

[ ] 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: David Kipper	
ADDRESS: 153 S. Lasky Drive #3 Beverly Hills, CA 90212	
<input type="checkbox"/> PERSONAL SERVICE	Tel. No. _____
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above: _____ _____	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> not found	_____, Sheriff
DATE _____	by _____, Deputy Sheriff

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

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

File No. 2019-002911

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

FAIRFAX COUNTY

Circuit Court

4110 Chain Bridge Road, 3rd Floor, Fairfax, VA 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

David Kipper

NAME

153 S. Lasky Drive #3

STREET ADDRESS

Beverly Hills

CA

CITY

STATE

FILED  
CIVIL INTAKE  
2021 SEP 30 P 1:20  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA  
90212  
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

PLEASE SEE ATTACHMENT

at 633 West Fifth Street, 52nd Floor, Los Angeles, CA 90071 or mdailey@grsm.com at October 29, 2021 at 8:30am PST ;  
LOCATION 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

Defendant Amber Laura Heard

NAME OF REQUESTING PARTY

c/o Charlson Bredehoff Cohen & Brown, P.C., 11260 Roger Bacon Drive, Suite 201

STREET ADDRESS

Reston

VA

20190

703 318 6800

CITY

STATE

ZIP

TELEPHONE NUMBER

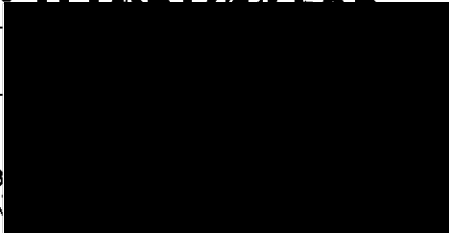
The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8.01-412.10.

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.

October 1, 2021  
DATE ISSUED

JOHN T. FREY, CLERK

by



Elaine Charlson Bredehofft for Defendant  
NAME OF ATTORNEY FOR REQUESTING PARTY

23  
BAR NUMBER

11260 Roger Bacon Drive, Suite 201  
OFFICE ADDRESS

703 318 6800  
TELEPHONE NUMBER OF ATTORNEY

Reston, VA 20190  
OFFICE ADDRESS

703 318 6808  
FACSIMILE NUMBER OF ATTORNEY

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

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STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

### ATTACHMENT 3

**John C. Depp, II v. Amber Laura Heard**

**Fairfax County Circuit Court: CL 2019-0002911**

#### DEFINITIONS

- a. **Action.** The term "Action" means the above-captioned action.
- 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.
- 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, photographs, video or audio tape recordings, 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).
- d. **Complaint.** The term "Complaint" means the Complaint, dated March 1, 2019, filed in the Action.
- e. **Concerning.** The term "Concerning" includes relating to, referring to, describing, evidencing, or constituting.
- f. **Correspondence.** The term "correspondence" means any document(s) and/or communication(s) sent to or received from another entity and/or person.
- 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 all persons acting on her behalf
- h. **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, audio or video recordings, 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.

i. **Engaged.** The term “Engaged,” in relation to a person (as defined herein), means contracted, directed, hired, retained, formed an agreement with (whether formal or informal, binding or nonbinding, written or oral), and/or procured the services of, whether or not in exchange for remuneration or other valuable consideration.

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

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

l. **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, product 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.

m. **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 both individually or as entities.

n. **Requests.** The term “Requests” shall mean the requests for documents to be produced under this Subpoena as set forth in this Attachment.

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

## INSTRUCTIONS

1. Where 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.
2. 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.
3. 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.
4. 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.
5. If You perceive any ambiguities in a question, instruction, definition, or other aspect of this Subpoena, set forth the matter deemed ambiguous, and the construction used in answering.
6. 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 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.
7. 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 as to permit an informed ruling on the objection.
8. These Requests are continuing in character so as to require You to promptly amend or supplement Your production of documents within a reasonable time if You obtain or become aware of any further documents responsive to this Subpoena.

## **DOCUMENTS TO BE PRODUCED UNDER THIS SUBPOENA**

In response to this subpoena, you are required to produce the original or an exact copy of the following:

1. All Documents, including any timeline and/or timetable, that You referenced during Your deposition of February 22, 2021, at pages 78:11-12, 97:15-98:5, and 185:13-22 of the deposition transcript (attached as Exhibit A).
2. All Documents related to the drug tests ordered by You to be administered to Mr. Depp in 2014 and 2015, referenced during Your deposition of February 22, 2021, at pages 55:18-57:21 of the deposition transcript (attached as Exhibit A).
3. Unredacted versions of the Documents previously produced by You bearing the Bates numbers KIPPER 00186-266.
4. Unredacted invoices and payment records for all services performed by You (including any employees or contractors) for or relating to Mr. Depp or Ms. Heard from March 2021 through the present.
5. All Documents relating to or otherwise supporting Your diagnosis of Mr. Depp of Primary Dopamine Imbalance, ADHD, Bipolar 1, Depression, Insomnia, Chronic Substance Abuse Disorder, and/or any other medical diagnosis of Mr. Depp.
6. All written or computerized tests administered by You or anyone on Your behalf or at your request to Mr. Depp, including copies of the questions, copies of any answers to those tests, copies of any computerized analysis of any such testing, and any diagnoses.
7. In addition to the testing requested in No. 6, Documents reflecting all other medical, pharmacological, psychiatric, or psychological testing of Mr. Depp, including the types of tests, the results and any notes relating to such testing.
8. All Documents relating in any manner to the pharmacological effects on Mr. Depp of the medications prescribed for Mr. Depp.
9. All prescriptions for Mr. Depp for all pharmaceutical drugs ordered by You or at your request and any records of drugs prescribed or taken by Mr. Depp, even if not prescribed by you or at your request.
10. All text messages with Mr. Depp from Your current or any former telephone number.
11. All text messages between You and anyone else relating to Mr. Depp or Ms. Heard from Your current or any former telephone number.
12. Any communications with Mr. Depp or his counsel relating in any manner to Mr. Depp's Expert Disclosure dated February 16, 2021, a copy of which is attached as Exhibit B).

# Exhibit A



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VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

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JOHN C. DEPP, II,                   :  
                  Plaintiff,       :  
                  v.                   : Civil Action No.  
AMBER LAURA HEARD,               : CL-2019-0002911  
                  Defendant.       :

-----x

Videotaped Deposition of  
                  DAVID KIPPER, M.D.  
                  Conducted Virtually  
                  Monday, February 22, 2021  
                  12:07 p.m. EST

Job No.: 348206  
Pages: 1 - 273  
Reported By: Paul P. Smakula

1           Deposition of DAVID KIPPER, M.D., conducted  
2           virtually:  
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9           Pursuant to notice, before Paul P. Smakula,  
10          Notary Public in and for the State of Maryland.  
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A P P E A R A N C E S

ON BEHALF OF PLAINTIFF DEPP:

JESSICA N. MEYERS, ESQUIRE

CAMILLE M. VASQUEZ, ESQUIRE

BENJAMIN G. CHEW, ESQUIRE

BROWN RUDNICK LLP

601 Thirteenth Street Northwest

Suite 600

Washington, D.C. 20005

(202) 536-1785

ON BEHALF OF DEFENDANT HEARD:

ADAM S. NADELHAFT, ESQUIRE

CHARLSON, BREDEHOFT, COHEN & BROWN

11260 Roger Bacon Drive

Suite 201

Reston, Virginia 20190

(703) 318-6800

1 to his treatment. 13:18:13

2 Q And are they -- are the notes also to help 13:18:16

3 refresh your recollection? 13:18:18

4 A Yes. 13:18:24

5 Q Okay. And -- and if we go now to the -- 13:18:25

6 this 7/9/14 at 19:30 note; do you see that? 13:18:52

7 A Yes. 13:18:58

8 Q This is on Kipper 5. Is this another note 13:18:58

9 of yours? 13:19:01

10 A Yes. 13:19:33

11 Q Okay. And it says, "Urine drug screen 13:19:33

12 completed and results given to M.D." M.D. is you; 13:19:36

13 correct? 13:19:41

14 A Correct. 13:19:42

15 Q "M.D. will discuss results with patient," 13:19:42

16 do you see that? 13:19:46

17 A Yes. 13:19:47

18 Q All right. And then we go down. And you 13:19:47

19 see where it says 7/15/14 at 23:00? 13:20:05

20 A Yes. 13:20:12

21 Q And it says, "RN and M.D. met with 13:20:13

22 patient. Results of drug test were discussed." 13:20:17

1 Do you see that? 13:20:21

2 A Yes. 13:20:21

3 Q Do you recall what the results of the drug 13:20:21

4 test were? 13:20:24

5 A I don't recall the specifics of the drug 13:20:26

6 test, but they would have been -- they would have 13:20:28

7 been consistent with the drugs we were giving him 13:20:34

8 for us to have proceeded. So that -- that's how 13:20:37

9 we established our relationship. And so the next 13:20:43

10 sentence says the next step in treatment plan is 13:20:50

11 for patient to finish filming. If those drug 13:20:53

12 tests had been positive for medications or a 13:20:58

13 substance he wasn't getting from us 13:21:00

14 professionally, we would not have proceeded. 13:21:04

15 Q So are you -- are you -- are you saying 13:21:06

16 that if he tested positive for cocaine you would 13:21:07

17 not have proceeded? 13:21:12

18 A Correct. 13:21:13

19 Q Okay. Can you put up Kipper 7, please? 13:21:13

20 (KIPPER Deposition Exhibit 7 marked for 13:21:16

21 identification and attached to the transcript.) 13:21:41

22 Q Dr. Kipper, these 18 pages came from your 13:21:41

1 production. (And I'll represent to you that there 13:21:46  
2 were no drug tests that I saw for 2014 or 2015 for 13:21:50  
3 Mr. Depp. Do you know why that is? 13:21:55  
4 A The only thing I can -- the answer is no. 13:21:58  
5 I can't -- I don't understand that. We had a 13:22:03  
6 flood in our office in 2014, October. The office 13:22:08  
7 above us flooded our office and the basement, 13:22:19  
8 which is where we kept certain records, but I'm 13:22:22  
9 not sure which records relating to Mr. Depp would 13:22:26  
10 have been involved in that. But other than that, 13:22:29  
11 no. 13:22:32  
12 Q Okay. Would the -- would drug tests for 13:22:33  
13 Mr. Depp for 2014 and 2015, would those also be 13:22:37  
14 kept electronically? 13:22:42  
15 A No. 13:22:43  
16 Q Who did you work with to conduct the drug 13:22:43  
17 test of Mr. Depp? 13:22:55  
18 A Yes, I ordered the drug test. 13:22:56  
19 Q And -- and what company did you work with? 13:22:59  
20 A It appears that it's MD Lab. That's the 13:23:01  
21 lab we use. 13:23:07  
22 Q Okay. And -- and the drug tests that we 13:23:08

1           A Yes. 13:49:57

2           MS. MEYERS: Objection; calls for hearsay. 13:49:57

3           Q And then at 12:30 you and Ms. Lloyd met 13:49:59  
4 with Mr. Depp? 13:50:02

5           A Yes, according to these notes, yes. 13:50:05

6           Q Okay. And do you know, was this now in 13:50:08  
7 the Bahamas or was this back in Los Angeles? 13:50:11

8           A I need to go back to the date, not the 13:50:18  
9 time. Can you scroll up? Thank you. 13:50:23

10          Q 8/20/14. 13:50:25

11          A And I'm just looking at my calendar. Yes, 13:50:30  
12 we were now back in Los Angeles. 13:50:33

13          Q And in the notes on 12:30 on August 20th, 13:50:37  
14 "Mr. Depp stated he was done with the process and 13:50:47  
15 no longer wanted M.D. and R.N. services." Do you 13:50:49  
16 see that? 13:50:53

17          A Yes. 13:50:53

18          Q Do you recall Mr. Depp telling you that? 13:50:53

19          A Yes. 13:50:55

20          MS. MEYERS: Objection; calls for hearsay. 13:50:56

21          Q And do you recall Mr. Depp saying there 13:50:58  
22 was tension between him and Ms. Heard? 13:51:05

1 you know, I'm scheduled to leave town tomorrow, 14:48:32  
2 but it's important that I meet with you in the 14:48:36  
3 morning before I leave. I would like to see you 14:48:38  
4 at 10:00 a.m. at Sweetzer. I care for you deeply, 14:48:41  
5 but I'm very concerned about the course you're on 14:48:45  
6 and want you to help you get back to where you 14:48:48  
7 have worked so hard to climb. I'll ask Debbie to 14:48:48  
8 join us as we share the same concerns and 14:48:48  
9 affection for you. You're too incredibly gifted 14:48:52  
10 to allow yourself to destroy all you have worked 14:48:52  
11 for. This comes from heart which is filled with 14:48:54  
12 sadness as I write this text. Let me help you." 14:48:58

13 Do you recall sending this text to 14:49:02

14 Mr. Depp? 14:49:06

15 A No, I don't recall that specific text. If 14:49:06

16 you'll allow me, I'm just looking at my time line 14:49:10

17 to see where things were on it. It's 11/14? 14:49:15

18 Q 2014, yeah. What is it that you're 14:49:23

19 looking at, Dr. Kipper? 14:49:26

20 A I just have a timeline of my interactions 14:49:28

21 with him, so this will orient me as to where we 14:49:36

22 were in the treatment. 14:49:44



1 Q Do you know if you produced that timeline? 14:49:45

2 A No, I just did this last night. And it's 14:49:48

3 not -- it's not completely filled in. So -- all 14:49:51

4 right. If you'll allow me to just reread this 14:49:54

5 quickly. 14:49:58

6 Q Sure. 14:49:59

7 A And your question, I'm very sorry, 14:50:12

8 Mr. Nadlehaft. 14:50:15

9 Q Do you recall sending this text in 14:50:16

10 November 14th, 2014, to Mr. Depp? 14:50:19

11 A I don't recall the sending it. I see that 14:50:22

12 I did, but I don't recall sending it. 14:50:26

13 Q Do you recall being concerned about 14:50:27

14 Mr. Depp in the November 2014 time frame? 14:50:28

15 MS. MEYERS: Objection; vague. 14:50:31

16 A I can't remember specifically what my 14:50:40

17 concern was, but I will say in general I would 14:50:41

18 have written this text if I was concerned about 14:50:45

19 his -- his wanting to stay on target. 14:50:48

20 Q Right. Because you write, "I'm very 14:50:53

21 concerned about the course you're on." Do you 14:50:57

22 recall in that time frame if there was -- what the 14:50:59

1	have control. I'm going to turn to the last page	17:10:58
2	of these notes. Dr. Kipper, do you see the note	17:11:00
3	marked June 29, 2015?	17:11:25
4	A Yes.	17:11:26
5	Q I'm going to turn to the last page now.	17:11:27
6	And do you see this note marked June 30th?	17:11:33
7	A Yes.	17:11:37
8	Q And so do you understand that to be	17:11:37
9	June 30th, 2015?	17:11:40
10	A Yes.	17:11:51
11	Q Did Ms. Lloyd stop attending to Mr. Depp	17:11:51
12	around this time?	17:12:02
13	A I'm going to refer to my timetable just	17:12:08
14	because I'll have a better sense of where the	17:12:12
15	treatment was.	17:12:18
16	MR. NADLEHAFT: And, John, can we have a	17:12:21
17	copy of this note that he's looking at since he's	17:12:23
18	now referred to it a couple of times and is	17:12:27
19	reviewing the notes?	17:12:34
20	MR. HARWELL: It seems to me you have a	17:12:34
21	right, yes. We'll arrange to have it sent over.	17:12:38
22	MR. NADLEHAFT: Thank you.	17:12:42

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

2 I, PAUL P. SMAKULA, the officer before whom  
3 the foregoing deposition was taken, do hereby  
4 certify that the foregoing transcript is a true  
5 and correct record of the testimony given; that  
6 said testimony was taken by me stenographically  
7 and thereafter reduced to typewriting under my  
8 direction; that reading and signing was requested;  
9 and that I am neither counsel for, related to, nor  
10 employed by any of the parties to this case and  
11 have no interest, financial or otherwise, in its  
12 outcome.

13  
14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 and affixed my notarial seal this 1st day of  
16 March, 2021.

17  
18 My commission expires: June 18, 2023.

19  
20  

21 NOTARY PUBLIC IN AND FOR  
22 THE STATE OF MARYLAND

# Exhibit B

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

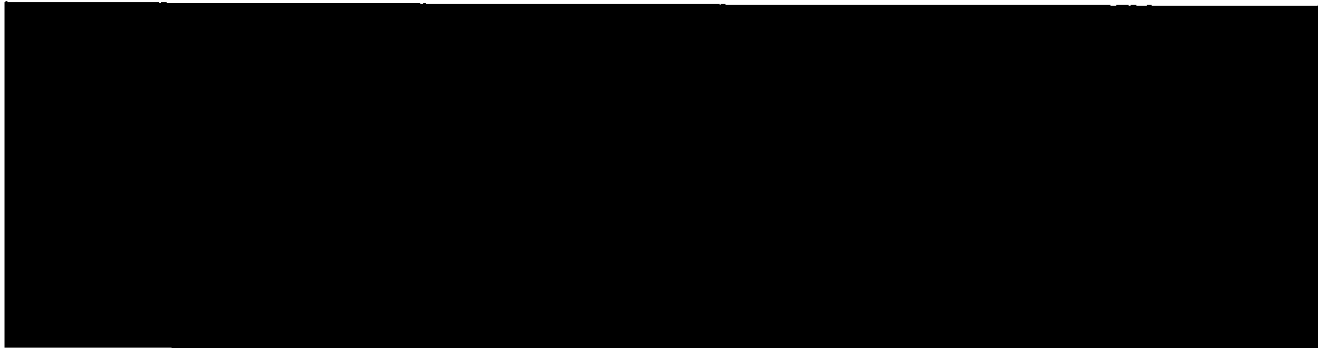
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Civil Action No.: CL-2019-0002911

**PLAINTIFF'S DESIGNATION/IDENTIFICATION OF EXPERT WITNESSES**

Plaintiff John C. Depp, II, by and through his undersigned counsel, pursuant to Rule 4:1(b)(4)(A)(i) of the Rules of the Supreme Court of Virginia, and the Court's Scheduling Order, dated June 27, 2019, and in response to Interrogatory No. 15 in Ms. Heard's First Set of Interrogatories dated October 7, 2019, hereby designates and identifies his expert witnesses.

Given the ongoing state of discovery—in particular, the continuing document productions from the parties and non-parties and the fact that depositions of certain key parties and witnesses, specifically Ms. Heard, have yet to occur—Plaintiff reserves the right to supplement this Expert Witness Designation, to include (1) identifying additional or different areas of expected testimony for the designated witnesses, (2) identifying additional or different bases for the expected testimony of the designated witnesses, and/or (3) designating additional or different expert witnesses.



[REDACTED]

5. **Dr. David Kipper, MD, 153 South Lasky Drive, Beverly Hills, California 90210.** Dr. Kipper has been practicing internal medicine for decades and has served as Mr. Depp's treating physician for more than six years. Dr. Kipper also served as Ms. Heard's treating physician while Ms. Heard was in a relationship with Mr. Depp. Dr. Kipper is expected to testify as to the pharmacological effects of the medications prescribed on Mr. Depp, as well as medical opinions reached during the course of Mr. Depp and Ms. Heard's treatment. In so doing, Dr. Kipper may rely on his expertise and experience as a medical doctor practicing internal medicine.

Respectfully submitted,

[REDACTED]

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

Leo J. Presiado (*pro hac vice*)  
Camille M. Vasquez (*pro hac vice*)  
BROWN RUDNICK, LLP  
2211 Michelson Drive, Seventh Floor  
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cvasquez@brownrudnick.com

Jessica N. Meyers (*pro hac vice*)  
BROWN RUDNICK LLP  
7 Times Square  
New York, New York 10036  
Phone: (212) 209-4938  
Fax: (212) 209-4801  
jmeyers@brownrudnick.com

Dated: February 16, 2021

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**COUNSEL OF RECORD FOR ALL PARTIES**

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<p>Elaine Charlson Bredehoft (VSB No. 23766) Adam S. Nadelhaft (VSB No. 91717) David E. Murphy (VSB No. 90938) Charlson Bredehoft Cohen &amp; Brown, P.C. 11260 Roger Bacon Drive, Suite 201 Reston, Virginia 20190 Telephone: (703) 318-6800 <a href="mailto:ebredehoft@cbcblaw.com">ebredehoft@cbcblaw.com</a> <a href="mailto:anadelhaft@cbcblaw.com">anadelhaft@cbcblaw.com</a> <a href="mailto:dmurphy@cbcblaw.com">dmurphy@cbcblaw.com</a> <i>Counsel for Defendant Amber Laura Heard</i></p>	<p>J. Benjamin Rottenborn (VSB No. 84796) Joshua R. Treece (VSB No. 79149) WOODS ROGERS PLC 10 S. Jefferson Street, Suite 1400 P.O. Box 14125 Roanoke, Virginia 24011 Telephone: (540) 983-7540 <a href="mailto:brottenborn@woodsrogers.com">brottenborn@woodsrogers.com</a> <a href="mailto:jtreece@woodsrogers.com">jtreece@woodsrogers.com</a> <i>Counsel for Defendant Amber Laura Heard</i></p>



<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):                  Craig J. Mariam, SBN: 225280 / Michael J. Dailey, SBN: 301394                  Gordon Rees Scully Mansukhani, LLP                  633 West Fifth Street, 52<sup>nd</sup> Floor                  Los Angeles, CA 90071                  Telephone No.: 213-576-5000 Fax No. (Optional): 877-306-0043                  E-Mail Address (Optional): cmariam@grsm.com / mdailey@grsm.com                  ATTORNEY FOR (Name): Defendant Amber Laura Heard</p>	<p>FOR COURT USE ONLY</p>
<p>Court for county in which discovery is to be conducted:  <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b>                  STREET ADDRESS: 111 North Hill Street                  MAILING ADDRESS: 111 North Hill Street                  CITY AND ZIP CODE: Los Angeles, 90012                  BRANCH NAME: Central District</p>	
<p>Court in which action is pending:                  Name of Court: In the Circuit Court of Fairfax County, Virginia                  STREET ADDRESS: 4110 Chain Bridge Road                  MAILING ADDRESS:                  CITY, STATE, AND ZIP CODE: Fairfax, VA 22030-4009                  COUNTRY: USA</p>	
<p>PLAINTIFF/PETITIONER: John C. Depp, II                  DEFENDANT/RESPONDENT: Amber Laura Heard</p>	<p>CALIFORNIA CASE NUMBER (if any assigned by court)                  19STCP04763</p>
<p><b>APPLICATION FOR DISCOVERY SUBPOENA                  IN ACTION PENDING OUTSIDE CALIFORNIA</b></p>	<p>CASE NUMBER (of action pending outside California):                  CL 2019-002911</p>

1. Applicant (name): Amber Laura Heard is (check one):  
 Plaintiff  Petitioner  Defendant  Respondent  Other (specify):  
 in the above action.

2. Applicant requests that this court issue a subpoena for discovery under Code of Civil Procedure sections 2029.100 – 2029.900 to (name and address of deponent or person in control of property):  
 David Kipper, 153 S. Lasky Drive, #3, Beverly Hills, CA 90212

3. Attached is (check one):  the original  a true and correct copy of the document from the court in which the action is pending that requires the person in 2 to (check all that apply):  
 a.  attend and give testimony at a deposition;  
 b.  produce and permit inspection and copying of designated materials, information, or tangible things in the possession, custody, or control of the deponent;  
 c.  permit the inspection of premises under the control of the deponent.

4. Applicant submits with this application a proposed subpoena that includes terms identical to those in the document from the out-of-state court. (Code of Civil Procedure section 2029.300(d).)

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

Date: September 30, 2021

Michael J. Dailey

(TYPE OR PRINT NAME)



[Redacted Signature]

(SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)

**Note:** This application must be accompanied by the fee specified in Government Code section 70626. A discovery subpoena must be personally served on the deponent in compliance with California law, including Code of Civil Procedure section 1985.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Craig J. Mariam, SBN: 225280 / Michael J. Dailey, SBN: 301394</b>  <b>Gordon Rees Scully Mansukhani, LLP</b> <b>633 West Fifth Street, 52<sup>nd</sup> Floor</b> <b>Los Angeles, CA 90071</b> TELEPHONE NO.: 213-576-5000 FAX NO.: 877-306-0043 E-MAIL ADDRESS: cmariam@grsm.com / mdailey@grsm.com ATTORNEY FOR (Name): Defendant Amber Laura Heard	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 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY, STATE, AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Central District	
Court in which action is pending: <b>Name of Court: In the Circuit Court of Fairfax County, Virginia</b> STREET ADDRESS: 4110 Chain Bridge Road MAILING ADDRESS: CITY, STATE, AND ZIP CODE: Fairfax, VA 22030-4009 COUNTRY: USA	
PLAINTIFF/PETITIONER: John C. Depp, II  DEFENDANT/RESPONDENT: Amber Laura Heard	CALIFORNIA CASE NUMBER (if any assigned by court): <b>19STCP04763</b>
<b>SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS          IN ACTION PENDING OUTSIDE CALIFORNIA</b>	CASE NUMBER (of action pending outside California): <b>CL 2019-002911</b>

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):  
 David Kipper, 153 S. Lasky Drive, #3, Beverly Hills, CA 90212

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

To (name of deposition officer): Michael J. Dailey	At (time): 08:30 a.m. PT
On (date): October 29, 2021	
Location (address): 633 West Fifth Street, 52nd Floor, Los Angeles, CA 90071 or mdailey@grsm.com	
<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.

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.

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

PLAINTIFF/PETITIONER: John C. Depp, II	CASE NUMBER (of action pending outside California): CL-2019-002911
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.

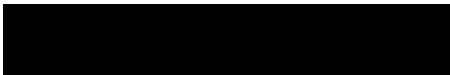
6.  Other terms or provisions from out-of-state subpoena, if any (specify):

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 30, 2021

Michael J. Dailey \_\_\_\_\_  
(TYPE OR PRINT NAME)

▶  \_\_\_\_\_  
(SIGNATURE OF PERSON ISSUING SUBPOENA)  
Attorney for Defendant Amber Laura Heard  
(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:

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

▶ \_\_\_\_\_  
(SIGNATURE)

▶ \_\_\_\_\_  
(SIGNATURE)



SHORT TITLE John C. Depp, II v. Amber Laura Heard	CASE NUMBER: CL-2019-002911
--	--------------------------------

ATTACHMENT (Number): 3

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

DEFINITIONS, INSTRUCTIONS AND DOCUMENTS TO BE PRODUCED  
SEE ATTACHED

*(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 \_\_\_\_\_ of \_\_\_\_\_  
*(Add pages as required)*

### ATTACHMENT 3

**John C. Depp, II v. Amber Laura Heard**

**Fairfax County Circuit Court: CL 2019-0002911**

#### DEFINITIONS

- a. **Action.** The term “Action” means the above-captioned action.
- 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.
- 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, photographs, video or audio tape recordings, 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).
- d. **Complaint.** The term “Complaint” means the Complaint, dated March 1, 2019, filed in the Action.
- e. **Concerning.** The term “Concerning” includes relating to, referring to, describing, evidencing, or constituting.
- f. **Correspondence.** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.
- 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 all persons acting on her behalf
- h. **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, audio or video recordings, 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.

i. **Engaged.** The term “Engaged,” in relation to a person (as defined herein), means contracted, directed, hired, retained, formed an agreement with (whether formal or informal, binding or nonbinding, written or oral), and/or procured the services of, whether or not in exchange for remuneration or other valuable consideration.

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

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

l. **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, product 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.

m. **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 both individually or as entities.

n. **Requests.** The term “Requests” shall mean the requests for documents to be produced under this Subpoena as set forth in this Attachment.

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

## INSTRUCTIONS

1. Where 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.
2. 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.
3. 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.
4. 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.
5. If You perceive any ambiguities in a question, instruction, definition, or other aspect of this Subpoena, set forth the matter deemed ambiguous, and the construction used in answering.
6. 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 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.
7. 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 as to permit an informed ruling on the objection.
8. These Requests are continuing in character so as to require You to promptly amend or supplement Your production of documents within a reasonable time if You obtain or become aware of any further documents responsive to this Subpoena.

## **DOCUMENTS TO BE PRODUCED UNDER THIS SUBPOENA**

In response to this subpoena, you are required to produce the original or an exact copy of the following:

1. All Documents, including any timeline and/or timetable, that You referenced during Your deposition of February 22, 2021, at pages 78:11-12, 97:15-98:5, and 185:13-22 of the deposition transcript (attached as Exhibit A).
2. All Documents related to the drug tests ordered by You to be administered to Mr. Depp in 2014 and 2015, referenced during Your deposition of February 22, 2021, at pages 55:18-57:21 of the deposition transcript (attached as Exhibit A).
3. Unredacted versions of the Documents previously produced by You bearing the Bates numbers KIPPER 00186-266.
4. Unredacted invoices and payment records for all services performed by You (including any employees or contractors) for or relating to Mr. Depp or Ms. Heard from March 2021 through the present.
5. All Documents relating to or otherwise supporting Your diagnosis of Mr. Depp of Primary Dopamine Imbalance, ADHD, Bipolar 1, Depression, Insomnia, Chronic Substance Abuse Disorder, and/or any other medical diagnosis of Mr. Depp.
6. All written or computerized tests administered by You or anyone on Your behalf or at your request to Mr. Depp, including copies of the questions, copies of any answers to those tests, copies of any computerized analysis of any such testing, and any diagnoses.
7. In addition to the testing requested in No. 6, Documents reflecting all other medical, pharmacological, psychiatric, or psychological testing of Mr. Depp, including the types of tests, the results and any notes relating to such testing.
8. All Documents relating in any manner to the pharmacological effects on Mr. Depp of the medications prescribed for Mr. Depp.
9. All prescriptions for Mr. Depp for all pharmaceutical drugs ordered by You or at your request and any records of drugs prescribed or taken by Mr. Depp, even if not prescribed by you or at your request.
10. All text messages with Mr. Depp from Your current or any former telephone number.
11. All text messages between You and anyone else relating to Mr. Depp or Ms. Heard from Your current or any former telephone number.
12. Any communications with Mr. Depp or his counsel relating in any manner to Mr. Depp's Expert Disclosure dated February 16, 2021, a copy of which is attached as Exhibit B).



# Exhibit A

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VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

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JOHN C. DEPP, II, :  
Plaintiff, :  
v. : Civil Action No.  
AMBER LAURA HEARD, : CL-2019-0002911  
Defendant. :

-----x

Videotaped Deposition of  
DAVID KIPPER, M.D.  
Conducted Virtually  
Monday, February 22, 2021  
12:07 p.m. EST

Job No.: 348206  
Pages: 1 - 273  
Reported By: Paul P. Smakula

1           Deposition of DAVID KIPPER, M.D., conducted  
2           virtually:  
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9           Pursuant to notice, before Paul P. Smakula,  
10          Notary Public in and for the State of Maryland.  
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A P P E A R A N C E S

ON BEHALF OF PLAINTIFF DEPP:

JESSICA N. MEYERS, ESQUIRE

CAMILLE M. VASQUEZ, ESQUIRE

BENJAMIN G. CHEW, ESQUIRE

BROWN RUDNICK LLP

601 Thirteenth Street Northwest

Suite 600

Washington, D.C. 20005

(202) 536-1785

ON BEHALF OF DEFENDANT HEARD:

ADAM S. NADELHAFT, ESQUIRE

CHARLSON, BREDEHOFT, COHEN & BROWN

11260 Roger Bacon Drive

Suite 201

Reston, Virginia 20190

(703) 318-6800

1 to his treatment. 13:18:13

2 Q And are they -- are the notes also to help 13:18:16  
3 refresh your recollection? 13:18:18

4 A Yes. 13:18:24

5 Q Okay. And -- and if we go now to the -- 13:18:25  
6 this 7/9/14 at 19:30 note; do you see that? 13:18:52

7 A Yes. 13:18:58

8 Q This is on Kipper 5. Is this another note 13:18:58  
9 of yours? 13:19:01

10 A Yes. 13:19:33

11 Q Okay. And it says, "Urine drug screen 13:19:33  
12 completed and results given to M.D." M.D. is you; 13:19:36  
13 correct? 13:19:41

14 A Correct. 13:19:42

15 Q "M.D. will discuss results with patient," 13:19:42  
16 do you see that? 13:19:46

17 A Yes. 13:19:47

18 Q All right. And then we go down. And you 13:19:47  
19 see where it says 7/15/14 at 23:00? 13:20:05

20 A Yes. 13:20:12

21 Q And it says, "RN and M.D. met with 13:20:13  
22 patient. Results of drug test were discussed." 13:20:17

1	Do you see that?	13:20:21
2	A Yes.	13:20:21
3	Q Do you recall what the results of the drug	13:20:21
4	test were?	13:20:24
5	A I don't recall the specifics of the drug	13:20:26
6	test, but they would have been -- they would have	13:20:28
7	been consistent with the drugs we were giving him	13:20:34
8	for us to have proceeded. So that -- that's how	13:20:37
9	we established our relationship. And so the next	13:20:43
10	sentence says the next step in treatment plan is	13:20:50
11	for patient to finish filming. If those drug	13:20:53
12	tests had been positive for medications or a	13:20:58
13	substance he wasn't getting from us	13:21:00
14	professionally, we would not have proceeded.	13:21:04
15	Q So are you -- are you -- are you saying	13:21:06
16	that if he tested positive for cocaine you would	13:21:07
17	not have proceeded?	13:21:12
18	A Correct.	13:21:13
19	Q Okay: Can you put up Kipper 7, please?	13:21:13
20	(KIPPER Deposition Exhibit 7 marked for	13:21:16
21	identification and attached to the transcript.)	13:21:41
22	Q Dr. Kipper, these 18 pages came from your	13:21:41

1 production. And I'll represent to you that there 13:21:46  
2 were no drug tests that I saw for 2014 or 2015 for 13:21:50  
3 Mr. Depp. Do you know why that is? 13:21:55  
4 A The only thing I can -- the answer is no. 13:21:58  
5 I can't -- I don't understand that. We had a 13:22:03  
6 flood in our office in 2014, October. The office 13:22:08  
7 above us flooded our office and the basement, 13:22:19  
8 which is where we kept certain records, but I'm 13:22:22  
9 not sure which records relating to Mr. Depp would 13:22:26  
10 have been involved in that. But other than that, 13:22:29  
11 no. 13:22:32  
12 Q Okay. Would the -- would drug tests for 13:22:33  
13 Mr. Depp for 2014 and 2015, would those also be 13:22:37  
14 kept electronically? 13:22:42  
15 A No. 13:22:43  
16 Q Who did you work with to conduct the drug 13:22:43  
17 test of Mr. Depp? 13:22:55  
18 A Yes, I ordered the drug test. 13:22:56  
19 Q And -- and what company did you work with? 13:22:59  
20 A It appears that it's MD Lab. That's the 13:23:01  
21 lab we use. 13:23:07  
22 Q Okay. And -- and the drug tests that we 13:23:08

1	A Yes.	13:49:57
2	MS. MEYERS: Objection; calls for hearsay.	13:49:57
3	Q And then at 12:30 you and Ms. Lloyd met	13:49:59
4	with Mr. Depp?	13:50:02
5	A Yes, according to these notes, yes.	13:50:05
6	Q Okay. And do you know, was this now in	13:50:08
7	the Bahamas or was this back in Los Angeles?	13:50:11
8	A I need to go back to the date, not the	13:50:18
9	time. Can you scroll up? Thank you.	13:50:23
10	Q 8/20/14.	13:50:25
11	A (And I'm just looking at my calendar. Yes,	13:50:30
12	(we were now back in Los Angeles.)	13:50:33
13	Q And in the notes on 12:30 on August 20th,	13:50:37
14	"Mr. Depp stated he was done with the process and	13:50:47
15	no longer wanted M.D. and R.N. services." Do you	13:50:49
16	see that?	13:50:53
17	A Yes.	13:50:53
18	Q Do you recall Mr. Depp telling you that?	13:50:53
19	A Yes.	13:50:55
20	MS. MEYERS: Objection; calls for hearsay.	13:50:56
21	Q And do you recall Mr. Depp saying there	13:50:58
22	was tension between him and Ms. Heard?	13:51:05



1 you know, I'm scheduled to leave town tomorrow, 14:48:32  
2 but it's important that I meet with you in the 14:48:36  
3 morning before I leave. I would like to see you 14:48:38  
4 at 10:00 a.m. at Sweetzer. I care for you deeply, 14:48:41  
5 but I'm very concerned about the course you're on 14:48:45  
6 and want you to help you get back to where you 14:48:48  
7 have worked so hard to climb. I'll ask Debbie to 14:48:48  
8 join us as we share the same concerns and 14:48:48  
9 affection for you. You're too incredibly gifted 14:48:52  
10 to allow yourself to destroy all you have worked 14:48:52  
11 for. This comes from heart which is filled with 14:48:54  
12 sadness as I write this text. Let me help you." 14:48:58

13 Do you recall sending this text to 14:49:02  
14 Mr. Depp? 14:49:06

15 A No, I don't recall that specific text. If 14:49:06  
16 you'll allow me, I'm just looking at my time line 14:49:10  
17 to see where things were on it. It's 11/14? 14:49:15

18 Q 2014, yeah. What is it that you're 14:49:23  
19 looking at, Dr. Kipper? 14:49:26

20 A I just have a timeline of my interactions 14:49:28  
21 with him, so this will orient me as to where we 14:49:36  
22 were in the treatment. 14:49:44

1 Q Do you know if you produced that timeline? 14:49:45

2 A No, I just did this last night. And it's 14:49:48

3 not -- it's not completely filled in. So -- all 14:49:51

4 right. If you'll allow me to just reread this 14:49:54

5 quickly. 14:49:58

6 Q Sure. 14:49:59

7 A And your question, I'm very sorry, 14:50:12

8 Mr. Nadlehaft. 14:50:15

9 Q Do you recall sending this text in 14:50:16

10 November 14th, 2014, to Mr. Depp? 14:50:19

11 A I don't recall the sending it. I see that 14:50:22

12 I did, but I don't recall sending it. 14:50:26

13 Q Do you recall being concerned about 14:50:27

14 Mr. Depp in the November 2014 time frame? 14:50:28

15 MS. MEYERS: Objection; vague. 14:50:31

16 A I can't remember specifically what my 14:50:40

17 concern was, but I will say in general I would 14:50:41

18 have written this text if I was concerned about 14:50:45

19 his -- his wanting to stay on target. 14:50:48

20 Q Right. Because you write, "I'm very 14:50:53

21 concerned about the course you're on." Do you 14:50:57

22 recall in that time frame if there was -- what the 14:50:59

1	have control. I'm going to turn to the last page	17:10:58
2	of these notes. Dr. Kipper, do you see the note	17:11:00
3	marked June 29, 2015?	17:11:25
4	A Yes.	17:11:26
5	Q I'm going to turn to the last page now.	17:11:27
6	And do you see this note marked June 30th?	17:11:33
7	A Yes.	17:11:37
8	Q And so do you understand that to be	17:11:37
9	June 30th, 2015?	17:11:40
10	A Yes.	17:11:51
11	Q Did Ms. Lloyd stop attending to Mr. Depp	17:11:51
12	around this time?	17:12:02
13	A I'm going to refer to my timetable just	17:12:08
14	because I'll have a better sense of where the	17:12:12
15	treatment was.	17:12:18
16	MR. NADLEHAFT: And, John, can we have a	17:12:21
17	copy of this note that he's looking at since he's	17:12:23
18	now referred to it a couple of times and is	17:12:27
19	reviewing the notes?	17:12:34
20	MR. HARWELL: It seems to me you have a	17:12:34
21	right, yes. We'll arrange to have it sent over.	17:12:38
22	MR. NADLEHAFT: Thank you.	17:12:42

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

2 I, PAUL P. SMAKULA, the officer before whom  
3 the foregoing deposition was taken, do hereby  
4 certify that the foregoing transcript is a true  
5 and correct record of the testimony given; that  
6 said testimony was taken by me stenographically  
7 and thereafter reduced to typewriting under my  
8 direction; that reading and signing was requested;  
9 and that I am neither counsel for, related to, nor  
10 employed by any of the parties to this case and  
11 have no interest, financial or otherwise, in its  
12 outcome.

13  
14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 and affixed my notarial seal this 1st day of  
16 March, 2021.

17  
18 My commission expires: June 18, 2023.

19  
20  

21 NOTARY PUBLIC IN AND FOR  
22 THE STATE OF MARYLAND

# Exhibit B

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

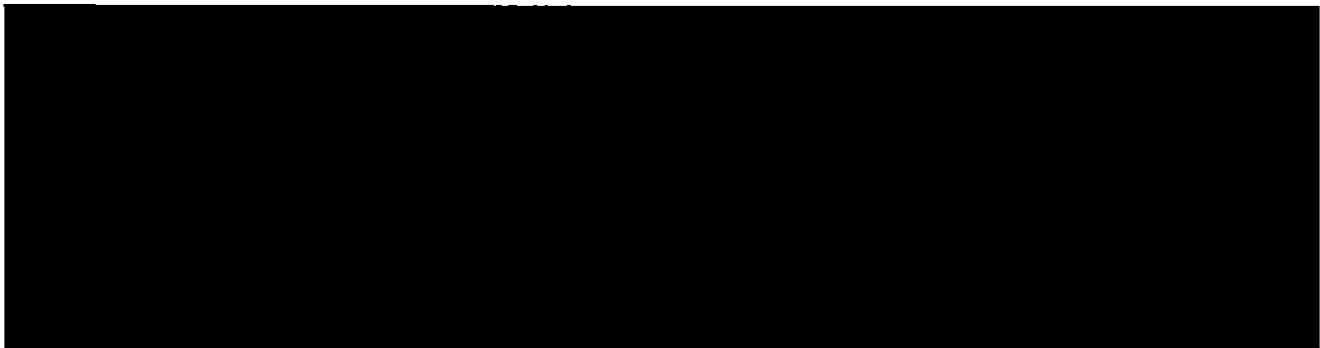
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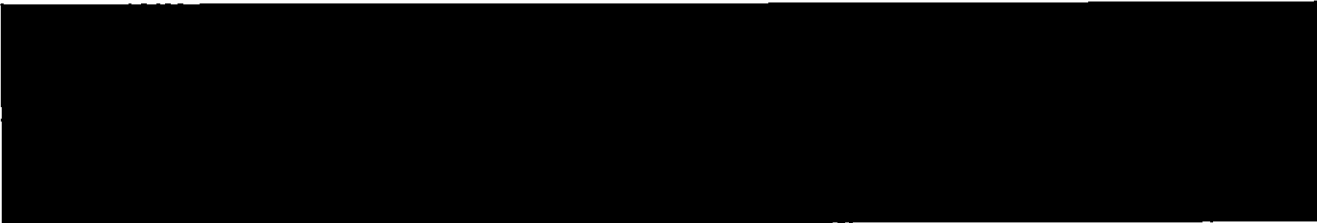
Civil Action No.: CL-2019-0002911

**PLAINTIFF'S DESIGNATION/IDENTIFICATION OF EXPERT WITNESSES**

Plaintiff John C. Depp, II, by and through his undersigned counsel, pursuant to Rule 4:1(b)(4)(A)(i) of the Rules of the Supreme Court of Virginia, and the Court's Scheduling Order, dated June 27, 2019, and in response to Interrogatory No. 15 in Ms. Heard's First Set of Interrogatories dated October 7, 2019, hereby designates and identifies his expert witnesses.

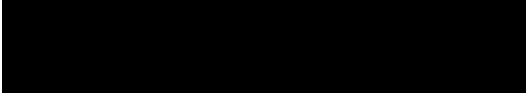
Given the ongoing state of discovery—in particular, the continuing document productions from the parties and non-parties and the fact that depositions of certain key parties and witnesses, specifically Ms. Heard, have yet to occur—Plaintiff reserves the right to supplement this Expert Witness Designation, to include (1) identifying additional or different areas of expected testimony for the designated witnesses, (2) identifying additional or different bases for the expected testimony of the designated witnesses, and/or (3) designating additional or different expert witnesses.





5. **Dr. David Kipper, MD, 153 South Lasky Drive, Beverly Hills, California 90210.** Dr. Kipper has been practicing internal medicine for decades and has served as Mr. Depp's treating physician for more than six years. Dr. Kipper also served as Ms. Heard's treating physician while Ms. Heard was in a relationship with Mr. Depp. Dr. Kipper is expected to testify as to the pharmacological effects of the medications prescribed on Mr. Depp, as well as medical opinions reached during the course of Mr. Depp and Ms. Heard's treatment. In so doing, Dr. Kipper may rely on his expertise and experience as a medical doctor practicing internal medicine.

Respectfully submitted,



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Dated: February 16, 2021



<b>SHORT TITLE:</b> John C. Depp, II v. Amber Laura Heard	<b>CASE NUMBER:</b> GL-2019-002911
--	---------------------------------------

ATTACHMENT (Number): 4

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

COUNSEL OF RECORD

*(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 \_\_\_\_\_ of \_\_\_\_\_  
*(Add pages as required)*

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

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VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.


Civil Action No.: CL-2019-0002911

**CERTIFICATE OF COUNSEL**

This is to certify that I caused a true and accurate copy of the enclosed Subpoena for Production of Business Records in Action Pending Outside California to be sent by email this

30<sup>th</sup> Day of September, 2021

September 30, 2021



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*Counsel to Defendant/Counterclaim Plaintiff  
Amber Laura Heard*

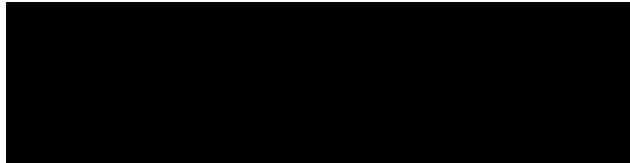
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 30<sup>th</sup> Day of September, by email, by agreement of the parties, addressed as follows:

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#ALSO ADMITTED IN COLORADO  
•ONLY ADMITTED IN MARYLAND

September 30, 2021

**BY MESSENGER**

John T. Frey, Clerk  
Fairfax County Circuit Court  
4110 Chain Bridge Road, 3rd Floor  
Fairfax, VA 22030

FILED  
CIVIL INTAKE  
2021 SEP 30 P 1:20  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

Re: *Case No. CL-2019-0002911 – John C. Depp, II v. Amber Laura Heard*

Dear Mr. Frey:

Enclosed for filing in the above referenced matter, please find four copies of Defendant's Certificate of Counsel and corresponding subpoena issued pursuant to Virginia Code Section 8.01-412.10, and California Civil Procedure Code Section 2029.100 (collectively, "Acts"). The enclosed Subpoena for Production of Business Records in Action Pending Outside California and Subpoenas Duces Tecum to Person Under Foreign Subpoena have been issued in accordance with both Acts and the reciprocal privileges included therein. Please return a file stamped copy of the same via the awaiting messenger.

Please also find a check in the amount of \$7, made payable to the Clerk, Fairfax Circuit Court, for the filing fee.

Thank you very much for your assistance.

  
Elaine Charlson Bredehoff

Enclosures