

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

FILED
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2020 JUN 12 PM 3:30

JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

**DEFENDANT AMBER LAURA HEARD'S MEMORANDUM IN SUPPORT OF
HER MOTION TO COMPEL PRODUCTION OF DOCUMENTS, INTERROGATORY
RESPONSES & ENFORCE THIS COURT'S OCTOBER 18, 2019 ORDER**

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PRELIMINARY STATEMENT

Mr. Depp's discovery responses and document productions in this case are woefully inadequate and fail to satisfy even the most rudimentary principles of Virginia's discovery rules. Mr. Depp has refused to produce highly relevant documents in his possession and control that have come to light in similar, pending litigation in the United Kingdom. Rather than providing discovery in the forum he selected, Mr. Depp has repeatedly and selectively leaked relevant documents in his possession to the press and on social media without producing them to Ms. Heard.

Mr. Depp has provided deficient Interrogatory responses and has failed to satisfy his production obligations under this Court's October 18, 2019 Order, requiring him to complete production of documents by November 15, 2019—nearly seven (7) months ago. And when Mr. Depp has produced documents, those documents have been plagued with errors that prevent Ms. Heard from viewing their contents—errors that Mr. Depp's counsel have refused to address even after multiple requests. This conduct is inconsistent with Mr. Depp's discovery obligations and frustrates Ms. Heard's right to a fair trial.

ARGUMENT

A. Discovery Produced in the Related UK Litigation Against NGN

Mr. Depp has failed to produce highly relevant (and damaging) documents in this action that he was forced to produce in the UK defamation case he brought against NGN, the parent company of newspaper *The Sun* (the "NGN case"), where Mr. Depp alleges *The Sun* defamed him by claiming he was physically violent toward Ms. Heard. Mr. Depp's refusal to produce these documents is unjustifiable because the NGN case centers on a core issue in this action, namely, Mr. Depp's violent conduct toward Ms. Heard. These documents have been reviewed and produced in the NGN litigation and can be re-produced here with zero burden. These documents include, but are not limited to, the following text messages:

- November 6, 2013: Texts in which Mr. Depp conveyed to actor Paul Bettany his desire to maim, kill, and sexually assault Ms. Heard, writing “Let’s burn Amber!!!” and “Let’s drown her before we burn her!!! I’ll fuck her burnt corpse afterwards to make sure she is dead.”
- May 30, 2014: Additional texts to Mr. Bettany in which Mr. Depp corroborated Ms. Heard’s account of a private plane fight and contradicts his own: “I’m gonna properly stop the booze thing, darling... Drank all night before I picked Amber up to fly to LA, this past Sunday... Ugly, mate... No food for days... Powders... Half a bottle of Whiskey, a thousand red bull and vodkas, pills, 2 bottles of Champers on plane and what do you get...??? An angry, aggro Injun in a fuckin’ blackout, screaming obscenities and insulting any fuck who got near...I’m done. I am admittedly too fucked in the head to spray my rage at the one I love... For little reason, as well I’m too old to be that guy But, pills are fine!!!”¹

The UK productions (trial bundles), including the texts above, are central to issues in dispute and responsive to numerous requests issued to Plaintiff.² Mr. Depp’s failure to produce these text messages in this action is inexplicable. And it is troubling to think that had these texts had not been read aloud in UK court and reported in the press,³ Ms. Heard would not even know about them. Mr. Depp should be ordered to turn over the entire UK production without delay.

B. Leaked Materials

Mr. Depp has repeatedly leaked relevant documents to the press instead of producing them to Ms. Heard. It appears Mr. Depp has leaked at least the following items to media outlets on an

¹ These messages came to light in the NGN case only after extensive disclosure failures on Mr. Depp’s part, which the Judge found “troubling.” The transcripts of these proceedings are not yet available but Ms. Heard would be happy to provide them to the Court once available.

² These texts are responsive to Defendant’s Second RFP 4 (requesting documents that “refer or relate to You, Ms. Heard, any act of violence committed by You against any other of Your Romantic Partners, or the claims and defenses in this Action, from January 1, 2010 to the present”) and Third RFP 4 (requesting documents “from 2010 to the present, authored, written transmitted, sent, or received by Mr. Depp containing discussion of or language reflecting misogyny, sexism, hatred of women, racism, homophobia, rape, violence toward women, abuse of women, and/or killing women.”). The trial bundles are responsive to these and numerous other request. *See, e.g.*, First RFP Nos. 3-7, 15, 30-41, 43-44; Second RFP Nos. 2-10, and 22; Third RFP No. 4. Copies of Defendant’s First, Second and Third RFPs are attached hereto, respectively, as **Exhibits 1-3**.

³ *See* Phoebe Southworth, *Johnny Depp Told Doctor He Chopped Off His Own Finger*, TELEGRAPH (Mar. 18, 2020).

“Exclusive” basis before—and in many cases without ever—producing them to Ms. Heard:

- Six Declarations from: David J. Killackey, Sr.; Kate James; Winona Ryder; Penelope Cruz; Vanessa Paradis; and Javier Bardem. These Declarations were leaked to a website, which published them on November 30, March 11, March 12, March 14, March 16, and March 24, respectively. Only the Killackey Declaration has been produced in discovery to Ms. Heard, and only after it was leaked.
- Three audio recordings of Mr. Depp and Ms. Heard, which were leaked to a British newspaper and published on January 31, February 5, and March 17. The first two recordings were produced only after they were leaked; the third has not been produced.
- An audio recording of a 911 call apparently made on the night of May 21, 2016. This recording was leaked to a British newspaper, which published it on April 27, 2016, along with speculative and false comments from Mr. Depp’s counsel. This audio recording has not been produced.
- Undated screenshots of surveillance footage of an elevator, purporting to show Ms. Heard with Elon Musk, which were leaked to a British newspaper and published on March 26, 2020. The photos and surveillance footage still have not been produced to Ms. Heard.

Mr. Depp has also leaked numerous discoverable materials to a Twitter user in an apparent effort to rehabilitate his image through social media platforms. For example, on April 6, 2020, a Twitter user posted a video with a title containing the claim, “NEW EVIDENCE!!”⁴ that includes:

- A November 2019 Declaration from Benjamin King, who purports to be the House Manager in Australia for Mr. Depp and Ms. Heard during a time period which includes March 2015—when Mr. Depp’s finger was injured. This Declaration contains the case caption for this matter in Fairfax County but has not been produced to Ms. Heard.
- Medical records from Gold Coast University Hospital in Australia regarding Mr. Depp’s finger injury, which still have not been produced to Ms. Heard, despite this Court’s October 18 Order compelling Mr. Depp to produce medical records from this emergency room trip.⁵
- A video of the Deposition of Raquel Pennington during Mr. Depp and Ms. Heard’s 2016 divorce proceedings, which has not been produced to Ms. Heard.

On May 1, 2020, the same Twitter user posted another Declaration signed by Josh Richman on November 16, 2019,⁶ which contains the case caption for this matter in Fairfax but has not

⁴ See <https://twitter.com/ThatBrianFella/status/1247305967374606337>.

⁵ This Court’s October 18, 2019 Order is attached hereto as **Exhibit 4**.

⁶ See <https://twitter.com/ThatBrianFella/status/1256293243576352770>.

been produced despite explicit requests for such Declarations. *See, e.g.*, Def.'s First RFP 1.

C. Plaintiff's Deficient Responses to Defendant's Interrogatory Nos. 9-11, 14 and 16⁷

- INT 9-10: Interrogatory 9 requests the identity of and information relating to services sought and received from each of Mr. Depp's mental and/or physical health care providers since 2010. Interrogatory 10 requests information related to each prescription drug that Mr. Depp has been prescribed since 2010 and the providers that prescribed such medications.
 - Mr. Depp has failed to identify responsive information, and failed to incorporate any specific document(s) containing responsive information. *See* Rule 4:8(d), (f).
- INT 11 asks Mr. Depp to identify whether he was under the influence of alcohol, medication, or drugs at the time of each instance of physical violence or abuse alleged in Ms. Heard's Declaration and to provide related information (such as the substance(s) consumed, the amount consumed and its effects).
 - Mr. Depp refused to answer this interrogatory on the grounds that he "denies all allegations of physical violence and abuse in Ms. Heard's declaration." This is improper. *See* Rule 4:8(e). A party cannot simply deny allegations to avoid providing factual information related to those allegations.
- INT 14 seeks information of instances where persons other than Ms. Heard accused Plaintiff of acts of physical violence, abuse, or destruction of property, and requests details related thereto, including whether Plaintiff was under the influence of alcohol, medication or illegal drugs at the time.
 - Rather than answering the interrogatory asked, Plaintiff again "denied all of Ms. Heard's allegations" and failed to appropriately respond. *See* Rule 4:8(e).
- INT 16 seeks facts and computations of monetary damages sought by Plaintiff.
 - Despite Plaintiff's \$50 million dollar *ad damnum*, Plaintiff failed to provide any factual response. Defendant is entitled to facts that support Plaintiff's *ad damnum*.

D. This Court's Prior Order Compelling Production

Mr. Depp still has not completed production of documents the Court ordered him to produce by November 15, 2019. The Court has significant discretion in imposing an appropriate sanction for Mr. Depp's disobedience of its discovery Order. *See American Safety Cas. Ins. Co. v. C. G. Mitchell Constr.*, 268 Va. 340, 353, (2004); Rule 4:12(b)(2). Mr. Depp, for example:

- Failed to produce all documents and medical records regarding his trip to the emergency

⁷ Defendant's First Set of Interrogatories are attached hereto as **Exhibit 5**.

room in Australia or the three surgeries to reconstruct his finger. *See* First RFP 43-44. Further, his production of documents and communications with Dr. Kipper contains redactions that appear to relate to highly relevant events, including notes about the finger injury that go beyond redactions permitted by the Protective Order.⁸ *See* First RFP 38.

- Failed to produce any documents relating to his arrests, including in France, nor has he submitted a release to obtain his records from the Vancouver Police. *See* First RFP 41.
- Failed to produce all agreements with his former partners, (First RFP 42); he has produced only two such agreements that are not final executed versions—one with his first wife from July 2005 that was not signed by either party, and one from July 2015 that was signed by Mr. Depp’s former partner but not Mr. Depp. News reports from June 2012 state that Mr. Depp signed a settlement agreement with his former partner Vanessa Paradis in which he agreed to pay her \$150 million⁹—this agreement has not been produced. In addition, an email produced by Mr. Depp (which he designated confidential) indicates that he entered into a settlement agreement with his former partner and a third individual in October 2015—this agreement also has not been produced.

E. Production Errors & Failure to Provide Basic ESI Metadata

Mr. Depp’s limited productions have been plagued with errors. Nearly all documents contain no or limited metadata—contrary to standard practice and prior representations between the parties concerning ESI¹⁰—making it difficult if not impossible to determine when documents were created or modified and prejudicing Ms. Heard’s ability to analyze evidence and confront witnesses. Hundreds of documents contain only “Empty File – Conversion Error” or are completely blank. The file names or documents make clear these are relevant documents, including pathology reports, blood tests, an MRI of Mr. Depp’s brain and C spine, and X-rays and a CT scan of his finger. Ms. Heard has asked repeatedly for Mr. Depp to correct these errors, to no avail.¹¹

⁸ A copy of the Protective Order is attached hereto as **Exhibit 6**.

⁹ *See* Chris Rogers, *Johnny Depp Giving \$150 Million To Vanessa Paradis in Split Settlement – Report*, HOLLYWOOD LIFE (Jun. 21, 2012), <https://hollywoodlife.com/2012/06/21/johnny-depp-vanessa-paradis-split-settlement/>.

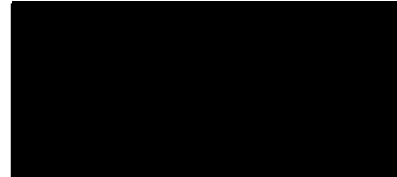
¹⁰ Plaintiff’s original ESI proposal to Defendant and representative correspondence related to attempts to finalize an ESI protocol are attached hereto as **Exhibit 7**.

¹¹ Representative Deficiency Letters to Plaintiff attached hereto as **Exhibit 8**.

Dated this 12th day of June 2020

Respectfully submitted,

Amber L. Heard



By Counsel: _____

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Counsel to Defendant Amber Laura Heard

CERTIFICATE OF SERVICE

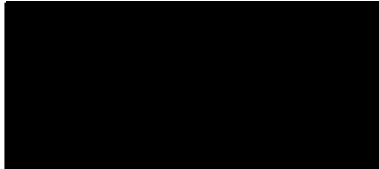
I certify that on this 12th day of June 2020, a copy of the foregoing shall be served by first class mail, postage prepaid, and by email, upon:

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Exhibit 1

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

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2020 JUN 12 11:30
JOHN T. FREY
CLERK, CIRCUIT COURT
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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 HEAR'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS AND THINGS**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard's First Request for Production of Documents and Things (each, a "Request" and collectively, the "Requests"), dated July 30, 2019 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Instructions

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

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

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

RESPONSE: No objection.

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

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

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

Definitions

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

RESPONSE: No objection.

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

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

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

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

RESPONSE: No objection.

REQUESTS FOR PRODUCTION

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

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

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

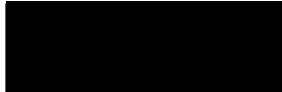
RESPONSE:

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

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

Dated: September 3, 2019

Respectfully submitted,


Benjamin G. Chew (VSB #29113)
Elliot J. Weingarten (*pro hac vice*)
Camille M. Vasquez (*pro hac vice application pending*)
Andrew C. Crawford (VSB #89093)
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- and -

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1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

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

Timothy J. McEvoy, Esq.
Sean Patrick Roche, Esq.
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egeorge@bgrfirm.com
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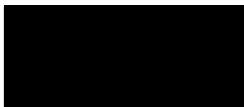

Benjamin G. Chew

Exhibit 2

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents not within the possession, custody or control of Plaintiff. Plaintiff will produce documents from a relevant time period to be negotiated with Defendant in good faith.

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

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

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

Definitions

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

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

RESPONSE: No objection.

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

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

m *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 documents and/or communications, including but not limited to contracts, between You or any entity listed in Your response to Interrogatory No. 7, on the one hand, and Premier Group International, An Investigative and Security Corporation, on the other.

RESPONSE:

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

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

2. All documents and/or communications referring or relating to policies, guidance, directions, or instructions given by You to, or any practices adopted by, Your security personnel (including but not limited to Sean Bett, Malcom Connolly, Jerry Judge, or anyone employed and/or contracted by Premier Group International), including but not limited to such policies, guidance, directions, or instructions relating to property damage caused by You, Your use or abuse of drugs or alcohol, or any interactions or altercations between You and others, including Defendant or Your other Romantic Partner.

RESPONSE:

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

extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

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

3. All documents and/or communications with any of the following people that refer or relate to You, Ms. Heard, any act of violence committed by You against any other of Your Romantic Partners, or the claims and defenses in this Action, from January 1, 2010 to the present: Alejandro Romero, Ben King, Bobby de Leon, Brandon Patterson, Bruce Witkin, C.J. Roberts, Dr. Connell Cowan, Cornelius Harrell, Dr. David Kipper, Elizabeth Marz, Erin Boerum (Falati), iO Tillett Wright, Isaac Baruch, Joel Mandel, Josh Drew, Keenan Wyatt, Kristina Sexton, Laura Divenere, Lisa Beane, Melissa Saenz, Nathan Holmes, Raquel Pennington, Samantha McMillen, Sam Sarkar, Savannah McMillan, Tara Roberts, Todd Norman, Trinity Esparza, Trudy Salven, Tyler Hadden.

RESPONSE:

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

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

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

4. All documents and/or communications with anyone not listed in Request 51 that refer or relate to You, Ms. Heard, any act of violence committed by You against any other of Your Romantic Partners, or the claims and defenses in this Action, from January 1, 2010 to the present.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it seeks documents and communications regarding “any” “romantic partners.” Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it refers to “Request 51.” Defendant has not served any request for production numbered “51.”

In light of the foregoing objections, Plaintiff will not produce any documents in response to this Request until Defendant clarifies "Request 51." Upon clarification of this ambiguity, Plaintiff will re-evaluate this Request to determine whether he will produce documents in response.

5. Copies of all of Your personal journals and/or diaries from 2010 to the present.

RESPONSE:

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

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

6. A complete copy of all medical records, charts and files from any mental and/or physical health care providers who have seen, consulted, examined or provided treatment or services to You that are identified in response to Interrogatory No. 9, from 2010 to the present, including but not limited to Dr. David Kipper.

RESPONSE:

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

extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to the extent that it seeks documents outside of his possession, custody or control. Plaintiff further objects to this Request to the extent it calls for confidential, personal business, financial, medical, or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Plaintiff further objects on the grounds that this Request calls for a medical and/or legal conclusion.

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

7. Copies of any and all correspondence or other records that You or anyone acting on Your behalf received from or sent to: (1) any mental and/or physical health care providers identified in Your response to Interrogatory No. 9, from 2010 to the present; and (2) any health insurer providing you coverage for any medical, psychiatric, counseling, rehabilitation or other care from 2010 to the present.

RESPONSE:

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

seeks documents outside of his possession, custody or control. Plaintiff further objects to this Request to the extent it calls for confidential, personal business, financial, medical, or other proprietary information protected by law, including information that may be protected by the physician-patient privilege and/or the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Plaintiff further objects on the grounds that this Request calls for a medical and/or legal conclusion.

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

8. Documents sufficient to show any prescription drugs You have obtained from January 2010 to the present, including any prescription drugs You currently take.

RESPONSE:

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

Accountability Act of 1996 ("HIPAA"). Plaintiff further objects on the grounds that this Request calls for a medical and/or legal conclusion.

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

9. All documents and/or communications concerning the alleged injury to Your finger referred to in Paragraphs 15 and 28 of the Complaint with any person or entity involved in the production of any film.

RESPONSE:

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

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

10. All documents and/or communications concerning the alleged injury to Your finger referred to in Paragraphs 15 and 28 of the Complaint with any insurer, or relating to any insurer or insurance policy.

RESPONSE:

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

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

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

11. All documents and/or communications, from 2010 to the present, with any person or entity regarding any attempts to purchase or procure insurance for any film, performance, appearance or advertisement involving You, including, without limitation, all films referred to in paragraphs 71-73 of the Complaint.

RESPONSE:

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

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

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

RESPONSE:

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

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

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

RESPONSE:

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

14. Documents sufficient to show Your income, all sources thereof, and any related expenses for each calendar year from 2010 to the present.

RESPONSE:

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

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

15. Documents sufficient to show the ownership and control of and/or management rights over each entity listed in Your response to Interrogatory No. 7 for each calendar year from January 1, 2010 to present.

RESPONSE:

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

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

16. Documents sufficient to show all transactions from January 1, 2010 to the present between you or any of the entities listed in Your response to Interrogatory No. 7, on the one hand, and any of the following individuals, on the other: Alejandro Romero, Ben King, Bobby de Leon, Brandon Patterson, Bruce Witkin, C.J. Roberts, Christi Dembrowski, Dr. Connell Cowan, Cornelius Harrell, Dr. David Kipper, Debbi Lloyd, Erin Boerum (Falati), Isaac Baruch, Jerry Judge, Joel Mandel, Josh Drew, Keenan Wyatt, Kevin Murphy, Laura Divenere, Lisa Beane, Malcolm Connolly, Melissa Saenz, Nathan Holmes, Samantha McMillen, Sam Sarkar, Savannah McMillan, Sean Bett, Stephen Deuters, Tara Roberts, Todd Norman, Trinity Esparza, Trudy Salven, Tyler Hadden.

RESPONSE:

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

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

17. Copies of any reports, written memoranda or notes prepared by each expert witness You will or may call as a witness at trial of this matter.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as premature, and expressly reserves his right to supplement his response to this Request.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request, if any, in accordance with a schedule to be

agreed upon by the parties for expert discovery. For the avoidance of doubt, Plaintiff does not intend to produce any documents in response to this Request at this time.

18. Copies of any journal articles, learned treatises, periodicals, pamphlets, or any other type of publication that each of Your expert witnesses or specialists has used or relied upon in forming his or her opinions in this case, or that You otherwise will or may use at trial.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as premature, and expressly reserves his right to supplement his response to this Request.

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

19. Copies of all exhibits or demonstrative exhibits You or Your attorneys will or may use, introduce or attempt to introduce at the trial of this matter.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as premature, and expressly reserves his right to supplement his response to this Request.

Subject to and without waiving the foregoing objections, Plaintiff will produce non-privileged documents responsive to this Request that he intends to rely upon at trial, other than for the purposes of impeachment or cross examination, in accordance with a schedule to be agreed upon by the parties. For the avoidance of doubt, Plaintiff does not intend to produce any documents in response to this Request at this time.

20. Copies of all written statements taken or assembled in connection with this Action or with Your investigation, formal or informal, of the matters at issue in this Action, and all drafts and redlines/blacklines or edits thereof.

RESPONSE:

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

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

21. All documents viewed by, relied upon, or referred to in answering any Interrogatory propounded by Defendant.

RESPONSE:

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

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

22. To the extent not provided in response to other requests, all non-privileged documents, notes, records, tape recordings, video recordings, or other written or recorded materials prepared by You or on Your behalf concerning the occurrences described in the Complaint, including Defendant's alleged liability and Your alleged damages.

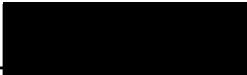
RESPONSE:

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

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

Dated: October 28, 2019

Respectfully submitted,


Benjamin G. Chew (VSB #29113)
Elliot J. Weingarten (*pro hac vice*)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
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- and -

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Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

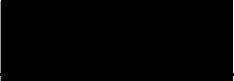
I hereby certify that on this 28th day of October 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

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

Exhibit 3

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 THIRD REQUEST FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard's Second Request for Production of Documents (each, a "Request" and collectively, the "Requests"), dated November 15, 2019 and served in the above captioned action ("Action") as follows:

GENERAL OBJECTIONS

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

2. Plaintiff objects to each and every Request to extent that they seek broad categories of documents and communications, when Plaintiff has already collected and run search terms through documents, and when Plaintiff has already reviewed and coded a significant number of documents based on Defendant's first and second requests of production.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Instructions

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents not within the possession, custody or control of Plaintiff. Plaintiff will produce documents from a relevant time period to be negotiated with Defendant in good faith.

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

RESPONSE: Plaintiff objects to this instruction as overly broad and unduly burdensome, to the extent that it requires production of documents from individuals and entities not under Plaintiff's control. Plaintiff will produce

documents from a limited number of custodians to be negotiated with Defendant in good faith.

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

Definitions

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

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

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

i ***Document.*** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term “document” shall

also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

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

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

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

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

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

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

RESPONSE: No objection.

REQUESTS

1. All letters, cards, gifts, photos, poems, writings, or other physical objects of any kind given by Ms. Heard to Mr. Depp or by Mr. Depp to Ms. Heard.

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome. Plaintiff further objects to this Request to the extent that it seeks any item given by Mr. Depp to Ms. Heard. Such items, by definition, are no longer in the possession, custody, or control of Mr. Depp, and, if they still exist, are in the possession, custody or control of Ms. Heard. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy.

In light of the foregoing objections, Plaintiff will produce non-privileged documents and objects given by Ms. Heard to Mr. Depp that are responsive to this Request, if any, that are located after a reasonable search. Plaintiff will produce non-privileged documents and communications sent by Mr. Depp to Ms. Heard, or by Ms. Heard to Mr. Depp, that are responsive to this Request, if any, to extent such documents and communications were sent electronically and can be located after a reasonable search. Plaintiff will not produce objects or physical documents given by Mr. Depp to Ms. Heard.

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

RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome. Plaintiff further objects to this Request to the extent it seeks documents and communications regarding “any” “Romantic Partners.” Plaintiff further objects to this Request as unlikely to lead to the

discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to extent that it seeks broad categories of documents and communications when Plaintiff has already collected and run search terms through documents, and when Plaintiff has already reviewed and coded a significant number of documents based on Defendant's First and Second Requests for Production.

In light of the foregoing objections, Plaintiff will not produce any documents in response to this Request other than documents Plaintiff has already agreed to produce in response to Defendant's First and Second Requests for Production.

3. All documents and/or communications, from 2010 to the present, concerning the development or production of any Performance and relating to shooting delays, Your contracts for acting or producing or other services, Your fees, and production reports.

RESPONSE:

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

and when Plaintiff has already reviewed and coded a significant number of documents based on Defendant's first and second requests of production

In light of the foregoing objections, Plaintiff will produce his contracts for acting or producing or other services, his fees, and production reports, if any, that are located after a reasonable search.

4. All documents and/or communications, from 2010 to the present, authored, written transmitted, sent, or received by Mr. Depp containing discussion of or language reflecting misogyny, sexism, hatred of women, racism, homophobia, rape, violence toward women, abuse of women, and/or killing women.

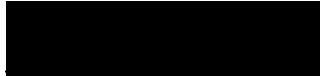
RESPONSE:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Request as overly broad and unduly burdensome. Plaintiff further objects to this Request to the extent it seeks "all" documents and communications from 2010 to present regarding many broad topics without any reasonable limitation in scope. Plaintiff further objects to this Request as unlikely to lead to the discovery of admissible evidence and that it seeks documents and communications that are irrelevant, immaterial, or unnecessary to the issues in this Action. Plaintiff further objects to this Request to the extent it is intended to harass Plaintiff, and constitutes an invasion of privacy. Plaintiff further objects to this Request to extent that it seeks broad categories of documents and communications at a time when Plaintiff has already collected and run search terms through documents, and when Plaintiff has already reviewed and coded a significant number of documents based on Defendant's first and second requests of production. Plaintiff further objects to this Interrogatory as unreasonably cumulative and duplicative of Defendant's First and Second Requests for Production, and for which Plaintiff has agreed to produce responsive documents.

In light of the foregoing objections, Plaintiff will not produce any documents in response to this Request other than documents Plaintiff has already agreed to produce in response to Defendant's First and Second Requests for Production.

Dated: December 20, 2019

Respectfully submitted,


Benjamin G. Chew (VSB #29113)
Elliot J. Weingarten (*pro hac vice*)
Camille M. Vasquez (*pro hac vice*)
Andrew C. Crawford (VSB #89093)
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601 Thirteenth Street NW, Suite 600
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Fax: (617) 289-0717
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- and -

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Kevin L. Attridge (*pro hac vice*)
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rgilmore@steinmitchell.com

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

Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December 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*)
KAPLAN HECKER & FINK, LLP
350 Fifth Avenue, Suite 7110
New York, New York 10118
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Davida Brook (*pro hac vice*)
SUSMAN GODFREY LLP
1900 Avenue of the Stars
Suite 1400
Los Angeles, California
Telephone: (310) 789-3105
dbrooke@susmangodfrey.com

A. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
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Roanoke, Virginia 24011
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Timothy J. McEvoy, Esq. (VSB No. 33277)
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tmcevoy@cameronmcevoy.com
sroche@cameronmcevoy.com

Counsel for Defendant Amber Laura Heard

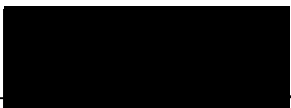

Benjamin G. Chew

Exhibit 4

4

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

ORDER

THIS CAUSE comes at the request of Defendant Amber Laura Heard, by counsel, who has filed a motion to compel discovery by Plaintiff John C. Depp, II. Having reviewed the parties' pleadings and heard their argument on this matter, it is hereby:

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

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

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

Judge, Circuit Court for the County of Fairfax

c. 11/15/19
10/18/19

We ask for this:

J. Benjamin Rottenborn (VSB # 84796)
Woods Rogers PLLC
10 S. Jefferson St. Suite 1400
Roanoke, VA 24014
{2651208-1, 121024-00001-01}

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

Benjamin G. Chow (VSB # 29113)

Exhibit 5

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

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

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

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

RESPONSE: No objection.

10. In answering each interrogatory:

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

Definitions

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

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

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

RESPONSE: No objection.

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

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection

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

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

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

RESPONSE: No objection.

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

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

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

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

RESPONSE: No objection.

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

RESPONSE: No objection.

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

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

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

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

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

RESPONSE: No objection.

INTERROGATORIES

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

ANSWER:

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

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

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

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

Blair Berk	Unknown
Jacob Bloom	Unknown

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

ANSWER:

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

ANSWER:

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

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

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

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

ANSWER:

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

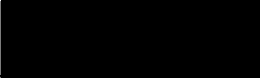
Subject to and without waiving the foregoing objections, Plaintiff identifies the divorce proceedings with Ms. Heard. Because Ms. Heard was a party to those proceedings, Mr. Depp will not describe them further. Plaintiff further identifies:

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

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

Dated: October 28, 2019

Respectfully submitted,


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CERTIFICATE OF SERVICE

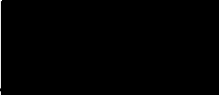
I hereby certify that on this 28th day of October 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

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



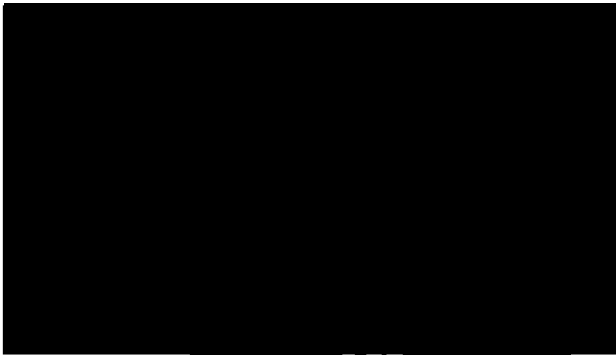
Benjamin G. Chew

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: _____



John C. Depp, II

Exhibit 6

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

PROTECTIVE ORDER

To expedite the flow of discovery materials, to facilitate the prompt resolution of disputes over confidentiality of discovery materials, to adequately protect information the Parties (as defined below as to both "Parties" and "Party") are entitled to keep confidential which should not be generally available to the public, to ensure that only materials the Parties are entitled to keep confidential are subject to such treatment, and to ensure that the Parties are permitted reasonably necessary uses of such materials in preparation for and in the conduct of these proceedings, it is HEREBY ORDERED THAT:

I. INFORMATION SUBJECT TO THIS ORDER

This Protective Order governs all "Confidential Information" produced in this litigation, including all copies, excerpts or notes thereof whether produced by the Parties or by non-Parties. Discovery materials produced in this case may be designated as CONFIDENTIAL, as set forth in Section A below, and/or may be redacted as set forth in Section B below. Any documents derived from or containing CONFIDENTIAL documents or information must also be designated CONFIDENTIAL in accordance with the terms of this Order. All CONFIDENTIAL information shall be used only for purposes of this litigation and not for any other purpose and shall be disclosed only in accordance with the terms of this Protective Order.

A. Information Designated as Confidential

1. For purposes of this Order, "CONFIDENTIAL" information shall mean all documents, materials, items, deposition testimony or information produced for or disclosed to a receiving Party that consist of or include any of the following: (i) personally identifying information, including but not limited to contact information, addresses, phone numbers, email addresses, social security numbers, identification card numbers, driver's license numbers, passport numbers, or other government identification numbers, and any other similar information, but excluding Financial Information (as defined in Section I.B below); (ii) medical records, including documents containing medical and/or psychological conditions, diagnoses, or treatment, communications with health care providers and their staff (including any doctor, surgeon, psychiatrist, dentist, nurse, psychologist, therapist, counselor, medical advisor, mental health provider, or specialist), and any information that would be protected under The Health Insurance Portability and Accountability Act of 1996 ("HIPPA"); and (iii) information in the nature of private journals or journal entries.

2. Any document or tangible thing consisting of or including any "CONFIDENTIAL" information may be designated as such by the producing Party by marking it "CONFIDENTIAL" prior to or at the time copies are furnished to the receiving Party. All "CONFIDENTIAL" information not reduced to documentary, tangible, or physical form, or which cannot be conveniently designated by marking it shall be designated by the producing Party informing the receiving Party of the designation in writing.

3. Information designated "CONFIDENTIAL" and information contained therein shall be available only to:

a. The Plaintiff and Defendant (collectively "Parties" and at times referred to individually as a "Party");

b. Counsel and supporting personnel employed in or by the law firm(s) of counsel of record, such as attorneys, paralegals, legal translators, legal secretaries, legal clerks, paralegals, litigation support personnel, and third-party vendors retained by the Parties or law firm(s) to assist in connection with this litigation;

c. experts and/or consultants retained to furnish expert and/or professional services specifically for this litigation or to give testimony in connection with this litigation, including independent experts hired specifically for this litigation, and employees of such experts and consultants hired specifically for this litigation and performing work in connection with this litigation;

d. judges and court personnel; the jury and alternates for any trial of this cause; certified court reporters acting as such; and to the extent necessary to prosecute any appeals of this action, the judges and court personnel of appellate courts (under seal or with other suitable precautions determined by the Court);

e. court reporters, their staffs, and professional vendors to whom disclosure is reasonably necessary in this action, including independent legal translators retained to translate in connection with this action and independent stenographic reporters and videographers retained to record and transcribe testimony in connection with this action;

f. graphics, translation, or design services retained by counsel for purposes of preparing demonstrative or other exhibits for deposition, hearing, trial, or other court proceedings in this action;

g. non-technical jury or trial consulting services;

h. mock jurors retained to prepare for trial or other court proceedings in this action;

- i. external vendors retained by counsel for purposes of this action;
- j. trial and deposition witnesses (including their attorneys) during the course of or in preparation for depositions or testimony in this lawsuit, to the extent reasonably necessary;
- k. representatives of any insurer providing a defense to any of the Parties.
- l. any person who is (i) identified on the face of the document as an author or recipient, or (ii) has been identified or designated to testify regarding a topic of the document; and
- m. any other person with the prior written consent of the producing Party or by agreement of the Parties.

4. Before disclosing documents pursuant to this Section (I)(A), and/or any information contained or reflected in the documents, designated as Confidential Information to any persons enumerated in paragraph 3 (c), (f)-(i), (k)-(l) above, Counsel must first inform each such person that the Confidential Information to be disclosed is confidential, to be held in confidence, to be used solely for the purpose of this litigation, and further, that these restrictions are imposed by a court order and obtain the person's signature on Attachment A hereto.

B. Information Subject to Redaction

5. A producing Party must redact unique identifiers pertaining to financial records, including bank account numbers, credit card numbers, usernames and passwords ("Financial Information"). Documents containing Financial Information shall be redacted but shall not be designated as CONFIDENTIAL in full solely on the grounds that they contain Financial Information.

II. CHALLENGES TO CONFIDENTIALITY DESIGNATIONS AND REDACTIONS

1. Nothing in this Order shall prevent a receiving Party from contending that any documents or information designated as Confidential Information or redacted have been improperly designated and/or redacted. A receiving Party may at any time request that the producing Party remove or modify the Confidential Information designation or redaction with respect to any document or information contained therein.

2. A Party shall not be obligated to challenge the propriety of a designation of any category of Confidential Information, or redaction of Financial Information, at the time of production, and a failure to do so shall not preclude a subsequent challenge thereto. Any challenge to the propriety of a designation of any category of Confidential Information, or redaction of Financial Information, shall be written, shall be served on counsel for the producing Party, and shall particularly identify the documents or information that the receiving Party contends should be differently designated or unredacted. The Parties shall use their best efforts to confer to resolve promptly and informally such disputes. If an agreement cannot be reached, the receiving Party may request that the Court remove or modify a designation or redaction. The burden of demonstrating the confidential nature of any information shall at all times be and remain on the designating Party.

3. Until a determination is made by the Court, the information in issue shall be treated as having been properly designated and/or redacted and subject to the terms of this Order.

III. NONPARTY USE OF THIS PROTECTIVE ORDER

1. A non-Party producing information or material voluntarily or pursuant to a subpoena or a court order may designate such material or information as Confidential Information, or may redact Financial Information, pursuant to the terms of this Protective Order.

2. A non-Party's use of this Protective Order to protect its Confidential Information and/or Financial Information does not entitle that non-Party access to the Confidential Information and/or Financial Information produced by any Party in this case.

IV. NO WAIVER OF PRIVILEGE

1. Nothing in this Protective Order shall require production of information that a Party contends is protected from disclosure by the attorney-client privilege, the work-product immunity, or other privilege, doctrine, right, or immunity. Moreover, if information subject to a claim of attorney-client privilege, work-product immunity, or other privilege, doctrine, right, or immunity is nevertheless inadvertently or unintentionally produced, such production shall in no way prejudice or otherwise constitute a waiver or estoppel as to any such privilege, doctrine, right, or immunity.

2. If any Party inadvertently or unintentionally produces materials protected under the attorney-client privilege, work-product immunity, or other privilege, doctrine, right, or immunity, any holder of that privilege, right, or immunity may obtain the return of those materials by notifying the recipient(s) promptly after the discovery of the inadvertent or unintentional production and providing a privilege log for the inadvertently or unintentionally produced materials. The recipient(s) shall (i) refrain from any further examination or disclosure of the claimed inadvertent or unintentional production material; (ii) if requested, promptly make a good-faith effort to return the claimed inadvertent or unintentional production material and all

copies thereof (including summaries and excerpts) to counsel for the producing Party, or destroy all such claimed inadvertent or unintentional production material (including summaries and excerpts) and all copies thereof, and certify in writing to that fact; and (iii) not use the inadvertent or unintentional production material for any purpose absent further order of the Court. Notwithstanding this provision, no person is required to delete information that may reside on the respective person's electronic back-up systems that are over-written in the normal course of business, provided such back-ups are not used to access or copy the inadvertently or unintentionally produced materials. Nothing herein shall preclude a party from moving for an order compelling production of the claimed inadvertent or unintentional production material, or requesting that the court review such inadvertent or unintentional production material in an in camera hearing to determine whether such material is subject to a claim of attorney-client privilege, attorney work product, or any other applicable privilege, or immunity.

V. PROVISIONS APPLICABLE TO ALL PROTECTED INFORMATION

1. No document or materials containing the "CONFIDENTIAL" stamp shall be copied in whole or in part without the "CONFIDENTIAL" designation and the identifying bates number appearing on the copy.

2. All Confidential Information shall be held in confidence by each person to whom it is disclosed, shall be used only for purposes of this litigation, and shall not be disclosed to any person who is not entitled to receive such information as herein provided. All produced Confidential Information shall be maintained with reasonable care taken to preclude access by persons who are not entitled to receive such information.

3. Except as may be otherwise ordered by the Court, any person may be examined as a witness at deposition, hearing, and trial and may testify concerning all Confidential Information of which such person is reasonably believed to have prior knowledge.

4. Any Party may designate as Confidential Information all or portions of transcripts of depositions, or exhibits thereto, containing Confidential Information, by making such designation either by statement of Counsel on the record at the deposition itself or by written notice, sent by Counsel to all Parties within twenty (20) days after receipt of the deposition transcript or other pretrial testimony and, in no event later than thirty (30) days after the date on which the deposition or other pretrial testimony is given, provided that only those portions of the transcripts designated as "CONFIDENTIAL" shall be deemed Confidential Information. The transcripts of any such deposition or exhibit shall be marked by the court reporter as "CONFIDENTIAL."

5. Any documents or materials that reveal Confidential Information that are to be filed with the Court shall initially be filed under seal. The Court hereby finds that, under the specific facts of this case, the categories of documents and information encompassed by this Order cannot be protected reasonably by some measure other than a protective order, and, thus restricting public access thereto is warranted. *See, e.g. Perreault v. The Free Lance-Star*, 276 Va. 375, 389–390 (2008).

6. Nothing in this Protective Order shall prevent any Party from seeking further protection with respect to the use of any such Confidential Information in connection with the trial, a hearing, or other proceeding in this litigation.

7. The provision of this Protective Order may be modified as to specified documents or other information by written agreement between counsel for the Parties. If counsel cannot

agree as to the disposition of such a request, any of them may apply to the Court for a ruling thereon after using their best efforts to confer to resolve promptly and informally such disputes.

8. Nothing in this Order shall restrict any Party or its counsel from disclosing or using, in any manner and for any purpose, its own Confidential Information .

9. Any of the notice requirements herein may be waived, in whole or in part in writing signed by counsel of record for the Party against whom such waiver will be effective.

10. Inadvertent or unintentional production of documents or things containing Confidential Information that are not designated Confidential Information, and/or inadvertent or unintentional production of documents or things containing Financial Information that are not redacted, at the time of production shall not be deemed a waiver in whole or in part of a claim for confidential treatment and/or redaction. The producing Party shall notify the receiving Party promptly after the discovery of the error in writing and, with respect to documents, provide replacement pages bearing the appropriate confidentiality legend. In the event of any unintentional or inadvertent disclosure of Confidential Information, or Financial Information, other than in a manner authorized by this Protective Order, counsel for the Party responsible for the disclosure shall immediately notify opposing counsel of all of the pertinent facts, and make every effort to further prevent unauthorized disclosure, including retrieving all copies of the Confidential Information or Financial Information from the recipient(s) thereof and securing the agreement of the recipients not to further disseminate the Confidential Information or Financial Information in any form. Compliance with the foregoing shall not prevent the producing Party from seeking further relief from the Court.

11. Within sixty (60) days after the entry of a final non-appealable judgment or order, or the complete settlement of all claims asserted against all Parties in this action, each Party

shall, at the option of the receiving Party, either return or destroy all physical objects and documents that embody Confidential Information it has received, and shall destroy, in whatever form stored or reproduced, all physical objects and documents, including but not limited to correspondence, memoranda, notes, and other work product materials that contain or refer to any category of Confidential Information. All Confidential Information not embodied in physical objects and documents shall remain subject to this Order. Notwithstanding this provision, no person is required to delete information that may reside on the respective person's electronic back-up systems that are over-written in the normal course of business, provided the files containing such Confidential Information are not accessed or copied from such back-ups. If a Party destroys Confidential Information, the destruction must be by means satisfactory to the producing Party, and the Party must provide to the producing Party a Certificate of Destruction swearing to compliance with this provision. Notwithstanding anything to the contrary, counsel of record for the Parties may retain one copy of documents constituting work product, a copy of pleadings, motion papers, discovery responses, deposition transcripts, and deposition and trial exhibits.

12. If at any time documents containing Confidential Information are subpoenaed by any court, arbitration tribunal, or administrative/legislative body, the person to whom the subpoena or other request is directed shall (a) give written notice thereof to every Party who has produced such documents and to its counsel by overnight mail and either email or facsimile within five business days of receipt of such subpoena, and (b) shall make a reasonable effort to provide each Party with five business days to object to the production of such documents. If a producing Party does not take steps to prevent disclosure of such documents within five business days of the date written notice is given, the Party to whom the referenced subpoena is directed

may produce such documents in response thereto. For the avoidance of doubt, nothing in this paragraph shall be construed as requiring any Party to subject itself to any penalties for noncompliance with any court order, subpoena, or other direction by a court, arbitration tribunal, or administrative/legislative body.

13. The Circuit Court of Fairfax County in Fairfax, Virginia is responsible for the interpretation and enforcement of this Protective Order. After termination of this litigation, the provisions of this Protective Order shall continue to be binding except with respect to those documents and information that become a matter of public record. This Court retains and shall have continuing jurisdiction over the Parties and recipients of the Confidential Information for enforcement of the provision of this Protective Order following termination of this litigation. All disputes concerning Confidential Information produced under the protection of this Protective Order shall be resolved by the Circuit Court of Fairfax County.

14. Execution of this Protective Order shall not constitute a waiver of the right of any Party to claim in this action or otherwise that any Confidential Information, or any portion thereof, is privileged or otherwise non-discoverable, or is not admissible in evidence in this action or any other proceeding.

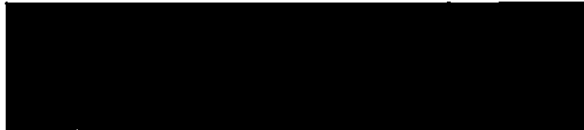
15. This Protective Order shall not apply to any document or information that is publicly available, or was, or is, independently acquired from a source other than the Parties or a non-party providing materials under this Protective Order.

16. This Protective Order shall become effective as between the Parties immediately upon submission to the Court for approval, notwithstanding the pendency of approval by the Court. If approval by the Court is ultimately denied, withheld, or made conditional, no Party shall treat any designated Confidential Information produced prior to that time in a manner

inconsistent with this Protective Order without giving the producing Party sufficient advance notice to allow for application to the Court for additional relief.

17. This Protective Order shall be binding upon the Parties hereto, their attorneys, and their successors, executors, personal representatives, administrators, heirs, legal representatives, assigns, subsidiaries, divisions, employees, agents, retained consultants and experts, and any persons or organizations over which they have direct control.


ENTERED this 25th day of September, 2019.



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

Bruce D. White

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by Joshua Treese with permission from Ben Chew

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Exhibit 7

**Plaintiff's September 4, 2019
ESI Proposal to Defendant**

PROTOCOL GOVERNING THE PRODUCTION OF ELECTRONICALLY STORED INFORMATION AND PAPER DOCUMENTS

1. **General Format of Production.** Defendant shall produce documents either (i) as electronic images with associated text files, metadata, and objective coding, or (ii) in native format, as further described herein.
2. **ESI Production.** With respect to production of Electronically Stored Information (“ESI”):
 - a. E-mail will be produced as image files with related searchable text, metadata (to the extent it exists) and bibliographic information, as described in the Metadata & Requested Field Names set forth in the table below.
 - b. Electronic documents including word-processing documents, spreadsheets, presentations and all other non-database electronic documents not specifically discussed elsewhere in this Protocol will be produced as image files with related searchable text, metadata (to the extent it exists) and bibliographic information as described in the Metadata & Requested Field Names except for:
 - i. Excel files will be produced in native format with related searchable text, metadata (to the extent it exists) and bibliographic information;
 - ii. PowerPoint files will be produced in native format with related searchable text, metadata (to the extent it exists) and bibliographic information;
 - iii. Access databases will be produced in native format with related searchable text, metadata (to the extent it exists) and bibliographic information;
 - iv. Other types of files that do not image properly (*e.g.*, audio or video files) will be produced in native format;
 - v. The parties shall meet and confer to agree on the form of production of ESI (*e.g.* proprietary or unique databases) other than the foregoing.
 - c. If specialized software that is not generally commercially available is required to access any produced ESI, Defendant shall make available such ESI for inspection through its own electronic systems.
3. **Hard Copy (or Paper) Documents.** Defendant shall produce hard-copy documents as image files with related OCR text to the extent such documents are converted into electronic format. All hard-copy documents shall be converted into electronic images for production purposes.

4. **Form and Manner of Production.** All production document images will be provided as single-page Tagged Image File Format (“TIFFs” or “.tiff format”). All images generated from hard copy documents shall be scanned as black and white images at 300 DPI resolution and shall be saved and produced in a Group 4 compression single-page “TIFF” format and reflect, without visual degradation, the full and complete information contained on the original document. Defendant shall produce a “load file” that is compatible with a commercially available document management software, such as Relativity, to accompany the images, which load file shall include information about where each document begins and ends to facilitate the use of the produced images through a document management or litigation support database system.

5. **Document Unitization.** Defendant shall apply unitization practices consistent with the following description. Each page of a hard copy document shall be scanned into an image and if a document is more than one page, the unitization of the document and any attachments shall be maintained as it existed in the original when creating the image file. For documents that contain affixed notes, the pages will be scanned both with and without the notes and those pages will be treated as part of the same document. The relationship of documents in a document collection (e.g., cover letter and enclosures, email and attachments, binder containing multiple documents, or other documents where a parent-child relationship exists between the documents) shall be maintained through the scanning or conversion process. If more than one level of parent-child relationship exists, documents will be kept in order, but all will be treated as children of the initial parent document. Such information shall be produced in the load file, as hereafter defined, in a manner to enable the parent-child relationship among documents in a document collection to be reconstituted by the receiving party in commercially available document management software, such as Relativity.

6. **Color.** Where an original document contains color, the Parties shall honor reasonable requests for the production of a color image of the document.

7. **De-Duplication.** Where a single document has more than one identical copy of a document (i.e., the documents are visually the same and contain the same electronic text), the Parties need only produce a single copy of that document; however, the production load file for that single copy must indicate all custodians/locations from which identical copies of that document existed and were collected prior to de-duplication. ESI may be de-duplicated across custodians

using industry standard hash values. If a duplicate document exists that is part of a document family, the duplicate will only be removed, pursuant to the terms of this paragraph, if the entire family is removed as a duplicate, i.e. a single document will not be removed from a family even if it is a duplicate.

8. **Bates Numbering.** Defendant shall produce imaged documents with a legible, unique page identifier (“Bates Number”) electronically “burned” onto the image at a location that does not obliterate, conceal, or interfere with any information from the source document. No other legend or stamp will be placed on the document image other than a confidentiality legend (consistent with any confidentiality protective orders agreed to in the future), redactions (where applicable) and the Bates Number identified above. Any confidential legend shall be “burned” onto the document’s image at a location that does not obliterate or obscure any information from the source document. With respect to the identification of files produced in their native format, the Bates Number and confidentiality designations, if any, shall be included in the load file accompanying the production of such native files. Bates Numbered slip sheets shall be provided for each native file produced.

9. **File Naming Conventions.** Each page image file shall be named with the unique Bates Number of the page of document, followed by the extension “.TIF”. In the event the Bates Number contains a symbol and/or character that cannot be included in a file name, the symbol and/or character will be omitted from the file name.

10. **Production Media.** Defendant shall produce documents on CD-ROM, DVD, external hard drive, an FTP site, or such other readily accessible computer or electronic media (the “Production Media”). Each piece of Production Media shall identify a production number corresponding to the production volume (e.g., “-001”; “-002”). Additional information that shall be identified on the Production Media or in an accompanying letter shall include: (1) the case number of the case in which it is produced, (2) the producing party’s name, and (3) the production date. The type of materials on the media (e.g., “Documents”, “OCR Text”, “Objective Coding”, etc.) and the Bates Number range(s) of the materials on the Production Media shall also be contained on the Production Media, and where not practicable to do so may be provided in an accompanying letter.

11. **Meta-Data and Objective Coding.** Defendant shall produce associated metadata and objective coding consistent with the description set forth below.

12. **OCR/Extracted Text.** Defendant shall produce corresponding Optical Character Recognition (“OCR”) text files for all hard-copy documents and any electronic documents that require redaction prior to production. For documents that exist natively in electronic format that have not been redacted and that are produced as images, Defendant shall produce extracted text files reflecting the full text that has been electronically extracted from the original, native electronic files. The OCR and extracted text files shall be produced in ASCII text format and shall be labeled and produced on Production Media in accordance with the provisions of paragraph 10. These text files will be named with the unique Bates Number of the first page of the corresponding document followed by the extension “.txt.” The OCR and extracted text files shall be produced in a manner suitable for importing the information into commercially available document management or litigation support software such as Concordance.

13. **Decryption.** Defendant shall take reasonable efforts to ensure that all documents produced in native format are decrypted.

Treece, Joshua

From: Treece, Joshua R.
Sent: Friday, September 20, 2019 5:06 PM
To: bchew@brownrudnick.com; Robert Gilmore; cvasquez@brownrudnick.com;
eweingarten@brownrudnick.com
Cc: Rottenborn, Ben; John Quinn; Roberta Kaplan
Subject: Draft ESI Protocol and Defendant's Search Terms
Attachments: Defendant's Search Terms.pdf; 9.20.19 Draft ESI Protocol (2635404x7A958).docx

Counsel:

As we previously discussed, we are sending for your consideration a draft ESI Protocol. We are also providing, as promised, Defendant's Search Terms. We understand you have not consented to the dates we proposed for exchanging search terms, but if you could get us your up to 10 additional terms/phrases for our consideration soon, we would appreciate it.

Thanks,

Josh

VIRGINIA :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

AGREED ORDER REGARDING DISCOVERY, INCLUDING DISCOVERY OF ESI

It is hereby ordered that the terms of this Agreed Order Regarding Discovery, Including Discovery of ESI shall apply to the collection and production of paper documents, things, and electronically stored information (“ESI”) by Plaintiff John C. Depp, II (“Depp” or “Plaintiff”) and Defendant Amber Laura Heard (“Heard” or “Defendant”) (collectively the “Parties”) in the above-captioned action.

1. SEARCH LOCATIONS AND TERMS.

1.1. Locations and Sources to Search. The parties agree to search for responsive paper documents, things, and ESI from locations and/or sources of data within each party’s possession, custody or control in which the party has a reasonable belief that relevant information and/or information likely to lead to the discovery of admissible evidence resides. With respect to ESI, such sources (“ESI Sources”) may include, at a minimum, email systems, network drives or cloud storage accounts, shared drives, cell phones and other mobile or tablet devices, and desktop and laptop computers. If information obtained during discovery leads a party to believe there is good cause to search for or produce ESI from another source, the parties agree to meet and confer in good faith. If

the parties are unable to reach resolution regarding searching or production of ESI from such a source, the party seeking searching or production from these sources may seek an order compelling searching and/or production. The party seeking to compel such searching and/or production shall bear the burden of showing good cause why searching and/or production should be required.

1.2. ESI Search Terms. Consistent with Rules 4:1 and 4:9 of the of the Rules of the Supreme Court of Virginia, the parties agree that, in response to discovery requests from another party, they have the obligation to search for responsive non-privileged ESI in that party's possession, custody, or control that is relevant or reasonably calculated to lead to the discovery of admissible evidence and is not unduly burdensome. With respect to ESI, the parties agree to use search terms/Boolean phrases to assist in identifying potentially responsive ESI, but the use of search terms/Boolean phrases does not supplant the parties' discovery obligations under the Rules, and a party may not withhold responsive, non-privileged documents, communications or attachments thereto in its possession, custody, or control that are relevant or reasonably calculated to lead to the discovery of admissible evidence and that the party knows or reasonably expects to exist, but which fall outside the scope of the search terms/Boolean phrases.

1.2.1. As a first step, each party shall develop a list of 25 or more search terms/Boolean phrases to run across his/her own ESI Sources that he/she reasonably and in good faith believes will locate responsive ESI without also locating an unreasonable volume of non-responsive ESI. **The parties shall exchange these lists by September 20, 2019.**

1.2.2. As a second step, on or before **September 25, 2019**, a party requesting discovery (the “Requesting Party”) may then submit up to 10 additional search terms/Boolean phrases for the other party (the “Producing Party”) that the Requesting Party reasonably and in good faith believes are necessary for use in searching the Producing Party’s ESI Sources; provided, however, that the proposed terms/Boolean phrases must be narrowly tailored to particular issues. In the event that a Producing Party claims that any of the additional proposed terms/Boolean phrases are overbroad, the parties shall meet and confer in good faith to narrow the terms/phrases. The parties recognize that they may need to modify proposed search terms/Boolean phrases, whether submitted by the requesting or producing party, after receiving search term hit feedback if, for example, the terms generate a large amount of irrelevant and/or false positive results, and the parties agree to cooperate in good faith on such modifications.

1.2.3. If, after the search terms are agreed upon, information learned during discovery shows that the search terms were insufficient to locate responsive documents, the parties agree to confer in good faith about adding additional search terms/Boolean phrases. Throughout the course of formulating ESI search terms, the parties agree to engage in good faith efforts to minimize the cost of ESI discovery on the other to the extent practical and proportional to the needs of the case. The parties agree that the above framework is designed to permit the parties to engage in discovery in a good faith, collaborative manner.

1.3. Searches of Certain Directories Within Devices. The parties agree that if, after a reasonable investigation, a party believes in good faith that relevant ESI and/or ESI

likely to lead to the discovery of admissible evidence is likely to reside only in particular directories, subfolders, or other discrete subparts of the storage system of an ESI Source (including, but not limited to, cell phones, tablet devices, desktop or laptop computers, network drives or cloud storage accounts), then that party is not required to review or apply search terms agreed upon pursuant to Section 1.22 of this Order to search the entirety of the storage system of the ESI Source, and instead shall be permitted to identify potentially responsive documents by, for example, collecting all documents in the particular directory, subfolder, or discrete subpart of the ESI Source's storage system or other source identified as likely to contain responsive, non-duplicative ESI. Nothing in this Section precludes any party from utilizing search terms to assist in identifying potentially responsive documents or to limit a party's obligations to produce discovery pursuant to Rules 4:1 and 4:9.

2. PRODUCTION FORMAT.

2.1. Tiff Image Files.

2.1.1. Paper and ESI documents must be produced in single page tiff format, subject to Paragraph 2.2.1.

2.1.2. The producing party will produce the tiff image files with an accompanying Opticon load file to identify document boundaries.

2.1.3. Each tiff image shall be named after the document production number assigned to the tiff image. Each page produced shall be labeled with a unique production number ("Bates number"). In addition, the confidentiality designation, if any, shall appear on the tiff image. To the extent possible, the Bates number and the

confidentiality designation shall appear in manners that do not obscure anything present in the tiff image.

2.1.4. Each tiff file of an ESI document must be created directly from the original electronic document and must preserve the integrity of the underlying ESI (*e.g.*, formatting). Tiff images created from word processing and/or powerpoint files will be produced with track changes and comments revealed on the tiff image. A party may not create a tiff format file of an electronic document by printing out a paper copy of that electronic document and then scanning that paper copy to create the tiff file. The only exception to this is a situation where a document has restrictions that allow it to be printed but do not allow it to be converted into a tiff file.

2.2. Native Files.

2.2.1. The parties shall produce Microsoft Excel spreadsheets, Microsoft Access databases, Microsoft PowerPoint files, pictures, audio and video ESI in native format, unless such materials contain privileged information. Additionally, the receiving party may request production of any other document in native format if there is a need for the native file.

2.2.2. Each native file shall be accompanied by a tiff placeholder and named to match the endorsed bates number on the corresponding tiff image placeholder page. The tiff placeholder shall be marked with the confidentiality designation, if any. All native files that are part of a family of documents (*e.g.*, tiff parent email and native attachment) shall be produced in a manner sufficient to show the family relationship. If a native file is produced for which a tiff image(s) has already been

produced, the native file shall be named in a manner consistent with the production number of the first page of the tiff image(s).

2.2.3. All native files produced shall retain their original file extensions, unless a party determines that a native file has the wrong extension or no extension, in which case the producing party may correct or provide the appropriate extension.

2.3. Redactions.

2.3.1. Any redacted material must be clearly labeled as having been redacted.

2.4. Families of Documents.

2.4.1. The parties anticipate they will encounter “families” of documents, which may include a “parent” email or document and one or more “child” attachments. Where any child document is responsive, then the parent email or document must also be marked responsive. The existence of a responsive child document, however, does not render responsive all other children of the parent email, nor does the existence of a responsive parent email render responsive all children of the parent.

2.5. Searchable Text.

2.5.1. The production shall include searchable text files (.txt) for all of the textual production documents to the extent reasonable possible. For documents maintained by the producing party in image or hard copy (paper) form, the producing party shall create searchable text files using Optical Character Recognition (“OCR”) technology. For documents maintained by the party in electronic form, the producing party should use the extracted text of the “native” file whenever possible. To the extent a document is redacted or extracted text is missing or of poor quality, the party should create searchable text files using OCR technology. The searchable

text files should be created on a document level and be named to correspond to the first page bates number of the corresponding document being produced (e.g. ABC000001.txt). Searchable text files shall be in a file folder separate from the associated production images.

2.6. De-duplication.

2.6.1. ESI will be de-duplicated across all custodians using generally accepted deduplication technology such as MD5 HASH.

2.6.2. Where email threads are at issue, the Parties may use threading technology to produce only the most inclusive email threads.

2.7. Load Files and Metadata.

2.7.1. **Universal Fields.** For all paper documents and ESI, the parties agree to provide load files with the following universal fields:

Exemplary Field Name	Description
BegDoc	The beginning Bates number of a document
EndDoc	The ending Bates number of a document
PgCount	The number of pages comprising a document produced in tiff format file
Custodian	The custodian from whom each document was retrieved, subject to section 2.7.1.1 below
Text File	Location of the text file, relative to the root of the volume.
Native File	For documents produced natively, a link to the location of the native file, relative to the root of the volume.
All Custodians	When documents have been globally deduplicated, the names of the other custodians who also possessed the document

2.7.1.1. The parties agree to provide the “custodian” field for documents collected from an individual (including ESI from the individual’s email systems, network drives or cloud storage accounts, shared drives, cell phones and other mobile or tablet devices, and desktop and laptop computers, and other sources)

or where the custodian is otherwise reasonably known. For documents collected from shared locations (*e.g.*, network drives or cloud storage systems with multiple users), databases, and systems that incorporate databases, the “custodian” field shall indicate the name of the shared location or database and, if reasonably identifiable, the author(s) of each document. The parties do not need to provide the “custodian” field for documents where the “custodian” is not reasonably known.

2.7.2. Metadata.

2.7.2.1. For all ESI, regardless of whether it is produced in tiff format file or as a native file, the producing party will produce a load file containing metadata. To the extent they are reasonably available, the metadata values that are to be extracted and produced in the load files are outlined below:

Metadata from Email ESI Files	
Exemplary Field Name	Description
Subject	The subject of the email
Author	The person who sent the email
Recipient	The addressee(s) of the email
CC	The person(s) to whom a copy of the email was addressed
BCC	The person(s) to whom a blind copy of the email was addressed
Received Date	The date the email was received by the recipient
Received Time	The time the email was received by the recipient
Sent Date	The date the email was sent
Sent Time	The time the email was sent
MD5 Hash	The MD5 hash code value for the email
Confidentiality	The confidentiality designation, if any

Metadata from Non-Email ESI Files	
Exemplary Field Name	Description
File Name	The file name of an electronic document
File Author	The author of an electronic document
File Created Date	The date an electronic document was created
File Modified Date	The date an electronic document was last modified
File Extension	The file extension of an electronic document
MD5 Hash	The MD5 hash code value for an electronic document
Confidentiality	The confidentiality designation, if any

2.7.2.2. Metadata that reveals privileged information may be withheld.

2.7.2.3. By agreeing to produce specific categories of metadata that are reasonably available, no party is representing that any particular category of metadata exists or is reasonably available.

2.7.3. **Attachments.** For all ESI documents that contain an attachment, to the extent reasonably available, the following fields should be produced as part of the metadata load file to provide the parent/child or parent/sibling relationship.

Exemplary Field Name	Description
BegAttach	First page number of the parent document of the family
EndAttach	Last page number of the last child attachment of the family

2.8. Media for Delivery of Production.

2.8.1. Document production must be delivered to the requesting party on CD, DVD, FTP, or other electronic format of the type readily accessed and viewed by a Windows-based personal computer.

2.9. Privilege Logs.

2.9.1. **Generally.** The Parties agree to exchange withheld document logs as contemplated by Rule 4:1(b)(6).

2.9.2. Exemptions. The Parties agree, however, that the parties' logs need not include privileged communications or information created on or after March 1, 2019, the date Plaintiff filed this action.

2.9.3. Automated Logs Permitted. The Parties may use automated means for creating their respective privilege logs. In particular, the Parties may create such automated logs by exporting from their respective databases the fields listed below for all documents withheld, in or whole or in part, as privileged; provided, however, that if Email Subjects or File Names contain information that the producing Party reasonably believes may risk waiver of the privilege, then the Parties may revise those Email Subjects and/or File Names so long as the receiving Party is advised of the change. The parties further agree, however, that after reviewing such an automated log, the receiving Party may request, and the producing Party shall produce, a description of the withheld document that complies with Rule 4:1. If the producing Party believes the receiving Party's request for this description was not made in good faith, it may move the Court for an order that it need not comply with the request, but it is understood by both Parties that the existence of this Section 2.9.3 does not serve as a waiver by either party of its right to receive the description of withheld documents to which it is entitled under Rule 4:1(b)(6).

Automated Privilege Log Fields
Bates Range
File Extension
Date Created
Date Last Modified
Date Received
Date Sent
Author
Email From

Email To
Email CC
Email BCC
Email Subject
File Name
Privilege Type
Redacted

IT IS SO ORDERED:

Entered:

Judge, Circuit Court for the County of Fairfax

WE REQUEST ENTRY OF THIS ORDER:

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John C. Quinn (*pro hac vice pending*)
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kattridge@steinmitchell.com

Counsel for Plaintiff John C. Depp, II

Defendant's Search Terms

1. Partner Abuse

- a. Date Range: 06/01/2012 – 12/31/2016
- b. Terms: (violen* OR monster OR punch* OR slap* OR kick* OR headbut* OR "head-but*" OR "head butt*" OR slam* OR abus* OR smash* OR shatter* OR assault* OR fight* OR hit OR hits OR "black eye" OR blood OR bruise* OR bleed OR bleed* OR "his finger" OR strike* OR struck OR fight* OR fought OR "hurt" OR (something /2 happen*) OR danger* OR scared OR terrified OR manic OR choke* OR illness OR strangle* OR broke OR break OR shove* OR rage* OR slash* OR glass OR afraid OR attack* OR injur* OR push* OR throw OR threw OR security OR witness*)

2. Substance Abuse

- a. Date Range: 06/01/2012 – 12/31/2016
- b. Terms: (John* OR J OR Jhon* OR Jon* OR Depp OR JCD OR JD OR Steve* OR monster) & (wine OR booze OR beer OR whiskey OR whisky OR scotch OR bourbon OR cru OR bordeaux OR pinot OR sauv* OR champagne OR tequila OR vodka OR gin OR bottle OR addict* OR coke OR cocaine OR skiing OR blow OR snow OR "a line" OR (do* /4 line*) OR MDMA OR Molly OR ecstasy OR marijuana OR weed OR pot OR bud OR chronic OR "a joint" OR joints OR blunt OR dope OR grass OR drug* OR ludes OR qualude* OR Quaalude* OR snort OR relapse OR rehab OR recovery OR detox OR retreat OR bender OR binge* OR "got high" OR "getting high" OR "was high" OR "is high" OR "high as a kite" OR "so high" OR "very high" OR "super high" OR "black out" OR "blacked out" OR unconscious OR "fucked up" OR "f*cked up" OR "messed up" OR blitzed OR blasted OR wasted OR "far gone" OR "out of it" OR upper* OR pill OR pills OR kush OR powder* OR smack OR candy OR bump* OR ketamine OR "special K" OR GHB OR xanny OR oxy OR oxyc* OR ambien OR kickers OR blues OR hillbilly OR Vicodin OR Vicodin OR Vicodinn OR Vikadin OR Vikodin OR fentanyl OR Fenatanyl OR Fentanil OR Fentinil OR Fentunil OR Fentanol OR Fentinol OR wrecked OR ruin* OR Zyvox OR Linezolid OR Lexapro OR Escitalopram OR Lamictal OR Lamotrigine Neurontin OR Gabapentin OR Cialis OR Adderall OR addy* OR "black beaut*" OR dexies OR Nexium OR Esomeprazole OR Dexilant OR Melatonin OR Ambien OR roche OR rooey OR rooeyes OR roofinol OR rope OR rophies OR Chantix OR Toradol OR Baclofen OR Beklo OR Baclofol OR Flexibac OR Zanaflex OR Xanax OR xanbar* OR "blue football*" OR benzo* OR upjohn OR zann* OR Motrin OR Zofran OR Provigil OR Seroquel OR "blue mean*")

3. Domestic Violence Restraining Order (DVRO)

- a. Date Range: 04/20/2016 – 05/27/2016
- b. Terms: (divorc* OR DVRO OR TRO OR restrain* OR defam* OR violat* OR lawsuit OR sue OR suing OR confidential* OR court OR judge OR settle OR settles OR settlement OR settlements OR incident* OR order)

4. Op-Ed

- a. Date Range: 11/06/2018 – 12/19/2018

- b. Terms: (“op ed” OR “op-ed” OR “oped” OR article OR ambassador* OR “Washington Post” OR WaPo OR “Wa Po” OR “Wash Post” OR “domestic violence” OR “public figure” OR “ACLU” OR “American Civil”)

5. Esparza/Patterson

- a. Date Range: 06/02/2016 – 06/04/2016
- b. Terms: (Trinity OR Esparza OR Brandon OR Patterson OR “People Magazine” OR “People mag” OR reporter* OR building OR staff OR witness* OR statement OR source* OR manager OR desk OR elevator OR video OR camera)

6. Bribes

- a. Date Range: 06/01/2012 – 03/01/2019
- b. Terms: (John* OR Jhon* OR Jon* OR Depp OR JCD OR JD OR Steve* OR Monster) & (greas* OR “pay off” OR “paid off” OR settl* OR bribe* OR “bought off” OR “buy off” OR “take care” OR “took care” OR (clean* /2 up) OR (sort* /2 out) OR “payoff” OR “payroll” OR “pay roll”)

7. Dr. Kipper

- a. Date Range: 06/01/2012 – 03/01/2019
- b. Terms: (David OR Kipper OR Beane OR Debbie OR Lloyd OR doctor OR dr OR nurse OR “821-2795” OR “323-821-2795” OR “1-323-821-2795” OR erinboerum@hotmail.com OR “403-7681” OR “310-403-7681” OR “1-310-403-7681” OR debbielloydRN@gmail.com OR “673-5714” OR “646-673-5714” OR “1-646-673-5714” OR lisa@kippermd.com OR david@kippermd.com)

8. Late 2012/2013 (LA): 1st incident

- a. Date Range: 08/01/2012 – 05/01/2013
- b. Terms: (tattoo* OR laugh* OR joke* OR floor OR ground OR knock* OR face)

9. March 8, 2013 (LA): Tasya painting fire

- a. Date Range: 03/07/2013 – 03/21/2013
- b. Terms: (Tasya OR Tasha OR TVR OR “van Ree” or “van Pee” OR wife OR girlfriend OR partner OR “ex-wife” OR “ex-girlfriend” OR “ex-partner” OR “ex girlfriend” OR “ex wife” OR “ex partner” OR “my ex” OR painting* OR burn* OR fire OR lit OR Whitney OR Whit OR sister OR lip OR picture* OR disco OR bloodbath)

10. May 24, 2014 (flight from Boston)

- a. Date Range: 05/24/2014 – 07/31/2014
- b. Terms: (Boston OR plane OR flight OR champagne OR oxygen OR Franco OR James OR back OR boot OR “passed out” OR “blacked out” or “black out” OR chair OR Stephen OR Deuters OR regret OR appal* OR “fuck up” OR “fuck-up” OR “fucked up” OR bathroom OR toilet OR jet OR kick OR floor)

11. August 2014 (Bahamas)

- a. Date Range: 08/01/2014 – 09/07/2014

- b. Terms: (Bahama* OR meds OR mania OR manic OR door OR splinter* OR drug* OR detox* OR painkiller* OR “pain killer*” OR oxy* OR island* OR “going crazy” OR hallucinat* OR rough OR scream* OR push* OR PRN)

12. December 17, 2014: JD’s “fucking savage” text

- a. Date Range: 12/01/2014 – 12/31/2014
- b. Terms: (savage* OR agony OR shrank OR shrink)

13. January 25, 2015 (Tokyo)

- a. Date Range: 01/20/2015 – 02/14/2015
- b. Terms: (Tokyo OR hair OR Japan OR muscle* OR yell* OR cry* OR cried OR floor OR hotel OR scalp OR skull)

14. March 2015 (Australia)

- a. Date Range: 03/03/2015 – 04/21/2015
- b. Terms: (Australia OR barricade* OR spit OR bottle* OR cans OR sober OR glass OR Tracey OR Jacobs OR agent OR “United Talent” OR “ping pong” OR “pingpong” OR window* OR pane* OR cut OR nightgown OR “night gown” OR grip* OR barefoot OR “bare foot” OR hair OR refrigerator OR fridge OR mirror* OR finger* OR counter* OR pee* OR urin* OR hospital OR nose OR scar* OR ink OR sever* OR reattach* OR “re-attach*”)

15. March 2015 (LA)

- a. Date Range: 03/21/2015 – 04/11/2015
- b. Terms: (destroy* OR sister OR Whitney OR Whit OR stair* OR punch* OR Kevin OR Murphy)

16. August 15, 2015 (Thailand/Malaysia)

- a. Date Range: 08/01/2015 – 09/15/2015
- b. Terms: (Eastern OR Oriental OR train OR throat)

17. November 26, 2015 (LA)

- a. Date Range: 11/25/2015 – 12/13/2015
- b. Terms: (decant* OR “wine glass*” OR chair OR lump OR lip OR bust* OR blood)

18. December 15, 2015 (LA)

- a. Date Range: 12/14/2015 – 01/14/2016
- b. Terms: (decant* OR drag* OR hair OR scalp OR head OR stair* OR wrist OR “tough guy” OR nose OR hospital OR throat OR chunk* OR knee OR bedframe OR splinter* OR fist* OR mattress OR “kill me” OR Rock OR Rocky OR Raquel OR Pennington OR Melanie OR Erin OR Boeurum OR concussion OR headache* OR fraud OR Jodi OR Gottlieb OR bruis* OR “late show” OR James OR Corden OR accident OR swell* OR swollen OR Lisa OR Beane OR TV OR television OR bed)

19. April 21, 2016 (LA)

- a. Date Range: 04/20/2016 – 05/20/2016
- b. Terms: (birthday OR party OR penthouse OR bottle OR glass OR shatter* OR shoulder* OR hair OR (locks /5 change*))

20. May 21, 2016 (LA)

- a. Date Range: 05/21/2016 – 06/21/2016
- b. Terms: (erratic OR Josh OR Drew OR Rock OR Rocky OR Raquel OR Pennington OR iO OR “i.O.” OR Wright OR Tillett OR threaten* OR pitcher OR (threw /7 phone) OR shak* OR shook OR collaps* OR “get the fuck up” OR “Stop, Johnny” OR “Stop Johnny” OR protect* OR boss* OR Jerry OR Judge OR Sean OR Bett OR guard* OR police OR cops OR cop OR speaker* OR 911 OR “9-1-1” OR penthouse OR “PH 1” OR “PH 5” OR Liz OR Marz OR bead* OR charg* OR intimidat* OR “top of his lungs” OR scream* OR Sam* OR Spector OR incident* OR Melanie OR Ingles* OR “decline* /10 statement” OR unsafe OR safe* OR beat* OR “crazy shit” OR restrain* OR TRO OR “domestic violence” OR DVRO OR swollen OR swell* OR silent)

21. Sept. 14, 2009 (TVR Seattle airport)

- a. Date Range: 09/13/2009 – 10/13/2009
- b. Terms: (Tasya OR Tasha OR “van Ree” OR arrest* OR altercation OR police OR cop OR cops OR charg* OR releas* OR drop* OR airport OR Seattle OR “Seattle-Tacoma” OR “Seattle Tacoma” OR girlfriend OR partner OR wife OR assault* OR misdemeanor* OR “domestic violence” OR custody OR booked OR booking OR argu* OR fight* OR fought OR overblown OR exaggerat* OR grab* OR struck OR strik* OR “her arm” OR “Tasya’s arm”)

Treece, Joshua

From: Treece, Joshua R.
Sent: Thursday, October 10, 2019 12:04 AM
To: rgilmore@steinmitchell.com
Cc: Chew, Benjamin G.; Rottenborn, Ben; John Quinn; Roberta Kaplan
Subject: Depp v. Heard - ESI Protocol

Rob:

As noted in our letter earlier this week, it has been more than two weeks since you told us you would respond to our ESI Protocol. As you know, Section 5.02 of the Practice Manual states: "Counsel are encouraged to enter into stipulations pursuant to Rule 4:4 to provide procedures for discovery of electronically stored information for their case." This case is on a tight time line and we need to agree to the ESI Protocol as soon as possible. We are not yet aware of any objection you may have to the ESI Protocol. Please respond to the ESI Protocol this week so we try to reach an agreement on the same by Friday.

Thanks,

Josh

Treece, Joshua

From: Treece, Joshua R.
Sent: Thursday, October 10, 2019 12:41 AM
To: Robert Gilmore; bchew@brownrudnick.com; eweingarten@brownrudnick.com; acrawford@brownrudnick.com; cvasquez@brownrudnick.com; awaldman@theendeavorgroup.com; Kevin Attridge
Cc: Roberta Kaplan; jfink@kaplanhecker.com; jqinn@kaplanhecker.com; Joshua Matz; egeorge@bgrfirm.com; rschwartz@bgrfirm.com; Rottenborn, Ben
Subject: RE: John C. Depp, II v. Amber Laura Heard - Case No. CL2019-02911 - Defendant's First Set of Responsive Documents

Rob:

The prefixes are shorthand used to distinguish between documents from Amber's current devices (ALH) and documents from various archives, backups, copies, cloud services, etc. (AHA) within her possession, custody, or control. For more information, we refer you to the production metadata, which have been produced in accordance with the draft ESI Protocol we sent you on September 20.

I sent you a separate email on the ESI Protocol and would appreciate a response.

Thanks,

Josh

From: Robert Gilmore <RGilmore@steinmitchell.com>
Sent: Wednesday, October 09, 2019 10:58 AM
To: Treece, Joshua R. <jtreece@woodsrogers.com>; bchew@brownrudnick.com; eweingarten@brownrudnick.com; acrawford@brownrudnick.com; cvasquez@brownrudnick.com; awaldman@theendeavorgroup.com; Kevin Attridge <KAttridge@steinmitchell.com>
Cc: Roberta Kaplan <rkaplan@kaplanhecker.com>; jfink@kaplanhecker.com; jqinn@kaplanhecker.com; Joshua Matz <jmatz@kaplanhecker.com>; egeorge@bgrfirm.com; rschwartz@bgrfirm.com; Rottenborn, Ben <brottenborn@woodsrogers.com>
Subject: Re: John C. Depp, II v. Amber Laura Heard - Case No. CL2019-02911 - Defendant's First Set of Responsive Documents

****EXTERNAL EMAIL****

Josh, could you explain the difference between the two production prefixes ("ALH" versus "AHA")?

Robert B. Gilmore
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Washington DC 20005
D 202.601.1589
C 202.352.1877
F 202.296.8312
rgilmore@steinmitchell.com
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From: "Treece, Joshua R." <jtreece@woodsrogers.com>
Date: Tuesday, October 8, 2019 at 10:11 PM
To: Ben Chew <bchew@brownrudnick.com>, "eweingarten@brownrudnick.com" <eweingarten@brownrudnick.com>, "acrawford@brownrudnick.com" <acrawford@brownrudnick.com>, "cvasquez@brownrudnick.com" <CVasquez@brownrudnick.com>, "awaldman@theendeavorgroup.com" <awaldman@theendeavorgroup.com>, Robert Gilmore <RGilmore@steinmitchell.com>, Kevin Attridge <KAttridge@steinmitchell.com>
Cc: Roberta Kaplan <rkaplan@kaplanhecker.com>, "jfink@kaplanhecker.com" <jfink@kaplanhecker.com>, "jquinn@kaplanhecker.com" <jquinn@kaplanhecker.com>, Joshua Matz <jmatz@kaplanhecker.com>, "egeorge@bgrfirm.com" <egeorge@bgrfirm.com>, "rschwartz@bgrfirm.com" <rschwartz@bgrfirm.com>, "Rottenborn, Ben" <brottenborn@woodsrogers.com>
Subject: John C. Depp, II v. Amber Laura Heard - Case No. CL2019-02911 - Defendant's First Set of Responsive Documents

Dear Counsel:

Please see the attached letter regarding Defendant's first set of responsive documents which can be accessed via the following link:

<https://mft.driven-inc.com/?ShareToken=E2FF324B0DA71A31826213C515773E17FE05F91A>

The passwords for the link and zip file will be sent separately.

Thanks,

Josh

Joshua R. Treece
Woods Rogers PLC
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A member of Interlaw, an International Association of Independent Law Firms

Remember to register for one of our 2019 Labor and Employment Seminars starting October 2. Visit woodsrogers.com/highstakes2019 to register.

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 **Please consider the environment before printing this email**

Treece, Joshua

From: Treece, Joshua R.
Sent: Tuesday, October 29, 2019 11:39 PM
To: Robert Gilmore; bchew@brownrudnick.com
Cc: John Quinn; Roberta Kaplan; Weingarten, Elliot J.; Vasquez, Camille M.; Kevin Attridge; Rottenborn, Ben
Subject: RE: Depp v. Heard - Search Terms
Attachments: 10.29.19 Letter to Plaintiff's Counsel - ESI Searches.pdf; 2019.10.29 - Plaintiff's Additional Searches for Defendant's Documents.pdf; 2019.10.29 - Plaintiff's Search Terms to Apply to Plaintiff's Documents - Defendant's Edits.pdf; 2019.10.29 - Defendant's Additional Search Terms for Plaintiff's Data.pdf; 2019.10.29 - Defendants Search Terms for Defendants Documents.pdf

Dear Counsel:

Please see the attached letter and search terms for Plaintiff and Defendant. Also, we have repeatedly asked for your revisions and comments, if any, to the ESI protocol we sent on 9/20/19. Please respond as soon as possible so we can get this entered.

Thanks,

Josh

From: Robert Gilmore <RGilmore@steinmitchell.com>
Sent: Tuesday, October 15, 2019 2:36 PM
To: Rottenborn, Ben <brottenborn@woodsrogers.com>; bchew@brownrudnick.com
Cc: Treece, Joshua R. <jtreece@woodsrogers.com>; John Quinn <jquinn@kaplanhecker.com>; 'Richard A. Schwartz' <rschwartz@bgrfirm.com>; Weingarten, Elliot J. <EWeingarten@brownrudnick.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>; Kevin Attridge <KAttridge@steinmitchell.com>
Subject: Re: Depp v. Heard - Search Terms

****EXTERNAL EMAIL****

Counsel,

Attached are Plaintiff's proposed revisions to Defendant's proposed search terms, as well as Plaintiff's proposed terms.

We reserve the right to make changes to these terms based on the further results of discovery, as well as agreements of the parties and/or rulings of the Court concerning the scope of discovery.

Regards,
Rob Gilmore

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JOSHUA R. TREECE
(540) 983-7730
jtreece@woodsrogers.com

October 29, 2019

By email: bchew@brownrudnick.com
rgilmore@steinmitchell.com

Benjamin G. Chew
Brown Rudnick LLP
601 Thirteenth Street, N.W.
Washington, D.C. 20005

Robert B. Gilmore
Stein Mitchell Beato & Missner LLP
901 Fifteenth Street, N.W., Suite 700
Washington, D.C. 20005

Re: John C. Depp II v. Amber Laura Heard, No. 2019-02911 (Va. Cir. Ct, Fairfax Cnty.)

Dear Ben and Rob,

We write on behalf of Defendant Amber Laura Heard in the above-captioned action to follow up on the parties' discussion and exchange of search terms.

Except as noted below, we have incorporated all of your comments either in revisions to our proposed searches, or as additional searches pursuant to the proposed ESI Protocol (which we sent you on September 20, 2019 and to which you still have not responded—even after numerous and repeated requests that you do so).

With respect to the search terms, we have a few things to note:

- We have drafted our searches consistent with the Court's October 18 order regarding acceptable and relevant discovery requests.
- We have added terms and search elements as you proposed, but we will not be deleting searches that have already been conducted. Obviously, both parties may search for more documents that requested.
- We will not agree to search a 7+ year span for the letter "J." This proposed term is facially and unreasonably broad, and we object on burden grounds. But we will search for Plaintiff's name and produce relevant documents containing it.

{2656139-1, 121024-00001-01}

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- We will not search for divorce settlements payments specifically or bare evidence of any breach that does not bear on the claims or defenses in this matter, as such documents would be irrelevant. We are already running searches for documents that hit on “divorce” and “settlement” (and their iterations) and are relevant to this matter.
- We are continuing to run searches and cull documents, and we reserve the right to object to additional search terms as unreasonably burdensome if the results are unreasonably large. We will, of course, keep you informed if we encounter any such issues.
- You will note some additional proposed terms that we rejected, but we only did so when they were covered in other searches. All told, we have agreed to run an additional 11 search terms as a gesture of good faith.
- Finally, as in any case, we reserve the right to withhold and, if necessary, to claw back any privileged documents.

We trust this resolves your concerns and will run these terms against our documents.

Regarding Plaintiff’s documents, we have some questions and concerns about your production as follows:

- Given the Court’s October 18 Order, Mr. Depp is obligated to produce *all* documents responsive to the discovery requests put at issue in the motion to compel, regardless of whether they contain proposed search terms. By way of example only, we believe these would include the documents contained in the “No Fun for JD” folder on Mr. Depp’s computer, and all responsive communications with all of Mr. Depp’s Romantic Partners (as that term was defined in our discovery requests), including but not limited to all those listed in your response to Defendant’s Interrogatory No. 12 and any of the following individuals who have been reported to be Mr. Depp’s Romantic Partners:
 - Winona Ryder
 - Jennifer Grey
 - Lori Allison
 - Sheri Fenn
 - Holly Robinson
 - Traci Lords
 - Juliette Lewis
 - Tatjana Patitz
 - Ellen Barkin
 - Kate Moss
 - Naomi Campbell

Benjamin G. Chew and Robert B. Gilmore

October 29, 2019

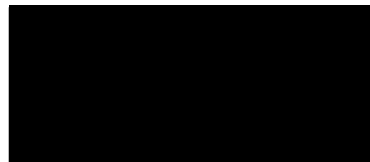
Page 3

- Vanessa Paradis
 - Christina Ricci
 - Keira Knightly
 - Marion Cotillard
 - Angelina Jolie
 - Eva Green
 - Ashley Olsen
 - Ruth Wilson
-
- You are required to run the global substance abuse search against your documents, per the Court's October 18, 2019 Order. Thus, it is inappropriate, for example, to remove terms related to substance abuse from any of the specific incidents, specifically the August 2014 Bahamas incident.
 - You are required to run a search for terms related to partner abuse terms unbound to specific incidents already alleged. As the Court rightfully noted at our hearing, Plaintiff has claimed he never abused any woman, and it is therefore indisputably relevant whether any partner abuse occurred at any time, not just in the specific date ranges designed to search for already alleged incidents.
 - Your proposed search terms related to alleged bribes are improperly narrow given the Court's agreement that documents and communications related to Mr. Depp's damage to properties generally is relevant and discoverable. At a minimum, you must add back in the search for "(John* OR Jhon* OR Jon* OR Depp OR JCD OR JD OR Steve* OR Monster)" as part of the search for documents involving alleged bribes.

We look forward to your response and confirmation that you are running searches in accordance with our points above. As always, we are available to discuss.

Sincerely,

WOODS ROGERS PLC



Joshua R. Treece

cc: Counsel of Record

Exhibit 8

JOSHUA R. TREECE
(540) 983-7730
jtreece@woodsrogers.com

October 30, 2019

VIA EMAIL

Benjamin G. Chew
Elliot J. Weingarten
BROWN RUDNICK LLP
601 Thirteenth Street, N.W., Suite 600
Washington, D.C. 20005

Robert Gilmore, Esq.
STEIN MITCHELL BEATO & MISSNER
LLP
901 Fifteenth Street, N.W., Suite 700
Washington, D.C. 20005

Camille M. Vasquez
BROWN RUDNICK LLP
2211 Michelson Drive
Irvine, CA 92612

**Re: *John C. Depp II v. Amber Laura Heard*; Case No. 2019-02911;
Meet & Confer On Independent Mental Examination of Plaintiff &
Deficiencies in Plaintiff's Responses and Objections to Defendant's First Set
of Interrogatories & Second Set of Requests for Production of Documents**

Dear Counsel:

We write to meet and confer on (1) Defendant's intent to file a Rule 4:10 Motion for an Independent Mental Examination of Plaintiff; (2) Plaintiff's deficient responses to Defendant's First Set of Interrogatories ("INTs") and Second Set of Requests for Production of Documents ("RFPs"); and (3) other outstanding deficiencies.

With respect to the discovery deficiencies, this letter is not intended to identify all deficiencies in Plaintiff's latest responses and objections. Rather, it is intended to focus on the most significant deficiencies that, in the interest of time and in light of the case schedule, must be resolved as soon as possible. We reserve all rights to raise further deficiencies in Plaintiff's responses to Defendant's interrogatories and requests for production, and in Plaintiff's document productions.

I. RULE 4:10 MOTION

Unless Plaintiff is willing to consent to a Rule 4:10 Motion for an Independent Mental Examination of Plaintiff, Defendant intends to file a Rule 4:10 Motion on Friday and set the Motion for a hearing on November 15, 2019.

{2656342-1, 121024-00001-01}

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As you know, the Court has already found that Plaintiff's "complaint is broad enough to place...[Mr. Depp's] mental condition in issue." Expanded Mot. to Compel Hr'g. Tr. 26:15-18, Oct. 18, 2019 (internal punctuation omitted). This finding is indisputably correct.

In his Complaint, Mr. Depp repeatedly alleges that Ms. Heard submitted a "false affidavit to obtain a restraining order against Mr. Depp" in 2016 (Ms. Heard's "2016 Declaration"). Compl. at ¶ 6; *see* Compl. at ¶¶ 2-3, 5, 30, 33, 77-78, 88-89, 99-100. Mr. Depp then alleges the *Washington Post* op-ed at issue is defamatory because it implicitly refers to Ms. Heard's purportedly false statements in her 2016 Declaration and 2016 Request for Domestic Violence Restraining Order which incorporated her 2016 Declaration. *See, e.g., id.* at ¶¶ 2, 77, 88, 99; *see also id.* at ¶ 30 (alleging that Ms. Heard "push[ed] her false narrative that she is a domestic abuse victim...[i]n her false [2016] affidavit"); *see also id.* at ¶ 3 (same); *id.* at ¶ 33 (alleging Ms. Heard used her "false abuse allegations" in her 2016 Declaration "to obtain a temporary restraining order against Mr. Depp on May 27, 2016.").

Plaintiff makes the same allegations in each of his claims for relief. *See, e.g., id.* Count I at ¶ 77, Count II at ¶ 88, Count III at ¶ 99 (alleging Ms. Heard's 2016 Declaration "accus[ing] him of domestic abuse in May 2016" was false); *see also id.* Count I at ¶ 78(a), Count II at ¶ 89(a), Count III at 100(a). Thus, Mr. Depp's defamation claims, to the extent they are even actionable, are grounded in and turn on the truth or falsity of Ms. Heard's statements in her 2016 Declaration.

Throughout her 2016 Declaration, Ms. Heard attested to Mr. Depp's mental condition that motivated his actions. For example, Ms. Heard stated:

- Johnny has a long-held ... history of drug and alcohol abuse. He has a short fuse. He is often paranoid and his temper is exceptionally scary for me as it has proven many times to be physically dangerous and/or life-threatening to me. Johnny[']s relationship with reality oscillates, depending upon his interaction with alcohol and drugs. Johnny's paranoia, delusions and aggression increased throughout our relationship so has my awareness of his continued substance abuse. Because of this, I am extremely afraid of Johnny and for my safety.... Johnny also requires enrollment in anger management courses and a Batterer's intervention program. (Ex. 1 at ¶ 5).

- On April 21, 2016, I celebrated my birthday with my friends.... Johnny showed up, inebriated and high.... Johnny [started] throwing a magnum size bottle of champagne at the wall and a wine glass on me and the floor – both [of] which shattered. Johnny then grabbed me by the shoulders and pushed me onto the bed, blocking the bedroom door. He then grabbed me by the hair and violently shoved me to the floor. (Ex. 1 at ¶ 7) (the "April 21st Incident").

- [O]n May 21, 2016...[Johnny] was inebriated and high.... He became extremely angry.... As Johnny continued to rant in an aggressive and incoherent manner, he demanded we call our friend iO Tillet Wright ("iO") to prove his

paranoid and irrational accusations about some delusional idea he was having.... Johnny ripped the cell phone from my hand and began screaming profanities and insults at iO. I heard iO yell at me to get out of the house. Johnny then grabbed the cell phone, wound up hi[s] arm like a baseball pitcher and threw the cell phone at me striking my cheek and eye with great force.... (Ex. 1 at ¶¶ 9-12) (the "May 21st Incident").

Mr. Depp specifically challenges the truth or falsity of the above statements and his actions, as motivated by his mental condition and substance abuse. *See generally* Compl.; *see also* Compl. at ¶ 33 (quoting and challenging the truth of Paragraphs 9-12 in Ms. Heard's 2016 Declaration); Compl. at ¶ 30 (challenging the truth of Paragraph 7 in Ms. Heard's Declaration); Compl. at ¶¶ 78(a), 89(a), 100(a) (challenging the truth of Ms. Heard's allegations relating to the May 21st Incident).

Mr. Depp's mental condition, therefore, is directly at issue, and an independent mental examination is essential to assessing the truth or falsity of Ms. Heard's statements relating to Mr. Depp's mental condition and turbulent nature, and is equally essential to support the credibility of Ms. Heard's account and the lack of credibility of Mr. Depp's account of these events.

Please let us know before Friday whether Mr. Depp will consent to an IME. If Mr. Depp will consent we can discuss the details further.

II. WRITTEN DISCOVERY

A. Plaintiff's Deficient Responses to Defendant's First Set of Interrogatories

(i) Interrogatory 1

In INT 2, Plaintiff acknowledges he obtained a declaration from Kevin Murphy, yet in INT 1, Plaintiff incredibly claims not to know any contact information for Mr. Murphy. Plaintiff similarly claims not to know the contact information for 33 of 41 individuals identified. Plaintiff has an obligation to conduct a reasonable inquiry. *See, e.g.*, Va. Sup. Ct. R. 4:1(g). It appears Plaintiff is either willfully withholding information or has refused to conduct a reasonable inquiry to provide the requested information. In any event, Plaintiff must supplement his answer to provide all information that can be obtained through a reasonable inquiry.

(ii) Interrogatory 7

INT 7 requests the identity of each entity under Plaintiff's direct or indirect control, or over which Plaintiff holds a direct or indirect ownership interest. Plaintiff responded with a list of several entities. Please confirm by **November 4, 2019** whether Plaintiff also had direct or indirect control or interest in the following additional entities: Junior Varsity Productions LLC; Unison Music Group; 6909 Ventures LLC; JDSV Holdings, Inc.; Matar LLC; Matar II LLC;

Plus Capital Partnership, LLC; SCI La Pierre; Elisa's Attic LLC; Gelt Valleyview Holdings LLC; and Swag LLC.

(iii) Interrogatories 9-10

INT 9 requests the identity of and information relating to services sought and received from each mental and/or physical health care provider since 2010. INT 10, in turn, requests information related to each prescription drug that Plaintiff has been prescribed since 2010 and the providers that prescribed such medications.

In response, Plaintiff first makes improper objections, most of which have been resolved by the Court through its Protective Order and ruling on Defendant's Expanded Motion to Compel.

Plaintiff then seeks to improperly delay Defendant timely access to this information by stating the information will be disclosed at a future date in a future production. Such a response is not permitted and must be corrected. *See, e.g.*, Va. Sup. Ct. R. 4:8(d) ("Each interrogatory shall be answered...fully"); Va. Sup. Ct. R. 4:8(f) (If a party relies on business records, it must "specify the records from which the answer may be derived or ascertained and to afford to the party serving the interrogatory reasonable opportunity to examine, audit or inspect such records and to make copies, compilations, abstracts or summaries"); *Dawson v. Bd. of Supervisors*, 2002 Va. Cir. LEXIS 126, at *3 (Loudon Co. Cir. Ct. 2002) ("[I]f a party decides to exercise the option to provide business records in lieu of answering an interrogatory then the strict requirements of the Rule [4:8(f)] must be met").

In light of the fact that Plaintiff so far has failed to produce any relevant documents in the litigation that he chose to prosecute, this is unacceptable. Under the circumstances, this appears to be a tactical effort to delay essential discovery to Defendant that is required to issue subpoenas and take other actions necessary to prepare Ms. Heard's defense. Moreover, it is implausible that Plaintiff would have records that would list all his doctors. Defendant is entitled to a response to these interrogatories. Defendant hereby demands that Plaintiff complete and provide substantive written responses no later than **November 4, 2019**.

If we do not receive timely responses, we reserve the right seeking emergency relief from the Court. We would also remind you that in its October 18 Order, the Court stated that "Plaintiff must execute a HIPAA waiver to **allow Defendant to subpoena Plaintiff's relevant medical records.**" *See infra* Demand for Executed HIPAA Releases.

(iv) Interrogatory 11

INT 11 asks: "For each instance of physical violence or abuse alleged in Ms. Heard's Declaration, state whether You were under the influence of or had consumed any alcohol, medication, or drugs at the time of each such incident, and, if so, state as to each substance consumed (including alcohol) the identity of the substance consumed, the amount of the substance consumed, the date and time each such substance was consumed, the name and address of the

place(s) where the substance was consumed, the location and person from which the substance was acquired or obtained, any witnesses present at the time of consumption, and the effect of the substance on You.”

As Plaintiff knows, this interrogatory is highly relevant to Plaintiff’s claims and Defendant’s defense, and the Court resolved similar issues when ruling on the Expanded Motion to Compel. Nonetheless, in a flagrant breach of his discovery obligations, Plaintiff refused to answer this interrogatory on the grounds that he “denies all allegations of physical violence and abuse in Ms. Heard’s declaration.” As Plaintiff well knows, this is entirely improper. Rule 4:8(e) provides that an interrogatory is not objectionable “merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact.” Moreover, a party cannot simply deny allegations to refuse to provide factual information related to those allegations.

As with the medical information, this information is essential and necessary for Defendant to issue subpoenas and take other actions necessary to prepare her defense. Defendant hereby demands that Plaintiff provide all documents purportedly referenced or complete and substantive written responses no later than **November 4, 2019**. If we do not receive timely responses, we reserve the right seeking emergency relief from the Court. *See infra* Demand for Executed HIPAA Releases.

(v) Interrogatory 12

INT 12 seeks information relating to Plaintiff’s Romantic Partners, other than Ms. Heard, in the last 10 years. Plaintiff identified only two individuals. Because this answer does not comport with Defendant’s understanding, please confirm whether or not you are withholding information based on your objections to INT 12 or your objections to the definition of Romantic Partners.

(vi) Interrogatory 13

Plaintiff’s answer to INT 13 does not clearly state whether or not Plaintiff has settlements, releases, tolling agreements, confidentiality and/or non-disclosure agreements, forbearance agreements, or Mary Carter agreements with Romantic Partners (other than divorce/separation agreements). Please confirm whether or not Plaintiff is relying on objections, including objections to the definition of Romantic Partners, to withhold information, and whether or not Plaintiff has any such agreement with any of the following:

- Winona Ryder
- Jennifer Grey
- Lori Allison
- Sheri Fenn
- Holly Robinson
- Traci Lords

- Juliette Lewis
- Tatjana Patitz
- Ellen Barkin
- Kate Moss
- Naomi Campbell
- Vanessa Paradis
- Christina Ricci
- Keira Knightly
- Marion Cotillard
- Angelina Jolie
- Eva Green
- Ashley Olsen
- Ruth Wilson
- Polina Glen

(vii) Interrogatory 14

INT 14 seeks information on other instances where persons, other than Ms. Heard, accused Plaintiff of any act of physical violence, abuse, or destruction of property, and requests details related thereto, including whether Plaintiff was under the influence of alcohol, medication or illegal drugs at the time.

Rather than answering the interrogatory asked, Plaintiff “denied all of Ms. Heard’s allegations” and failed to appropriately respond. Instead, Plaintiff attempted to make it appear as if he answered by denying allegations by Mr. Brooks and providing certain allegations while failing to provide other important responsive information, such as whether Plaintiff was under the influence of alcohol, medication or illegal drugs at the time.

As with INT 11, Plaintiff cannot rely on his denial of allegations to refuse to identify those who have made allegations against him and provide all requested details. *See* Rule 4:8(e) (An interrogatory is not objectionable “merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact.”). Plaintiff must amend his answer to fully provide all requested information.

(viii) Interrogatory 16

INT 16 seeks facts and computations of monetary damages sought by Plaintiff. Despite Plaintiff’s \$50 million dollar *ad damnum*, Plaintiff failed to provide any factual response. A damages claim cannot rest solely on speculation. *See Vasquez v. Mabini*, 269 Va. 155, 159-61 (2005). Defendant is entitled to discover all facts that support Plaintiff’s *ad damnum* and an itemization thereof. *See Fletcher v. Pizza Hut of Am.*, 2007 Va. Cir. LEXIS 464, at *1 (Prince William Co. Cir. Ct. 2007) (granting Motion to Compel). Even if an expert might be engaged on

the issue, that does not provide grounds for Plaintiff to deny or delay providing factual information in his possession.

B. Demand for Executed HIPAA Releases

As Plaintiff is fully aware, and as noted above, Plaintiff has been ordered to execute HIPAA releases for his relevant medical records, including records from providers that should have been identified in response to INTs 9-11. Nonetheless, Plaintiff repeatedly lodged unfounded confidentiality and HIPAA objections to Defendant's requests. Plaintiff must withdraw his objections and **immediately execute HIPAA releases (either a general HIPAA release or specific, provider-based HIPAA releases)** in accordance with the Court's Order, and cease all efforts to delay Defendant access to those records.

Because HIPAA releases are necessary for Defendant to issue subpoenas necessary to prepare her defense, Defendant hereby demands that Plaintiff provide HIPAA releases to Defendant sufficient to obtain all information from providers that should have been identified in response to INTs 9-11 by **November 4, 2019**. If we do not receive timely responses to INTs 9-11 or HIPAA releases, we reserve the right seeking emergency relief from the Court.

C. Defendant's Discovery Requests

(i) RFP 4

In response to RFP 4, you requested clarification as to what was intended by "Request 51." That was an inadvertent error, and refers to "Request 3." Please respond accordingly.

(ii) RFPs 6-8, 10

RFPs 6-8 request medical records and related information. Plaintiff objects on to the extent they request "confidential" or "medical" information protected by law, including HIPAA.

As noted above, Plaintiff must withdraw his objections and **immediately execute HIPAA releases (either general HIPAA releases or specific, provider-based HIPAA releases)** in accordance with the Court's Order, and cease all of his efforts to delay Defendant access to those records.

(iii) RFP 14

RFP 14 seeks documents sufficient to show Plaintiff's income from 2010 to present. Plaintiff objects to this request on the ground that it seeks information that is irrelevant, immaterial, or unnecessary. To the contrary, Plaintiff's income and income trends are highly relevant to Plaintiff's damages claim, including whether Plaintiff has experienced a natural, declining trend with his income prior to the alleged wrongful action.

Try as he might, Plaintiff cannot hide evidence relevant to his damages claim, and all responsive information must be provided.

(iv) RFP 16

RFP 16 requests documents sufficient to show transactions between Plaintiff (or entities controlled by Plaintiff) and identified witnesses. Plaintiff stands on his objections. The information requested, however, may be relevant to the specific instances of abuse and/or evidence of bias, motive and/or a vested interest by such witnesses that is relevant to their credibility or lack thereof. Because this information is relevant, it must be provided.

III. OTHER OUTSTANDING DEFICIENCIES

A. Sweetzer Avenue Footage

We have repeatedly followed up with you on the Sweetzer Avenue issue. We have yet to receive information from you about the footage, despite our requests nearly two months ago or following Ben Rottenborn's email dated October 26, 2019. As you know, Depp is required by the Court's order to produce all of it, unless we agree otherwise. Because you have continued to fail to respond to our requests, we are disinclined to agree to any limitation on full production, but will consider the issue if you will just respond.

B. Arrests

Our first RFPs requested "41. DOCUMENTS sufficient to show each time YOU were arrested and the reason(s) for the arrest." Defendant refused to produce these records in the first instance, but the Court granted our Motion to Compel this information.

We have been in contact with the Vancouver Police Department, which stated it will not release Defendant's arrest records without Depp's authorization. Because the Court granted our Motion, we ask that Defendant either (1) reach out to the Vancouver PD to authorize a full release of records or (2) execute a written authorization and provide that to us so that we may forward the same to the Vancouver PD. **We request that you do so by November 4, 2019.**

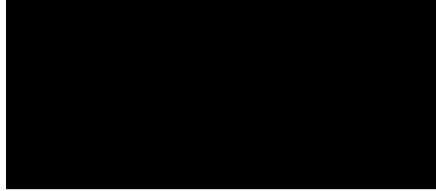
VI. CONCLUSION

With the exception of INTs 9-11, the HIPAA releases, and the Vancouver PD release for arrest records, which must be responded to by **November 4, 2019**, we ask that you correct all other deficiencies by no later than **November 8, 2019**. Thank you in advance for your cooperation on these issues.

Benjamin G. Chew
October 30, 2019
Page 9

Sincerely,

WOODS ROGERS PLC



Joshua R. Treece

cc: Counsel of Record



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November 12, 2019

VIA EMAIL

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**Re: *John C. Depp II v. Amber Laura Heard*; Case No. 2019-02911;
Meet & Confer On Plaintiff's Continuing Deficiencies in Plaintiff's
Responses and Objections to Defendant's First Set of Interrogatories &
Second Set of Requests for Production of Documents**

Dear Counsel:

We again write to meet and confer on Plaintiff's continuing discovery deficiencies set out in our October 30, 2019 letter, and our continuing request for Mr. Depp to produce documents from the London Sun case.

I. LONDON SUN PRODUCTION

Despite our best efforts to press Plaintiff for relevant discovery, Mr. Depp still has not made a substantive production of relevant documents. We understand that a large amount of relevant documents have been compiled and produced in the *London Sun* case involving the *Sun's* reference to Mr. Depp as a "wife-beater," but Mr. Depp has yet to produce any such documents in this case.

On October 25, 2019, Ben Rottenborn emailed Ben Chew stating:

We understand that Mr. Depp has made a production of documents in the UK Sun case. Given that the issues in that case are substantially the same as here, we ask that you reproduce that document production in this case. You already reproduced documents wholesale from another litigation (most of which weren't relevant), so there should be no issue in reproducing the

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Sun case documents promptly. Accordingly, we ask that you produce those documents by close of business on Monday [10/28/19].

We conferred on Sun production again by phone on November 4, 2019. On November 5, 2019, Rob Gilmore responded:

London Sun case: as I indicated, we expect to be producing documents produced in the London Sun case. We are not in a position to say categorically that we will (or are able to) produce all such documents, but in the event that we withhold documents produced in that case, we will identify our basis for doing so. In terms of timing, *we expect to make a production of such documents this week.*

As of the date of this letter, we have not received the relevant and promised production of the *Sun* documents. Please produce these as soon as possible. We will move to compel if needed.

II. OUTSTANDING DEFICIENCIES THAT REMAIN FOLLOWING OUR OCTOBER 30TH LETTER

A. Plaintiff's Deficient Responses to Defendant's First Set of Interrogatories

(i) Interrogatory 1

Plaintiff has undertaken no effort to supplement as required and requested.¹

(ii) Interrogatory 7

Plaintiff still has not confirmed whether Plaintiff had direct or indirect control or interest in the following additional entities: Junior Varsity Productions LLC; Unison Music Group; 6909 Ventures LLC; JDSV Holdings, Inc.; Matar LLC; Matar II LLC; Plus Capital Partnership, LLC; SCI La Pierre; Elisa's Attic LLC; Gelt Valleyview Holdings LLC; and Swag LLC.

¹ Our 10/30 letter explained:

In INT 2, Plaintiff acknowledges he obtained a declaration from Kevin Murphy, yet in INT 1, Plaintiff incredibly claims not to know any contact information for Mr. Murphy. Plaintiff similarly claims not to know the contact information for 33 of 41 individuals identified. Plaintiff has an obligation to conduct a reasonable inquiry. *See, e.g.,* Va. Sup. Ct. R. 4:1(g). It appears Plaintiff is either willfully withholding information or has refused to conduct a reasonable inquiry to provide the requested information. In any event, Plaintiff must supplement his answer to provide all information that can be obtained through a reasonable inquiry.

(iii) Request for Mental Health/Medical Providers --Interrogatories 9-10, 11

INT 9 requests the identity of and information relating to services sought and received from each *mental* and/or *physical health care provider since 2010*. INT 10, in turn, requests information related to each prescription drug that Plaintiff has been prescribed since 2010 and the *providers that prescribed such medications*.

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

In our October 30th letter and telephonic meet and confer on November 4th, we identified numerous deficiencies with Plaintiff's responses and demanded a list of providers responsive to these requests. In an email response, on November 5th, Rob Gilmore provided *only 3 health care providers by email* (Dr. Kipper, Dr. Blaustein & Dr. Anderson).

Numerous deficiencies remain:

First, listing only 3 providers is facially incomplete, and fails to disclose numerous relevant mental and physical health care providers of Mr. Depp.

Our information suggests that Mr. Depp has been seen by numerous other mental and physical health care providers, including, but not limited to: (1) Dr. Cowan, a psychologist; (2) Dr. Amy Banks, a couples therapist; (3) Dr. Michael Kalamaras, a limb specialist in Australia; (4) Dr. David Kulber, a plastic surgeon; (5) a dentist who prescribed him opioids following a dental procedure in 2013 or 2014; and (6) another plastic surgeon.

Second, our requests are in the form of interrogatories and Mr. Depp has neither supplemented nor verified his purported provider list in response to INTs 9-11. If, Mr. Depp insists that the three providers are all there are or all he knows of (despite our information to the contrary), **he must verify the same under oath** as required by Rule 4:8.

Third, Mr. Depp must withdraw the unfounded objections called out in our October 30th letter.

We hereby demand a complete response to our interrogatories, under oath, as soon as possible. On October 18, the Court ordered Plaintiff to execute a HIPAA waiver by October 25, "to allow Defendant to subpoena Plaintiff's relevant medical records." The apparent, continued

obstruction of our efforts to discover the identities of the doctors who possess those medical records undermines the Court's order.

(iv) Interrogatory 11

Aside from failing to identify providers in response to Interrogatory 11, as noted above, Mr. Depp has wrongfully refused to answer, and this deficiency is continuing.² Plaintiff must promptly supplement his answer under oath or we will move to compel.

(v) Interrogatory 12

As previously requested, please confirm whether or not you are withholding information based on your objections to INT 12 or your objections to the definition of Romantic Partners.

(vi) Interrogatory 13

As previously noted, Plaintiff's answer to INT 13 does not clearly state whether or not Plaintiff has settlements, releases, tolling agreements, confidentiality and/or non-disclosure agreements, forbearance agreements, or Mary Carter agreements with Romantic Partners (other than divorce/separation agreements), and/or any agreements that have been negotiated in order to gain the assistance or compliance of another person and/or entity with regard to this or any other matter. Please confirm whether or not Plaintiff is relying on objections, including objections to the definition of Romantic Partners, to withhold information, and please provide a proper interrogatory response stating whether or not Plaintiff has any such agreement with any Romantic Partners, including but not limited to the following:

- Winona Ryder
- Jennifer Grey
- Lori Allison

² Our 10/30 letter stated:

As Plaintiff knows, this interrogatory is highly relevant to Plaintiff's claims and Defendant's defense, and the Court resolved similar issues when ruling on the Expanded Motion to Compel. Nonetheless, in a flagrant breach of his discovery obligations, Plaintiff refused to answer this interrogatory on the grounds that he "denies all allegations of physical violence and abuse in Ms. Heard's declaration." As Plaintiff well knows, this is entirely improper. Rule 4:8(e) provides that an interrogatory is not objectionable "merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact." Moreover, a party cannot simply deny allegations to refuse to provide factual information related to those allegations.

As with the medical information, this information is essential and necessary for Defendant to issue subpoenas and take other actions necessary to prepare her defense. Defendant hereby demands that Plaintiff provide all documents purportedly referenced or complete and substantive written responses no later than November 4, 2019. If we do not receive timely responses, we reserve the right seeking emergency relief from the Court. See *infra* Demand for Executed HIPAA Releases.

- Sherilynn Fenn
- Holly Robinson
- Traci Lords
- Juliette Lewis
- Tatjana Patitz
- Ellen Barkin
- Kate Moss
- Naomi Campbell
- Vanessa Paradis
- Christina Ricci
- Keira Knightly
- Marion Cotillard
- Angelina Jolie
- Eva Green
- Ashley Olsen
- Ruth Wilson
- Polina Glen

(vii) Interrogatory 14

Plaintiff still has failed to supplement and provide responsive information under oath.³

(viii) Interrogatory 16

In what can only be described as a gross abuse of the discovery process, Mr. Depp responded to Ms. Heard's INT 16 seeking facts that support his claims for monetary damages and a computation thereof by "object[ing] to [the damages interrogatory] because it would be more

³ Our 10/30 letter stated:

INT 14 seeks information on other instances where persons, other than Ms. Heard, accused Plaintiff of any act of physical violence, abuse, or destruction of property, and requests details related thereto, including whether Plaintiff was under the influence of alcohol, medication or illegal drugs at the time.

Rather than answering the interrogatory asked, Plaintiff "denied all of Ms. Heard's allegations" and failed to appropriately respond. Instead, Plaintiff attempted to make it appear as if he answered by denying allegations by Mr. Brooks and providing certain allegations while failing to provide other important responsive information, such as whether Plaintiff was under the influence of alcohol, medication or illegal drugs at the time.

As with INT 11, Plaintiff cannot rely on his denial of allegations to refuse to identify those who have made allegations against him and provide all requested details. See Rule 4:8(e) (An interrogatory is not objectionable "merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact."). Plaintiff must amend his answer to fully provide all requested information.

appropriately addressed by ... expert discovery,” and stating “Plaintiff will not be responding at this time.” Then, in his expert disclosures, Mr. Depp provided no substantive facts or opinions for any expert and no grounds for any opinion as required by the Rules and Scheduling Order. Va. S. Ct. R. 4:1(b)(4)(A)(1); Scheduling Order at III (Designation of Experts).

As you know, we have filed a motion to strike Mr. Depp’s expert disclosures, but that does not relieve Mr. Depp from providing the factual information that he may attempt to rely on to claim that he suffered damages. Further delay is unacceptable, this information must be provided by Mr. Depp under oath.

B. Defendant’s Discovery Requests

(ii) RFPs 6-8, 10

RFPs 6-8 request medical records and related information. Plaintiff still has not produced any of the requested information, which the Court ordered Plaintiff must produce by November 15.

(iii) RFP 14

Plaintiff still has not produced the requested documents, which are highly relevant to Plaintiff’s damages claim.

(iv) RFP 16

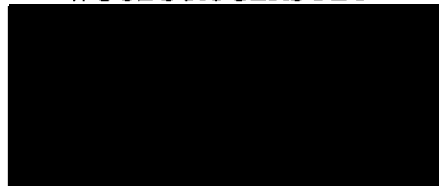
Plaintiff still has not produced documents sufficient to show transactions between Plaintiff (or entities controlled by Plaintiff) and identified witnesses, which are relevant to, *inter alia*, specific incidents of abuse, bias and credibility.

III. CONCLUSION

We can be available this week to discuss these continuing deficiencies either via phone or in person. Please let us know a time that works.

Sincerely,

WOODS ROGERS PLC



Joshua R. Treece

cc: Counsel of Record



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December 4, 2019

VIA EMAIL

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**Re: *John C. Depp II v. Amber Laura Heard*; Case No. 2019-02911;
Meet & Confer On Plaintiff's Continuing Discovery Deficiencies**

Dear Counsel:

We write as part of our ongoing effort to meet and confer on Plaintiff's continuing discovery deficiencies that were set out in our October 30, 2019 and November 12, 2019 discovery deficiency letters (and have yet to be resolved by Plaintiff), and additional discovery deficiencies set out herein. Despite having filed this lawsuit over nine months ago, Mr. Depp has yet to make a substantial production of documents relevant to his claims or alleged damages or meaningfully resolve the deficiencies repeatedly raised with Plaintiff's discovery responses. If Plaintiff's longstanding discovery deficiencies and the additional deficiencies identified herein are not promptly corrected by Plaintiff, Defendant will have no choice but to pursue another motion to compel.

The only relevant documents that have been produced so far were produced in an *ad hoc* nature without any metadata or other means for verifying how and when the documents were collected or from what sources. Other documents were produced without any native files and with numerous file errors. These methods of producing documents do not comport with the ESI protocol Defendant has negotiated in good faith or the ESI Protocol proposed by Plaintiff on September 4, 2019 and cause Defendant serious concern that Plaintiff has not properly collected and searched the files, devices, accounts, and other sources that are likely to contain relevant discovery material.

We reiterate that Plaintiff is under a continuing obligation to preserve documents and to search for, collect, and produce relevant discovery material in accordance with our discovery

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requests, our meet-and-confer discussions and correspondence, and the Court's orders. We reserve all rights to raise our ongoing concerns about preservation, collection, and production to the Court.

I. LONDON SUN PRODUCTION

Ms. Heard has repeatedly requested Mr. Depp's production to *The London Sun* in the similar defamation case in the United Kingdom.¹ In a November 5, 2019 email, counsel for Mr. Depp stated:

London Sun case: as I indicated, we expect to be producing documents produced in the London Sun case. We are not in a position to say categorically that we will (or are able to) produce all such documents, but in the event that we withhold documents produced in that case, we will identify our basis for doing so. In terms of timing, *we expect to make a production of such documents this week.*

Still, a month later, no such production has been made. This is unacceptable. Mr. Depp has already gone through the process of preparing these documents for production. All he needs to do now is stamp new Bates numbers on these documents and send them to Ms. Heard.

Ms. Heard is entitled to these documents, as the issues in the *Sun* litigation are substantially identical to the issues here. Moreover, to the extent that these documents contain medical records, such as records from Australian doctors relating to Mr. Depp's finger injury, Mr. Depp's refusal to produce these documents places him in contempt of the Court's October 18, 2019 Order (the "October Order") granting Ms. Heard's motion to compel. Ms. Heard reserves all rights to file a motion for contempt along with a motion to compel.

II. MEDICAL RECORDS

Mr. Depp's responses to several outstanding interrogatories are also deficient and unacceptable.

Interrogatory #9 requests the identity of and information relating to services sought and received from each *mental* and/or *physical health care provider since 2010*. Interrogatory #10, in turn, requests information related to each prescription drug that Plaintiff has been prescribed since 2010 and the *providers that prescribed such medications*.

Interrogatory #11 asks: "For each instance of physical violence or abuse alleged in Ms. Heard's Declaration, state whether You were under the influence of or had consumed any alcohol, medication, or drugs at the time of each such incident, and, if so, state as to each substance consumed (including alcohol) the identity of the substance consumed, the amount of the substance

¹ See, e.g., Oct. 30, 2019 Ltr. from J. Treece to B. Chew; Nov. 4, 2019 Email from J. Treece to B. Chew; Nov. 12, 2019 Ltr. from B. Rottenborn to B. Chew.

consumed, the date and time each such substance was consumed, the name and address of the place(s) where the substance was consumed, the location and *person from which the substance was acquired or obtained*, any witnesses present at the time of consumption, and the effect of the substance on You.”

In our October 30th letter and telephonic meet and confer on November 4th, we identified numerous deficiencies with Plaintiff’s initial responses, which effectively pointed to non-existent document productions and otherwise refused to answer. We reiterated our demand for a list of providers responsive to these requests. In an email response, on November 5th, Rob Gilmore provided *only 3 health care providers by email* (Dr. Kipper, Dr. Blaustein & Dr. Anderson). We reiterated these deficiencies in our November 12, 2019 letter, but the deficiencies remain.

Listing only 3 providers is facially incomplete, and fails to disclose numerous relevant mental and physical health care providers of Mr. Depp. Our information suggests that Mr. Depp has been seen by numerous other mental and physical health care providers, who we listed in our November 12, 2019 letter. For example, Plaintiff’s November 15, 2019 production of records from Dr. Kipper indicates that Mr. Depp saw a doctor in Australia named Dr. Raja Sawhney immediately following the finger incident—an incident Mr. Depp put at issue in his Complaint. *See* Compl. ¶ 28. Plaintiff’s failure to provide this name underscores that his interrogatory responses and document productions are incomplete.

Moreover, our requests are in the form of interrogatories and Mr. Depp has neither supplemented nor verified his purported substantive provider list in response to INTs 9-11. He must verify his medical providers under oath as required by Rule 4:8. His ongoing failure to do so only heightens our concerns about completeness.

We hereby demand a complete response to our interrogatories, under oath, as soon as possible. We also demand the immediate production of any documents and/or communications involving Dr. Sawhney, and any other relevant medical records, including but not limited to any x-rays, lab reports, charts, or other medical records relating to Mr. Depp’s finger injury. Plaintiff’s withholding of these documents also constitutes contempt of the October Order and we expressly reserve all rights.

III. VANCOUVER POLICE DEPARTMENT RECORDS

On October 18, 2019, the Court granted Ms. Heard’s motion to compel in full, which required Mr. Depp to respond by November 15 to Request for Production #41: “Documents sufficient to show each time YOU were arrested and the reason(s) for the arrest.” Following the October Order, Rob Gilmore confirmed on an October 31, 2019 meet-and-confer call that Plaintiff would execute an authorization for the release of records from the Vancouver Police Department.

I sent a Vancouver PD Records Release to Rob Gilmore and Ben Chew on Tuesday, November 12, 2019. That was more than three weeks ago. Ms. Heard has still not received an executed release back.

Please return a signed and notarized version of the Records Release by December 9, along with a copy of Mr. Depp's driver's license, in accordance with the Vancouver Police Department's instructions.

IV. NOVEMBER 26, 2019 PRODUCTION ERRORS

Plaintiff's November 26, 2019 production contained 305 documents, none of which were produced with native files. Of those 305 documents, 112² contain only the text "Empty File – Conversion Error." Another 35³ are completely blank. Because Plaintiff did not produce any native files with this production, Defendant is unable to view these files or determine what they contain, beyond the file extension and file name. Please re-produce Plaintiff's November 26, 2019 production in full, with native files, correcting these errors.

IV. DOCUMENTS AND COMMUNICATIONS WITH THIRD PARTIES

Plaintiff has not produced any documents and/or communications with or about any third parties in this action, even though Plaintiff has noticed and proceeded with depositions

It is long past time for Plaintiff to produce documents with third parties, who we know have highly relevant information to Mr. Depp's claims and Ms. Heard's defenses. Deponents Isaach Baruch and Josh Drew testified to texting with Mr. Depp regarding issues relevant to this case, yet Mr. Depp has not produced any of these documents. In addition, we have reason to believe that employees, friends, and/or medical staff of Mr. Depp have photographic evidence of Mr. Depp's property damage, blood loss, urination on property, and/or severed finger in connection with Mr. Depp's March 2015 finger injury in Australia.

Please produce documents and communications with third parties in your possession.

² DEPP00003654-3655, DEPP00003708-3734, DEPP00003743, DEPP00003745, DEPP00003748, DEPP00003751, DEPP00003772, DEPP00003775, DEPP00003782, DEPP00003785, DEPP00003787, DEPP00003790, DEPP00003795, DEPP00003798, DEPP00003801, DEPP00003816, DEPP00003819, DEPP00003823, DEPP00003828, DEPP00003831, DEPP00003844-3846, DEPP00003850-3852, DEPP00003855, DEPP00003858, DEPP00003862, DEPP00003866-3867, DEPP00003870, DEPP00003872-3875, DEPP00003878, DEPP00003882, DEPP00003884, DEPP00003888-3889, DEPP00003893, DEPP00003898-3900, DEPP00003912-3913, DEPP00003917-3918, DEPP00003921, DEPP00003923, DEPP00003938, DEPP00003955, DEPP00003975-3977, DEPP00004002-4003, DEPP00004006, DEPP00004014-4017, DEPP00004021-4022, DEPP00004025, DEPP00004027-4028, DEPP00004043-4054, DEPP00004056, DEPP00004060, DEPP00004063, DEPP00004066, DEPP00004069.

³ DEPP00003773-3774, DEPP00003781, DEPP00003784, DEPP00003864-3865, DEPP00003890-3892, DEPP00003896-3897, DEPP00003915, DEPP00003954, DEPP00003972-3973, DEPP00003981-3982, DEPP00004000, DEPP00004010-4012, DEPP00004019, DEPP00004029-4041

V. AGREEMENTS WITH FORMER ROMANTIC PARTNERS

Plaintiff produced two agreements with his former romantic partners on November 15, 2019. The Settlement Agreement with Vanessa Paradis (DEPP00002101-DEPP00002123) is a version signed by Ms. Paradis and dated July 30, 2015, but not signed by Mr. Depp. The Confidential Tangible and Intangible Personal Property and Life Story Rights Purchase & Non-Disclosure Agreement with Lori Anne Allison a/k/a Lori Depp (DEPP00002124-DEPP00002169) is a draft/redline version of this agreement dated July __, 2005, which is not signed by either party.

As you know, on October 18, 2019, the Court granted Defendant's motion to compel with respect to Request for Production #42, "All written agreements (marital agreements, separation agreements, property agreements, settlement agreements, confidentiality agreements, non-disclosure agreements, and/or protective order agreements) between YOU and any former ROMANTIC PARTNERS," as that Request for Production was limited by the parties.

In addition, Interrogatory #13 requested the following:

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

In response to Interrogatory #13, Plaintiff identified the divorce settlement with Ms. Heard and the Settlement Agreement with Ms. Paradis, but did not identify the agreement with Ms. Allison. Moreover, we have reason to believe that Mr. Depp entered into a settlement or other agreement with Ms. Paradis prior to July 2015, but Mr. Depp has not produced this agreement or described it in his interrogatory response.

Clearly, Plaintiff's production of agreements with and interrogatory response regarding former romantic partners were incomplete (and inconsistent). In accordance with your discovery obligations and the October Order, please: (i) produce the final, executed versions of the agreements already produced (DEPP00002101, DEPP00002124); (ii) supplement your response to Interrogatory #13 and any other incomplete interrogatory responses by December 13; and (iii) produce any additional agreements with former or current romantic partners, including but not limited to any other agreements with Ms. Paradis, by December 13.

VI. ALLEGED DAMAGES

Plaintiff has not produced a single document in support of his alleged damages, despite claiming in his Complaint filed nine months ago that he is entitled to \$50 million and has lost roles in movies, including the *Pirates of the Caribbean* franchise. *See, e.g.*, Compl. at ¶¶ 69-73. For

example, Plaintiff has not produced any draft or actual contracts for any of the *Pirates of the Caribbean* movies (or any other movie role he allegedly lost) or any communications that support or relate to his claim that he lost any such role as a result of Ms. Heard's alleged conduct.

Ms. Heard specifically requested "All documents referring or relating to damages or losses for which You seek recovery in this Action," on October 7, 2019. (Request For Production #13.)

Ms. Heard is cognizant that the trial date was continued. However, Ms. Heard's ability to identify, notice and depose relevant damages witnesses, present a defense, and draft expert disclosures are prejudiced by Plaintiff's continuing failure to produce any documents regarding his alleged damages.

Plaintiff must produce documents that refer or relate to his alleged damages promptly or Plaintiff will have no choice but to file a motion to compel the same.

VII. ADDITIONAL DEFICIENCIES THAT REMAIN FOLLOWING OUR NOVEMBER 12TH LETTER

- Interrogatory #1: Plaintiff has undertaken no effort to supplement contact and other information as required and requested.
- Interrogatory #7: Plaintiff still has not confirmed whether Plaintiff had direct or indirect control or interest in the following additional entities: Junior Varsity Productions LLC; Unison Music Group; 6909 Ventures LLC; JDSV Holdings, Inc.; Matar LLC; Matar II LLC; Plus Capital Partnership, LLC; SCI La Pierre; Elisa's Attic LLC; Gelt Valleyview Holdings LLC; and Swag LLC.
- Interrogatory #11: Aside from failing to identify providers in response to Interrogatory 11, as noted above, Mr. Depp has wrongfully refused to answer, and this deficiency is continuing.
- Interrogatory #12: Plaintiff has not confirmed whether or not he is withholding information based on his objections to the interrogatory or to the definition of Romantic Partners.
- Interrogatory #14: Plaintiff still has failed to supplement and provide responsive information under oath regarding information on other instances where persons, other than Ms. Heard, accused Plaintiff of any act of physical violence, abuse, or destruction of property, and requests details related thereto, including whether Plaintiff was under the influence of alcohol, medication or illegal drugs at the time.
- Second Requests for Production #16: Plaintiff still has not produced documents sufficient to show transactions between Plaintiff (or entities controlled by Plaintiff) and identified witnesses, which are relevant to, *inter alia*, specific incidents of abuse, bias and credibility.

Benjamin G. Chew
December 4, 2019
Page 7

VIII. CONCLUSION

We can be available this week to discuss these continuing deficiencies either via phone or in person. Please let us know a time that works.

Sincerely,

WOODS ROGERS PLC



Joshua R. Treece

cc: Counsel of Record



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February 7, 2020

VIA EMAIL

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**Re: *John C. Depp II v. Amber Laura Heard*; Case No. 2019-02911:
Plaintiff's Discovery Abuses & Improper Efforts to Litigate in the Press**

Dear Counsel:

It has come to our attention that Plaintiff has, yet again, selectively provided otherwise responsive information to the press without ever producing that information in this litigation. We write to express our deep frustration with Plaintiff's continuing refusal to meet his discovery obligations in the judicial forum he selected so that he can, instead, provide selective, misleading and self-serving disclosures of otherwise responsive information to the press.

As you know, the Daily Mail recently released audio of a 2015 recording between Mr. Depp and Ms. Heard that was apparently provided by counsel for Mr. Depp. *See* <https://www.dailymail.co.uk/news/article-7947733>. That recording has not been produced by Mr. Depp in the litigation. Only five days later, the Daily Mail released another recording, this time one that was illegally recorded because it was taken without Ms. Heard's consent in California, *see* Cal. Penal Code § 632, that also has not been produced to us in this litigation. *See* <https://www.dailymail.co.uk/news/article-7966723/Amber-Heard-ridicules-Johnny-Depp-claiming-hes-domestic-violence-victim.html>. It is clear from these articles and Plaintiff's discovery abuses that the sole purpose of these leaks is to mislead the public, taint the jury pool and undermine Ms. Heard's rights to a full and fair trial and the discovery to which she is entitled.

Plaintiff's continuing efforts to manipulate the press and disregard his discovery obligations in this litigation are wholly improper and fundamentally at odds with Ms. Heard's right to a fair trial and to full and fair discovery. *See, e.g., Am. Sci. & Eng'g, Inc. v. Autoclear, LLC*, 606 F. Supp. 2d 617, 625–26 (E.D. Va. 2008) (awarding sanctions for a misleading litigation press release and recognizing “[t]he Supreme Court has held that civil litigants have a constitutional right to an impartial jury [and] [c]ourts may disallow prejudicial extrajudicial statements by litigants that risk tainting or biasing the jury pool.”) (internal citations omitted); *Kennedy v.*

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Cannon, 229 Md. 92, 100, 182 A.2d 54, 59 (1962) (“[T]rial by press” is “universally condemned” and “subversive of the fair and orderly conduct of judicial proceedings.”); *Rothman v. Jackson*, 49 Cal. App. 4th 1134, 1149 (1996) (“[L]itigating in the press generally causes [damages to our system of justice, including]: poisoning of jury pools and bringing disrepute upon both the judiciary and the bar.”)

Needless to say, we are surprised that Mr. Depp is electing to continue to litigate this case in the press, in light of Judge White’s repeated attempts to dissuade the parties from doing so. *See, e.g.*, Dec. 13, 2019 Hr’g Tr. 6:20-22 (Court: “[W]e don’t need to make statements and arguments that are later on going to be used in the press. So we’re going to just stop doing that.”).

Mr. Depp’s habit of leaking information to the media has not only impeded document discovery in this case, it has also affected forthcoming depositions of third party witnesses. Leaking the parties’ correspondence with an attorney for a third party witness who sought confidentiality protections in advance of the witness’s deposition, for example, was completely inappropriate. *See* <https://theblast.com/c/johnny-depp-amber-heard-james-franco-private-sealed-deposition-video-elevator>. But this leak also underscores the need for confidentiality protections for third party witnesses going forward. *Cf.* Protective Order § III(1).

It is antithetical to Ms. Heard’s right to a fair trial for the Plaintiff, who chose to bring this case, to intimidate or dissuade witnesses from testifying based on the implied threat that the fact of their depositions and the resulting testimony will be leaked to the tabloids. *See Harlan v. Lewis*, 982 F.2d 1255, 1259 (8th Cir. 1993) (affirming sanctions for “attempt[s] to dissuade [a witness] from giving testimony or otherwise cooperating with the [opposing party],” and finding “the district court did not abuse its discretion in concluding that [the attorney] had attempted to convince witnesses to refrain from ‘voluntarily giving relevant information’ to the [opposing party]”); *Cleary Gottlieb Steen & Hamilton LLP v. Kensington Int’l Ltd.*, 284 F. App’x 826, 828 (2d Cir. 2008) (affirming sanctions imposed after a finding that attorneys had sought “to delay or obstruct the post-judgment discovery process . . . by attempt[ing] to dissuade a non-party witness from attending a post-judgment deposition”); *Scherer v. Wiles*, No. 2:12-CV-1101, 2015 WL 4512393, at *19 (S.D. Ohio July 24, 2015), *aff’d*, 659 F. App’x 349 (6th Cir. 2016) (conversation with potential witness that could have chilled testimony was sanctionable even when the witness still testified at deposition). Accordingly, we demand that you immediately confirm that going forward, Mr. Depp and his counsel will abide by the confidentiality protections requested by third party witnesses. Failure to do so will give us no choice but to seek appropriate relief with the Court.

Further, if Plaintiff does not immediately cease his improper conduct and produce all information responsive to our October 30, 2019, November 12, 2019, and December 4, 2019 discovery deficiency letters, we will have no choice but seek appropriate relief from the Court.

Benjamin G. Chew
February 7, 2020
Page 3

Sincerely,

WOODS ROGERS PLC



Ben Rottenborn

cc: Counsel of Record (via email)