily on electronic data from her personal devices to support her claims of abuse and will doubtless seek to introduce such evidence at trial. It is imperative that Mr. Depp be afforded the opportunity to examine this evidence to analyze whether, when, and by what means Ms. Heard has manipulated it. Mr. Depp’s forensic expert advises this type of analysis can only be accomplished by forensically imaging Ms. Heard’s original devices. Despite propounding similar requests for a forensic analysis of Mr. Depp’s devices, Ms. Heard has stalled and stonewalled Mr. Depp’s efforts to obtain access to the devices on which her evidence is maintained, even with the common-sense protections for privileged information Mr. Depp has proposed. Ms. Heard’s reticence begs the question: if she has not falsified her evidence, then what is she hiding? The Court should order Ms. Heard to produce her devices to be examined by Mr. Depp’s expert,

consistent with the proposed procedure below, which strikes a balance between Mr. Depp's right to examine critical evidence and any privacy concerns.

### **BACKGROUND**

Ms. Heard has repeatedly relied on photographs, video and audio recordings, and text messages to support her false claim that Mr. Depp abused her. For example, in support of her original motion to dismiss Mr. Depp's claims against her, Ms. Heard submitted a declaration, attached hereto as **Exhibit 2** at 25-282, which alleged thirteen incidents of abuse and attached copies of text messages, photographs, and recordings, most of which originate from Ms. Heard's personal electronic devices. Ms. Heard also voluntarily submitted most of these same text messages, photographs, and recordings in Mr. Depp's defamation suit in the United Kingdom, which arose from a tabloid's publication of Ms. Heard's claims of abuse (the "UK Action").

Mr. Depp seeks to test whether this evidence has been manipulated or manufactured. To that end, Mr. Depp has retained Bryan Neumeister, who is a court certified video, audio, and digital photographic forensics and technical expert with over twenty years of experience analyzing digital evidence and data in law enforcement and legal proceedings. Mr. Neumeister's CV is attached hereto as **Exhibit 3**. Mr. Neumeister and other members of his team, including Matt Erickson, whose CV is attached hereto as **Exhibit 4**, routinely perform physical imaging from electronic devices to investigate the authenticity and completeness of evidence originating from such devices. Mr. Neumeister already has analyzed photographs Ms. Heard produced in this action that purport to show injuries she suffered from Mr. Depp, and he determined that these photographs have gone through a photo-editing application. *See Exhibit 5 (Designation)*. Mr. Neumeister advises, however, that he cannot assess whether the metadata associated with these photographs, or any of the other electronic data Ms. Heard has produced, has been modified in any way (for instance,

changing the date or time a photo/video was taken), or whether any relevant data has been deleted from Ms. Heard's devices (and, thus, not produced), without obtaining a forensic image, specifically a "physical" (or byte-by-byte) image, "CheckM8" image, or advanced logical image of the Requested Material.

Mr. Depp propounded the Seventh Requests, seeking access to the Requested Material for forensic imaging and analysis. Despite propounding similar requests for access to Mr. Depp's devices, Ms. Heard has failed to provide access to the Requested Material. *See Exhibit 6* [R&Os].<sup>1</sup> On September 13, 2021, the parties met and conferred to discuss their cross requests. Mr. Depp's counsel proposed a procedure, consistent with the procedure proposed herein, whereby the parties: each proffer the Requested Material for forensic imaging; negotiate parameters for the extraction of relevant data; and jointly select a neutral attorney to oversee the process and ensure irrelevant personal or privileged information is not disclosed. Ms. Heard's counsel stated that she would consider the proposal. On September 22, 2021 and September 23, 2021 Mr. Depp's counsel and

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<sup>1</sup> Ms. Heard objects to producing her devices for forensic imaging, on the grounds, *inter alia*, that Mr. Depp's counsel in the UK Action "did not dispute the accuracy of the accompanying date/time metadata to the May 2016 images, and further that any analysis of digital images will not yield any additional information than what can be seen from the images." *Exhibit 6* at 9-10. First, it is a gross misrepresentation to claim that Mr. Depp's UK Counsel "did not dispute the accuracy" of the metadata accompanying electronic images submitted by Ms. Heard; and, in any event, the conduct of counsel in a separate proceeding in a different country with different evidentiary laws and procedures is not binding here. Second, it is patently untrue that the physical imaging Mr. Depp requests "will not yield any additional information." As set forth in Mr. Depp's designation of Mr. Neumeister, a physical imaging and analysis of the Requested Material could reveal, among other things, that the images or the metadata associated with the images were altered in some manner or that relevant materials have been deleted. This type of information is not discernable from the materials as currently produced.

Ms. Heard's counsel exchanged further correspondence on this issue but ultimately reached an impasse, thus necessitating this motion.

### ARGUMENT

Under Virginia law, the scope of discovery extends to “any matter, not privileged, which is relevant to the subject matter” of the action, including discovery related to any party's claims or defenses. Va. S. Ct. R. 4:1(b)(1). Here, Mr. Depp alleges that Ms. Heard defamed him when she publicly accused him of domestic abuse in the Op-Ed, and that her allegations of abuse are outright lies. Testing the authenticity and veracity of the photographs and other documents that Ms. Heard has cited as evidence of abuse could not be more relevant or more critical to a central issue – whether she made everything up. Whether this purported evidence is authentic, accurate, and complete can only be determined via forensic imaging and analysis.

Virginia law does not permit Ms. Heard to offer alleged evidence of abuse, while depriving Mr. Depp of the ability to determine whether her evidence has been modified or manufactured. The jury's assessment of the credibility of such evidence may well be case determinative, and since the veracity of Ms. Heard's evidence is directly at issue and directly in dispute, discovery on that issue is manifestly reasonable and appropriate. *See, e.g., Genworth Financial Wealth Management, Inc. v. McMullan*, 267 F.R.D. 443 (D. Conn. 2010); *HIS Global Limited v. Trade Data Monitor LLC*, No. 2:18-cv-01025, 2019 WL 7049687 at \* (D.S.C. 2019); *Company v. Global Bio-Fuels Technology, LLC*, No. 1:12-CV-1292, 2016 WL 6605070 at \*2 (N.D.N.Y. 2016).

Any legitimate privacy or privilege concerns can be easily addressed through simple safeguards. Forensic imaging and analysis of devices in civil litigation have become commonplace and there are well-established procedures to safeguard against the disclosure of irrelevant and

privileged information. To strike a balance between Mr. Depp's critical need for this information and any privacy concerns, Mr. Depp proposes the following procedure:

1. Mr. Erickson will travel to the location of Ms. Heard's devices and conduct an on-site forensic imaging of the relevant devices. Depending on the type of device, a "physical" (byte-by-byte), "CheckM8," or "advanced logical" image will be taken.

2. After the device is imaged, relevant categories of data will be extracted for review and analysis using the parameters set forth in **Exhibit 7**. Only the extracted data (as opposed to the forensic image) can be and will be reviewed by anyone. The remaining data from the forensic image will be destroyed on site promptly after the imaging and extraction has occurred.

3. Once the extraction is complete, a neutral third-party attorney will review the extracted data to identify and isolate any irrelevant or privileged information that will not be subject to Mr. Neumeister's forensic analysis. Any irrelevant or privileged information identified by the third-party attorney will be isolated and destroyed on-site and will not be disclosed to or reviewed by anyone else, including Mr. Neumeister. Mr. Depp proposes that the Court-appointed conciliator, Stephen Cochran, act as the neutral third-party attorney.

4. The relevant data from the extraction will, in the first instance, be treated as attorneys' and expert's eyes only. Mr. Neumeister will conduct his analysis of the relevant data from the extraction and the parties' attorneys (and Ms. Heard's expert(s)) will be permitted to review this set of data. Once both parties' attorneys have had an opportunity to review the data that Mr. Neumeister has/will be analyzing, the data shall be re-designated or de-designated consistent with the operative Protective Order in this action.



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

Dated: September 24, 2021





Ms. Heard's motion proceeds from a fundamentally false premise and contains gross mischaracterizations and flawed logic. In fact, Mr. Depp offered to consider a proposal from Ms. Heard for a reasonably particularized and targeted imaging. But Ms. Heard, who has stonewalled Mr. Depp's efforts to image the devices that contain the key evidence upon which her case relies, instead rushed to file her retaliatory motion. Ms. Heard's motion is both substantively defective – since *Ms. Heard does not even attempt to establish that a forensic imaging of Mr. Depp's devices is actually necessary in preparing her case* – and premature. As for Defendant's arguments regarding purported deficiencies in the production of two recordings and four photographs, Ms. Heard is mistaken (and, moreover, failed to properly raise the issue with Mr. Depp's counsel prior to filing her motion). The Court should deny Ms. Heard's motion.

**I. Ms. Heard Filed Her Motion for an Improper Purpose**

Effectively admitting that her objective in filing her motion was to harass and retaliate against Mr. Depp, Ms. Heard claims that the forensic imaging of her devices sought by Mr. Depp in his pending motion is “unwarranted” and “unnecessary” – but then asserts that if what she believes to be “unwarranted” and “unnecessary” discovery is ordered against her, then it should be imposed on Mr. Depp, too. That is, Ms. Heard asks the Court to order discovery she considers “unnecessary,” simply to even the score with Mr. Depp.<sup>1</sup>

Mr. Depp states compelling reasons why a forensic imaging of Ms. Heard's devices is necessary. By contrast, Ms. Heard does not even attempt to explain why the Court should order a

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<sup>1</sup> Further supporting the inference that this is a purely retaliatory motion is the fact that it did not apparently occur to Ms. Heard's counsel that she wanted to pursue a forensic imaging of Mr. Depp's devices until after Mr. Depp asked for a forensic imaging of Ms. Heard's devices – in much the same way that Ms. Heard's counsel responded to Mr. Depp's manifestly appropriate request for an IME of Ms. Heard by demanding that Mr. Depp undergo one as well. The Court correctly rejected Ms. Heard's argument for a retaliatory IME and should reject her argument for a retaliatory forensic imaging as well.

forensic imaging of Mr. Depp's devices (*and effectively admits that she needs no such thing*).

The Court should reject this transparent discovery abuse.

## II. Ms. Heard's Demand For "Mutuality" Is Inappropriate

Ms. Heard's demand for mutuality is based on the false premise that the parties are identically situated, and that whatever discovery Ms. Heard has to provide should be provided by Mr. Depp as well. Not so. As set forth in Mr. Depp's pending motion, an inspection of Ms. Heard's devices is warranted because the validity of the evidence created and maintained on those devices is directly at issue and goes to the core of this case. Mr. Depp contends that Ms. Heard made up her claims of abuse and used the specific devices Mr. Depp seeks to inspect to support her fraud with falsified and/or manufactured "evidence." There is a close connection between the issues in this case and Ms. Heard's devices.

But it does not follow that the order on Mr. Depp's motion must be "mutual."<sup>2</sup> While "forensic imaging is not uncommon in the course of civil discovery" it is clear that "compelled forensic imaging is not appropriate in all cases," and "courts have been cautious in requiring the mirror imaging of computers where the request is extremely broad in nature and the connection between the computers and the claims in the lawsuit are unduly vague or unsubstantiated in nature[.]" *John B. v. Goetz*, 531 F.3d 448, 460 (6th Cir. 2008). The crucial question is whether the devices themselves are legitimately at issue. *There must be a clear nexus between the parties' claims and the electronic devices sought to be inspected.* See, e.g., *Genworth Financial Wealth Management, Inc. v. TJT Capital Group, LLC*, 267 F.R.D. 443 (D. Conn. 2010) ("as [the

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<sup>2</sup> Indeed, it would make little sense to make the order "mutual" even if the Court were to conclude that a forensic imaging of Mr. Depp's devices were required, since Mr. Depp's motion is targeted toward the information and timeframes relevant to *Ms. Heard's* evidence. If Ms. Heard wishes to discuss targeted categories of Mr. Depp's evidence for which she wants a forensic review, then it is incumbent on her to come up with her own categories and timeframes.

plaintiff] has alleged and provided evidence supporting its contention that the Defendants used the computers, which are the subject of the discovery request, to secrete and distribute plaintiff's confidential information there is a sufficient nexus between [the plaintiff's] claims and its need to obtain a mirror image of the computer's hard drive, warranting the imaging requested by the Plaintiff"); *Calyon v. Mizuho Securities USA Inc.*, No. 07-CIV-02241-RODF, 2007 WL 1468889 at \*3 (S.D.N.Y. 2007) (courts "consider the relationship between the plaintiff's claims and the defendants' computers"); *Ameriwood Industries, Inc. v. Liberman*, No. 4:06CV524-DJS, 2006 WL 382591 at \*4 (E.D. Mo. 2006) ("defendants are alleged to have used the computers, which are the subject of the discovery request, to secrete and distribute plaintiff's confidential information"); *Balboa Threadworks, Inc. v. Stucky*, No. 05-1157-JTM-DWB, 2006 WL 763668 at \*4 (D. Kan. 2006) ("the alleged infringement in this case is claimed to have occurred through the use of computers to download copyrighted material, the importance and relevance of computer evidence is particularly important").

As noted above, a clear nexus exists between the issues in this action and Ms. Heard's devices. This case revolves around the falsity of Ms. Heard's allegations of abuse. Ms. Heard created photographic and other documentary evidence on these devices purporting to establish abuse in support of her defamatory campaign and litigation against Mr. Depp, "evidence" which is belied by the credible *be bene esse* testimony of Officers Melissa Saenz and Tyler Haddon (and several other witnesses). Mr. Depp contends that Ms. Heard falsified and manufactured much of her evidence, for instance by staging and/or digitally editing photographs. ***The outcome of this case could conceivably turn on the jury's assessment of the credibility and authenticity of the evidence Ms. Heard created and maintained on her devices – i.e., the photographs and***

other evidence that purport to document abuse. Mr. Depp's demand for an inspection therefore is vital to explore one of the core issues in this case.

The same *cannot* be said of Mr. Depp's devices. This case does *not* center on allegations that Mr. Depp manufactured evidence of his own injuries. In general, Ms. Heard does not even appear to contest the existence of Mr. Depp's injuries; she merely denies that she was the cause of them. Nor is there any allegation that the handful of photographs referred to in Ms. Heard's Motion were in any way doctored. Of note, the photographs cited in the Motion appear to have been obtained from a third party, Sean Bett, and were not even generated on Mr. Depp's devices. And in any event, the ultimate issue in this case turns on the falsity of Ms. Heard's claimed injuries, not Mr. Depp's. As such, the fact that a handful of photographs have been produced showing Mr. Depp's injuries is a woefully thin basis to seek any imaging of Mr. Depp's devices, much less the broad "mutuality" that Ms. Heard proposes.

Simply put, Ms. Heard has not stated a valid basis to image Mr. Depp's devices, nor has she proposed an appropriately tailored or logical protocol, and the Motion should be denied.

### **III. Ms. Heard's Complaints About Particular Documents Are Misguided**

Mystifyingly, Ms. Heard asserts that Mr. Depp produced only "selected excerpts" of two audio recordings that were produced under the Bates numbers DEPP8271 and DEPP17814 (the "Audio Recordings"), hurling false and wild accusations of "willful contempt" and demands for sanctions.

Ms. Heard is wrong. It was the *Sun*, one of the defendants in the U.K. case, not Mr. Depp, which first produced the Audio Recordings to Mr. Depp's British counsel during the U.K. action. Presumably the *Sun* obtained them from Ms. Heard. The Audio Recordings were then produced by Mr. Depp as part of the trial bundles from the U.K. action sought by Ms. Heard. We

reproduced the Audio Recordings in this case in the same version as received from Mr. Depp's U.K. counsel, which previously received them from the *Sun*. If they contain only partial conversations, then either only part of the conversations were ever recorded, or Ms. Heard, or someone on her behalf, altered them.

We have repeatedly made clear to Ms. Heard's counsel that all recordings of the parties have been produced (while of course always reserving the right to produce after discovered documents). Ms. Heard's counsel never identified these two recordings prior to filing this motion, although at various points her counsel made vague allusions to supposedly partial recordings. Indeed, it was only when counsel for Mr. Depp reviewed the Motion that they became aware of which particular recordings Ms. Heard was contending are mere "excerpts."<sup>3</sup>

Ms. Heard also complains that certain photographs were produced in PDF without metadata.<sup>4</sup> Those documents, however, produced as part of the trial bundles from the U.K. case, are in the same format from that action, and, moreover, appear to have as their source a third party, Sean Bett. Mr. Depp has produced files with appropriate metadata that is available to him. If Ms. Heard identifies particular documents that she wishes to further examine, Mr. Depp will cooperate with reasonable requests for native versions, to the extent he is in possession of the same, but he cannot produce what he does not have. This is an issue that should be addressed by meet and confer, not by motion.

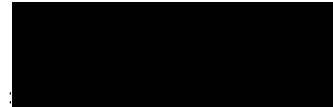
Accordingly, the Court should deny Defendant Heard's motion in its entirety.

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<sup>3</sup> For instance, as reflected in **Exhibit A** hereto, at the end of a lengthy email from Ms. Heard's counsel there is a brief reference to unspecified audio files produced as excerpts, without any reference to the relevant Bates numbers.

<sup>4</sup> Ms. Heard and affiliated third parties have repeatedly produced pictures as PDFs without metadata.

Respectfully submitted,



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

Dated: October 22, 2021

Attachment 25

FILED UNDER SEAL

(Pursuant to the Stipulated Amended Protective Order entered by the  
Court on June 21, 2021)

