

[ ] This SUBPOENA/SUBPOENA DUCES TECUM TO PERSON UNDER FOREIGN SUBPOENA is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the Clerk of Court.

NAME: American Civil Liberties Union, Inc.

ADDRESS: c/o Abdi Soltani, 39 Drumm Street, San Francisco, CA 94111

[ ] PERSONAL SERVICE Tel. No.

Being unable to make personal service, a copy was delivered in the following manner:

[ ] Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above:

[ ] Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

[ ] not found ..... , Sheriff

DATE by ..... , Deputy Sheriff

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

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

File No. CL-2019-0002911

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

**FAIRFAX COUNTY**

Circuit Court

4110 CHAIN BRIDGE ROAD, FAIRFAX, VIRGINIA 22030

ADDRESS OF COURT

JOHN C. DEPP, II

v./In re:

AMBER LAURA HEARD

**TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:**

You are commanded to summon

American Civil Liberties Union, Inc.

NAME

c/o Abdi Soltani, 39 Drumm Street

STREET ADDRESS

San Francisco

CA

94111

CITY

STATE

ZIP

**TO THE PERSON SUMMONED:** You are commanded to

attend and give testimony at a deposition

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

See Attachment A

FILED  
CIVIL INTAKE  
SEP 29 PM 2:33  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

First Legal Records

at 1511 Beverly Blvd., Los Angeles, CA 90026

LOCATION

at October 26, 2020 at 10:00 a.m.

DATE AND TIME

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

permit inspection of the premises

at the following location

LOCATION

ON .....  
DATE AND TIME

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

John C. Depp, II

NAME OF REQUESTING PARTY

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

STREET ADDRESS

Washington

DC

20005

(202) 536-1700

CITY

STATE

ZIP

TELEPHONE NUMBER

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

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided  below  on attached list.

September 25, 2020  
DATE ISSUED

JOHN T. FREY, CLERK

by



Benjamin G. Chew  
NAME OF ATTORNEY FOR REQUESTING PARTY

92720

29113

VA

BAR NUMBER

LICENSING STATE

601 Thirteenth Street, N.W., Suite 600

OFFICE ADDRESS

(202) 536-1700

TELEPHONE NUMBER OF ATTORNEY

Washington, DC 20005

OFFICE ADDRESS

(202) 536-1701

FACSIMILE NUMBER OF ATTORNEY

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER

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FACSIMILE NUMBER

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

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

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

Camille M. Vasquez (*pro hac vice*)  
BROWN RUDNICK LLP  
2211 Michelson Drive  
Seventh Floor  
Irvine, CA 92612  
Telephone: (949) 752-7100  
Facsimile: (949) 252-1514  
cvasquez@brownrudnick.com

Adam R. Waldman (*pro hac vice*)  
THE ENDEAVOR LAW FIRM, P.C.  
1775 Pennsylvania Avenue, N.W., Suite 350  
Washington, D.C. 20006  
Telephone: (202) 715-0966  
Facsimile: (202) 715-0964  
awaldman@theendeavorgroup.com

*Counsel for Plaintiff John C. Depp, II*

**SERVICE LIST**

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

Elaine Charlson Bredehoft (VSB No. 23766)  
Carla D. Brown (VSB No. 44803)  
Adam S. Nadelhaft (VSB No. 91717)  
David E. Murphy (VSB No. 90938)  
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cbrown@cbcblaw.com  
anadelhaft@cbcblaw.com  
dmurphy@cbcblaw.com

Craig J. Mariam  
John P. Cogger  
Kristin Blocher  
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633 West Fifth Street, 52nd floor  
Los Angeles, CA 90071  
Telephone: (213) 576-5000  
Facsimile: (877) 306-0043  
cmariam@grsm.com  
jcogger@grsm.com  
kblocher@grsm.com

*Counsel for Defendant Amber Laura Heard*

1 ATTACHMENT A

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to American Civil Liberties Union,  
4 Inc. and its agents, officers, directors, employees, and/or any other PERSON acting on its behalf,  
5 including but not limited to YOUR affiliated entities or state or local branches.

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

#### DOCUMENT REQUESTS

21 **REQUEST NO. 1:**

22           All DOCUMENTS that refer, reflect, or relate to any donations made to YOU or for  
23 YOUR benefit by MS. HEARD, from January 1, 2016 through and including the present.

24 **REQUEST NO. 2:**

25           All COMMUNICATIONS between YOU and MS. HEARD regarding any donations made  
26 to YOU or for YOUR benefit by MS. HEARD, from January 1, 2016 through and including the  
27 present.

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1 **REQUEST NO. 3:**

2 All COMMUNICATIONS between YOU and MS. HEARD regarding the DIVORCE  
3 ACTION.

4 **REQUEST NO. 4:**

5 All COMMUNICATIONS between YOU and MS. HEARD regarding the relationship  
6 between MR. DEPP and MS. HEARD.

7 **REQUEST NO. 5:**

8 All DOCUMENTS, including all COMMUNICATIONS, that refer, reflect, or relate to any  
9 press releases, public statements, or other publicity related to any donations made by MS. HEARD  
10 to YOU or for YOUR benefit, from January 1, 2016 through and including the present.

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>BROWN RUDNICK LLP</b> <b>CAMILLE M. VASQUEZ, #273377</b> 2211 Michelson Drive, Seventh Floor Irvine, CA 92612 TELEPHONE NO.: (949) 752-7100 FAX NO.: (949) 252-1514 E-MAIL ADDRESS: <a href="mailto:cvasquez@brownrudnick.com">cvasquez@brownrudnick.com</a> ATTORNEY FOR (Name): John C. Depp, II	FOR COURT USE ONLY
Court for county in which discovery is to be conducted: <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY, STATE, AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk	
Court in which action is pending: <b>Name of Court: Circuit Court of Fairfax County</b> STREET ADDRESS: 4110 Chain Bridge Road MAILING ADDRESS: 4110 Chain Bridge Road, Suite 320 CITY, STATE, AND ZIP CODE: Fairfax, Virginia 22030 COUNTRY: United States	
PLAINTIFF/PETITIONER: John C. Depp, II DEFENDANT/RESPONDENT: Amber Laura Heard	CALIFORNIA CASE NUMBER (if any assigned by court):
<b>SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS          IN ACTION PENDING OUTSIDE CALIFORNIA</b>	CASE NUMBER (of action pending outside California): CL-2019-0002911

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):  
 American Civil Liberties Union, Inc. c/o Abdi Soltani, 39 Drumm Street, San Francisco, CA 94111

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

To (name of deposition officer): First Legal Records On (date): October 26, 2020 Location (address): 1511 Beverly Blvd., Los Angeles, CA 90026	At (time): 10:00 a.m.
<b>Do not release the requested records to the deposition officer prior to the date and time stated above.</b>	

- a.  by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
- b.  by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
- c.  by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records must be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified): See Attachment 3

Continued on Attachment 3 (use form MC-025).

4. Attorneys of record in this action or parties without attorneys are (name, address, telephone number, and name of party represented): See Attachment 4

Continued on Attachment 4 (use form MC-025).

PLAINTIFF/PETITIONER: John C. Depp, II	CASE NUMBER (of action pending outside California): CL-2019-0002911
DEFENDANT/RESPONDENT: Amber Laura Heard	

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

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

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

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

Date issued: September 22, 2020

CAMILLE M. VASQUEZ  
\_\_\_\_\_  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for John C. Depp, II  
\_\_\_\_\_  
(TITLE)

**PROOF OF SERVICE OF SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS**

1. I served this Subpoena for Production of Business Records In Action Pending Outside California by personally delivering a copy to the person served as follows:
  - a. Person served (name):
  - b. Address where served:
  - c. Date of delivery:
  - d. Time of delivery:
  - e. Witness fees and mileage both ways (check one):
    - (1)  were paid. Amount: .....\$ \_\_\_\_\_
    - (2)  were not paid.
    - (3)  were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (specify): \$ \_\_\_\_\_
  - f. Fee for service: .....\$ \_\_\_\_\_
2. I received this subpoena for service on (date):
3.  I also served a completed Proof of Service of Notice to Consumer or Employee and Objection (form SUBP-025) by personally delivering a copy to the person served as described in 1 above.
4. Person serving:
  - a.  Not a registered California process server
  - b.  California sheriff or marshal
  - c.  Registered California process server
  - d.  Employee or independent contractor of a registered California process server
  - e.  Exempt from registration under Business and Professions Code section 22350(b)
  - f.  Registered professional photocopier
  - g.  Exempt from registration under Business and Professions Code section 22451
  - h. Name, address, telephone number, and, if applicable, county of registration and number:

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

Date: \_\_\_\_\_  
\_\_\_\_\_  
(SIGNATURE)

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

Date: \_\_\_\_\_  
\_\_\_\_\_  
(SIGNATURE)

1 ATTACHMENT 3

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to American Civil Liberties Union,  
4 Inc. and its agents, officers, directors, employees, and/or any other PERSON acting on its behalf,  
5 including but not limited to YOUR affiliated entities or state or local branches.

6 2. "COMMUNICATION" and/or "COMMUNICATIONS" shall mean and refer to  
7 any written and verbal exchanges between any person or persons or entities, including but not  
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9 faxes, exhibits, drawings, text messages, and any other documents which confirm or relate to the  
10 written or verbal exchange, including applicable ELECTRONICALLY STORED  
11 INFORMATION.

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

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

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

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

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

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

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BCC	The recipients of a blind copy of an email message (email BCC)
Custodian	The custodian in whose file the document was found, including all duplicate custodians
Datercvd	Date received
Datesent	Date sent
Subject	E-mail subject
Author	The person who created the document
Modifier	The person who last modified the document
Created	The creation date of the document
Last_Modified	The last modified date of the document
Title	The title of the document
File_Name	The name of the file
File_Extension	The file extension of the document
MD5Hash	The MD5 Hash Value of the document
Message_ID	The Message ID of the email and/or attachment
Mailstore	The name of the Mailstore in which the email and/or attachment is contained
File_Size	The size of the file
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14. All DOCUMENTS attached to and/or embedded in an e-mail and/or other DOCUMENT must be produced contemporaneously and sequentially after the parent e-mail/document.

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

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

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

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

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

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

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

#### DOCUMENT REQUESTS

##### REQUEST NO. 1:

22           All DOCUMENTS that refer, reflect, or relate to any donations made to YOU or for  
23 YOUR benefit by MS. HEARD, from January 1, 2016 through and including the present.

##### REQUEST NO. 2:

25           All COMMUNICATIONS between YOU and MS. HEARD regarding any donations made  
26 to YOU or for YOUR benefit by MS. HEARD, from January 1, 2016 through and including the  
27 present.

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**REQUEST NO. 3:**

All COMMUNICATIONS between YOU and MS. HEARD regarding the DIVORCE ACTION.

**REQUEST NO. 4:**

All COMMUNICATIONS between YOU and MS. HEARD regarding the relationship between MR. DEPP and MS. HEARD.

**REQUEST NO. 5:**

All DOCUMENTS, including all COMMUNICATIONS, that refer, reflect, or relate to any press releases, public statements, or other publicity related to any donations made by MS. HEARD to YOU or for YOUR benefit, from January 1, 2016 through and including the present.

SHORT TITLE: John C. Depp, II v. Amber Laura Heard	CASE NUMBER: CL-2019-0002911
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ATTACHMENT (Number): 4

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

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*Counsel for Defendant Amber Laura Heard*

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

Page 1 of 1

(Add pages as required)

**brownrudnick**

BENJAMIN G. CHEW

direct dial: 202.536.1785

bchew@brownrudnick.com

23,

September 23, 2020

**VIA HAND DELIVERY**

Mr. John T. Frey, Clerk  
Fairfax County Circuit Court  
4110 Chain Bridge Road, Suite 320  
Fairfax, Virginia 22030

**RE:     *John C. Depp, II v. Amber Laura Heard***  
**Case No. CL-2019-0002911**  
**Subpoena: American Civil Liberties Union, Inc.**

FILED  
CIVIL INTAKE  
2020 SEP 23 PM 2:38  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

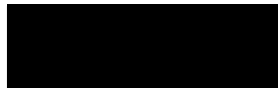
Dear Mr. Frey,

Please find enclosed three copies of an original foreign subpoena duces tecum of third party witness American Civil Liberties Union, Inc. issued pursuant to Virginia Code Section 8.01-412.10 and California Civil Procedure Code Section 2029.100 et seq. The enclosed subpoena has been issued in accordance with both Acts and the reciprocal privileges included therein.

The enclosed documents will be served by private process server. Please file these documents with the Court's papers in this case and return a file-stamped copy of the same in the enclosed self-addressed envelope. Thank you for your assistance

Regards,

**BROWN RUDNICK LLP**



Benjamin G. Chew

Enclosures





SERVICE LIST

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*Counsel for Defendant Amber Laura Heard*

Fairfax Circuit Court  
Circuit Court  
Receipt No. 905667  
Receipt Date: 09/23/2020 02:41 PM

Received of: Chew, Benjamin \$ 7.00

Seven and 00/100

John C Depp II vs. Amber Laura Heard

Filer(s): Depp, John C II

Case

CL-2019-0002911

Copy - Certified

Subpoena Duces Tecum Clerks Fee

Amount

2.00

5.00

Total: 7.00

Balance due court: \$ 0.00

Next fine/fee due date:

Next restitution due date:

Cash

Amount Tendered: 7.00

Overage: 0.00

Change Due: 0.00

John T. Frey, Clerk of Circuit Court

By: \_\_\_\_\_

Deputy Clerk

Clerk: JCALLI