

VIRGINIA: IN THE CIRCUIT COURT OF FAIRFAX COUNTY

John C. Depp, II

Plaintiff
vs.

Civil Action No. CL 2019 0002911

Amber Laura Heard

Defendant

Previous Chancery No. CH

FRIDAY MOTIONS DAY - RESPONSE/OPOSITION TO MOTION

Title of Motion(s) to which Response is filed: Motion to Compel

Responding Party: Plaintiff John C. Depp, II

DATE TO BE HEARD: November 20, 2020

Time Estimate (combined, no more than 30 minutes): 30 minutes

Responding Party will use Court Call telephonic appearance: Yes No

RESPONSE by: Benjamin G. Chew Brown Rudnick LLP
Printed Attorney Name/ Responding Party Name Firm Name
601 13th Street NW, Suite 600, Washington, D.C. 20005
Address

202-536-1785 617-289-0717 29113 BChew@brownrudnick.com
Tel. No. Fax No. VSB No. E-Mail Address

FILED
DCTP
NOV 13 PM 2:59
JOHN T. FIREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

CERTIFICATIONS

I certify that I have in good faith conferred or attempted to confer with other affected parties in an effort to resolve the subject of the motion without Court action; and,

I have read, and complied with, each of the Instructions for Responding Party on the reverse side of this form.

[Redacted Signature]

Responding Party/Counsel of Record

CERTIFICATE OF SERVICE

I certify on the 13th day of November, 2020, a true copy of the foregoing Response was mailed faxed delivered to all counsel of record pursuant to the provisions of Rule 4:15(e) of the Rules of the Supreme Court of Virginia.

[Redacted Signature]

Responding Party/Counsel of Record

INSTRUCTIONS FOR RESPONDING PARTY

PARTIES/MOTION PAPERS: If you receive notice of a motion set for the Two Week Docket, you must file a memorandum of points and authorities of five (5) pages or less in response. Such memorandum or any other pleading in opposition to a Two Week Motion, accompanied by the Court's green colored Response/Opposition to Motion – Friday Motions Day form, must be received by the Clerk of the Court no later than 4:00 p.m. on the Friday preceding the date of the hearing, or the Court may treat the matter as uncontested. If either party believes it necessary to file a memorandum exceeding five double-spaced pages, then the parties must utilize the Briefing Schedule procedure: contact opposing counsel or the opposing party and by agreement conduct a telephone conference call with the Calendar Control Judge, (703) 246-2221; or, if agreement is not possible, give advance notice of an appearance before the Calendar Control Judge to establish a Briefing Schedule.

As files for One Week Motions are normally received by the Judges on Thursday afternoon, any written response filed to a One Week Motion, without the Court's prior approval, may not be received by the Judge prior to the hearing. Where the responding party to a One Week Motion wishes to file a response, and further wants to assure that it will be timely received by the Judge, the parties should continue the motion, by agreement, to a Two Week Docket or, absent agreement, contact the Calendar Control Judge.

Each side should bring a draft proposed order to Court on the day of the hearing, as the ruling must be reduced to an order that day, absent leave of Court. Cases may only be removed from the docket by the Court or by counsel for the moving party or the moving party. One Week Motions may be removed from the docket up until 4:00 p.m. on the Thursday preceding the hearing date, by contacting the Motions Clerk: (703) 246-4355. Two Week Motions may not be continued or removed from the docket after 4:00 p.m. on the Friday preceding the hearing date, without leave granted by the Judge assigned to hear the motion, for good cause shown.

If a hearing on any motion must take longer than thirty (30) minutes, the moving and responding parties, or their counsel, should appear before the Calendar Control Judge to request a hearing for a day other than a Friday. See, "Motions Requiring More than 30 Minutes" in "Friday Motions Docket Procedures" on the Court's website at <https://www.fairfaxcounty.gov/circuit/sites/circuit/files/assets/documents/pdf/civil-friday-motions-docket-procedures.pdf>

CERTIFICATE OF SERVICE: Pursuant to Rule 4:15(e), a motions pleading shall be deemed served when it is actually received by, or in the office of, counsel of record through delivery, mailing, or facsimile transmission; not when it is mailed or sent.

INFORMATION FOR RESPONDING PARTY

COURTCALL TELEPHONIC APPEARANCE: In most cases, Virginia attorneys may appear by phone in lieu of appearing in Court for the hearing. To set up a telephonic appearance, you must call (888) 882-6878. For information, please visit the Court's website at <https://www.fairfaxcounty.gov/circuit/services/courtcall>. The Clerk's Office prefers that you notify it that you have set up a telephonic appearance by calling (703) 246-2880 no later than 4:00 p.m. on Thursday prior to the hearing date. The Court encourages use of this procedure, and either party may appear by phone. **NOTE:** Telephonic appearance is for Virginia Attorneys only.

CONCILIATION PROGRAM: The Fairfax Circuit Court strongly encourages use of conciliation procedures to resolve motions. The Fairfax Bar Association's Conciliation Program conducts conciliation without charge by experienced litigators, who meet in person or by telephone with all interested parties. To request conciliation, fax a Request for Conciliation form to the Fax Hotline, (703) 273-1274; e-mail a request for conciliation to: ffxconciliation@aol.com; or leave a voice mail message at (703) 627-1228. You will be contacted before the hearing date by a representative of the Conciliation Program.