

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: iO Tillet Wright	
ADDRESS: 5137 Sunburst Street	
..... Joshua Tree, California 92252	
<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. 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

AMBER LAURA HEARD

v./In re:

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

IO TILLET WRIGHT

NAME

5137 SUNBURST STREET

STREET ADDRESS

CALIFORNIA

STATE

JOSHUA TREE

CITY

FILED
CIVIL INTAKE
2019 OCT 28 AM 8:00
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA
92252
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

at **Hampton Inn, 895 E. Hospitality Ln, San Bernardino, CA 92408** at **Nov. 22, 2019 at 11:00 a.m. (PT)** ;

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

JOHN C. DEPP, II

NAME OF REQUESTING PARTY

c/o BENJAMIN G. CHEW, 601 THIRTEENTH STREET, N.W., SUITE 600

STREET ADDRESS

WASHINGTON

CITY

D.C.

STATE

20005

ZIP

(202) 536-1700

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 29th, 2019

DATE ISSUED

JOHN T. FREY, CLERK

by



BENJAMIN G. CHEW

NAME OF ATTORNEY FOR REQUESTING PARTY

601 THIRTEENTH STREET, N.W.

OFFICE ADDRESS

WASHINGTON, D.C. 20005

OFFICE ADDRESS

29113 VA

BAR NUMBER LICENSING STATE

(202) 536-1700

TELEPHONE NUMBER OF ATTORNEY

(202) 536-1701

FACSIMILE NUMBER OF ATTORNEY

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

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)

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 (Va. State Bar No. 29113)
Elliot J. Weingarten (*pro hac vice*)
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Facsimile: (202) 536-1701

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Facsimile: (202) 296-8312

Counsel for Plaintiff John C. Depp, II

SERVICE LIST

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brottenborn@woodsrogers.com
jtreece@woodsrogers.com

Counsel for Defendant Amber Laura Heard

1 **ATTACHMENT A**

2 **DEFINITIONS**

3 1. "YOU" and/or "YOUR" shall mean and refer to iO Tillett Wright.

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

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

23 4. "DOCUMENT" and/or "DOCUMENTS" unless otherwise indicated, are used in
24 their customarily broad sense and shall refer to and mean all writings and other tangible things of
25 any nature whatsoever, and shall include, but not be limited to, all writings (or drafts thereof),
26 medical records, drawings, graphs, charts, photographs, phone records, other data compilations or
27 storage devices from which information can be obtained (even if such information must be
28 translated into a reasonably usable form), magnetically recorded or stored information generated

1 by a computer, contracts, agreements, communications, correspondence, telegrams, memoranda,
2 records, reports, books, summaries or records of telephone conversations, summaries or records of
3 personal conversations or interviews, diaries, forecasts, statistical statements, work papers, drafts,
4 accounts, analytical records, minutes or records of meetings or conferences, records, reports or
5 summaries of negotiations, brochures, pamphlets, circulars, calendars, notes, marginal notations,
6 bills, invoices, checks, lists, journals, advertising, and all other written, printed, recorded or
7 photographic matter or sound reproductions, or tangible representations of things, however
8 produced or reproduced, including ELECTRONICALLY STORED INFORMATION and all
9 nonidentical copies of the foregoing.

10 5. "RELATING TO" means, without limitation, constituting, containing, showing,
11 reflecting, discussing, concerning, commenting upon, mentioning, evidencing, quoting,
12 describing, or referencing in any way, directly or indirectly.

13 6. "MR. DEPP" means and refers to John C. Depp, II.

14 7. "MS. HEARD" means and refers to Amber Laura Heard.

15 **INSTRUCTIONS**

16 8. These requests for production shall be deemed continuing in nature so as to require
17 you to file prompt supplementary responses if further responsive information is subsequently
18 obtained or discovered by you up to and including the time of trial in this action.

19 9. Notwithstanding anything else to the contrary herein, each word, term, or phrase is
20 intended to have the broadest meaning permitted under rules.

21 10. Each request shall be construed conjunctively or disjunctively as necessary to make
22 the request inclusive rather than exclusive. Any request propounded in the singular shall also be
23 read as if propounded in the plural and vice versa. Any request propounded in the present tense
24 shall also be read as if propounded in the past tense and vice versa.

25 11. To the extent that any request is considered to be ambiguous, it shall be construed
26 to require the fullest and most complete disclosure of all information and requested documents.

27 12. When DOCUMENTS, data, knowledge, or information in your possession are
28 requested, such request includes documents by your attorneys, accountants, agents,

1 representatives, and experts, as well as any professional employed or retained by you, relating to
2 any of the facts or issues involved in this proceeding.

3 13. The DOCUMENTS responsive to this request shall be produced as they have been
4 kept in the usual course of business or shall be organized and labeled to correspond with the
5 specific request to which they are responsive.

6 14. The original or one copy of each non-identical duplicate of every DOCUMENT
7 should be produced. Any copy of a document that varies in any way from the original or from any
8 other copy of the document, whether by reason of handwritten (or other) notation, revision, or
9 omission, shall constitute a separate document that must be produced.

10 15. DOCUMENTS that were generated, or have ever been stored, in machine-readable
11 electronic form should be produced in native original machine-readable electronic form, as used in
12 the ordinary course of business, with all accompanying (including, but not limited to, all metadata
13 such as author(s) and date(s) of file creation, access, and modification) intact.

14 16. If any of the requests herein are objected to, whether in whole or in part, on the
15 grounds that information sought therein is subject to a claim of attorney-client privilege, work
16 product immunity, or some other applicable privilege or immunity, as much of the document
17 concerned as to which no claim of privilege or immunity is made shall be produced. With respect
18 to DOCUMENTS or portions of DOCUMENTS for which a claim of privilege or immunity is
19 made, state the following:

- 20 a. The type and nature of the DOCUMENT or COMMUNICATIONS;
21 b. The date of the DOCUMENT;
22 The person(s) in receipt of the document or the person(s) present during the
23 communication;
24 c. The person(s) who authored or created the DOCUMENT or the person(s)
25 who made the communication;
26 d. The person(s) to whom such DOCUMENT or COMMUNICATION was
27 made;

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- 1 e. The general subject matter of the DOCUMENT or COMMUNICATION in
2 a manner sufficient to support the privilege claimed;
- 3 f. The nature of the privilege and/or the specific reason why the DOCUMENT
4 is not being produced; and
- 5 g. The same information referenced in (a)-(f) above for each enclosure or
6 attachment to each listed DOCUMENT if the enclosure or attachment is also
7 withheld from production.

8 17. An objection or claim of privilege directed to part of a request does not constitute
9 an excuse for failure to respond to those parts of a request to which no objection or claim of
10 privilege is made.

11 18. If any DOCUMENT responsive to any request has been lost, destroyed, or
12 otherwise disposed of, such document is to be identified as completely as possible, to include
13 without limitation the following information: contents, author(s); recipient(s); sender(s); copied
14 recipient(s) (indicated or blind); date prepared and received; date of disposal; manner of
15 disposition; person(s) currently in possession of the document or any copies thereof; and person(s)
16 disposing of the DOCUMENT.

17 **DOCUMENT REQUESTS**

18 **Request No. 1:**

19 All DOCUMENTS and COMMUNICATIONS YOU reviewed and/or relied upon in
20 preparation for YOUR deposition.

21 **Request No. 2:**

22 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
23 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
24 Los Angeles, California in late 2012 or early 2013, involving MR. DEPP and MS. HEARD.

25 **Request No. 3:**

26 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
27 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
28 Los Angeles, California on March 8, 2013, involving MR. DEPP and MS. HEARD.

1 **Request No. 4:**

2 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
3 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident
4 occurring on a flight from Boston, Massachusetts to Los Angeles, California on or about May 24,
5 2014, involving MR. DEPP and MS. HEARD.

6 **Request No. 5:**

7 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
8 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in the
9 Bahamas on August 17, 2014, involving MR. DEPP and MS. HEARD.

10 **Request No. 6:**

11 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
12 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
13 Los Angeles on December 17, 2014, involving MR. DEPP and MS. HEARD.

14 **Request No. 7:**

15 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
16 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident
17 taking place in a hotel room in Tokyo, Japan on January 25, 2015, involving MR. DEPP and MS.
18 HEARD.

19 **Request No. 8:**

20 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
21 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
22 Australia on March 3 through March 5, 2015, involving MR. DEPP and MS. HEARD.

23 **Request No. 9:**

24 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
25 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
26 Los Angeles, California in March 2015, involving MR. DEPP and MS. HEARD.

27 **Request No. 10:**

28 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any.

1 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
2 Thailand and Malaysia in August 2015, involving MR. DEPP and MS. HEARD.

3 **Request No. 11:**

4 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
5 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
6 Los Angeles, California on November 26, 2015, involving MR. DEPP and MS. HEARD.

7 **Request No. 12:**

8 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
9 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
10 Los Angeles, California on December 15, 2015, involving MR. DEPP and MS. HEARD.

11 **Request No. 13:**

12 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
13 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
14 Los Angeles, California on April 21, 2016, involving MR. DEPP and MS. HEARD.

15 **Request No. 14:**

16 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
17 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
18 Los Angeles, California on May 21, 2016, involving MR. DEPP and MS. HEARD.

19 **Request No. 15:**

20 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
21 PERSON, including but not limited to MS. HEARD, RELATING TO the purported injuries that
22 appeared on MS. HEARD'S face on May 27, 2016, involving MR. DEPP and MS. HEARD,
23 including any COMMUNICATIONS RELATING TO how MS. HEARD came to have those
24 purported injuries on her face on May 27, 2016.

25 **Request No. 16:**

26 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
27 PERSON, including but not limited to MS. HEARD, RELATING TO any other domestic abuse
28 incidents in which MS. HEARD assaulted MR. DEPP.

1 **Request No. 17:**

2 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
3 PERSON, including but not limited to MS. HEARD, RELATING TO the incident between MS.
4 HEARD and Tasya van Ree that occurred at the Seattle-Tacoma International Airport on
5 September 14, 2009, which prompted MS. HEARD's arrest.

6 **Request No. 18:**

7 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
8 PERSON, including but not limited to MS. HEARD, RELATING TO any other domestic abuse
9 allegations against MR. DEPP not identified in Request Nos. 2 through 17.

10 **Request No. 19:**

11 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
12 PERSON, including but not limited to MS. HEARD, RELATING TO MS. HEARD'S relationship
13 with Elon Musk.

14 **Request No. 20:**

15 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
16 PERSON, including but not limited to MS. HEARD, RELATING TO MS. HEARD requesting
17 Ms. Trinity Esparza and Mr. Brandon Patterson of the Eastern Columbia Building to give a
18 statement to *People Magazine* about one week after MS. HEARD made her domestic abuse
19 allegations against MR. DEPP on May 27, 2016.

20 **Request No. 21:**

21 All COMMUNICATIONS concerning YOU visiting MS. HEARD at any time at the
22 Eastern Columbia Building, located at 849 South Broadway Los Angeles, CA 90014, including
23 but not limited to, any visits that you made to the Eastern Columbia Building in December 2015 or
24 May 2016.

25 **Request No. 22:**

26 All DOCUMENTS reflecting YOUR in-person interactions with MS. HEARD in or
27 around December 2015.

28 **Request No. 23:**

1 All DOCUMENTS concerning the affidavit that you submitted to help MS. HEARD
2 obtain the temporary restraining order against MR. DEPP on May 27, 2016, including but not
3 limited to drafts of the affidavit.

4 **Request No. 24:**

5 All COMMUNICATIONS by and between YOU and any PERSON, including but not
6 limited to MS. HEARD, concerning the affidavit that you submitted to help MS. HEARD obtain
7 the temporary restraining order against MR. DEPP on May 27, 2016.

8 **Request No. 25:**

9 All DOCUMENTS reflecting your work schedule in December 2015, including but not
10 limited to shooting dates, locations, and travel in connection with your hosting responsibilities for
11 MTV's *Suspect*.

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): CAMILLE M. VASQUEZ (SBN 273377) BROWN RUDNICK LLP, 2211 MICHELSON DRIVE IRVINE, CA 92612 TELEPHONE NO.: 949-752-7100 FAX NO.: 949-252-1514 E-MAIL ADDRESS: cvasquez@brownrudnick.com ATTORNEY FOR (Name): Plaintiff John C. Depp, II	FOR COURT USE ONLY
Court for county in which discovery is to be conducted: SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
Court in which action is pending: Name of Court: Circuit Court of Fairfax County 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):
DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS IN ACTION PENDING OUTSIDE CALIFORNIA	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):
 iO Tillet Wright, 5137 Sunburst Street, Joshua Tree, California 92252

1. YOU ARE ORDERED TO APPEAR IN PERSON TO TESTIFY AS A WITNESS in this action at the following date, time, and place:

Date: **Nov. 22, 2019** Time: **11:00 a.m.** Address: **895 E. Hospitality Ln, San Bernardino, CA 92408**

- a. As a deponent who is not a natural person, you are ordered to designate one or more persons to testify on your behalf as to the matters described in item 4. (Code Civ. Proc., § 2025.230.)
- b. You are ordered to produce the documents, electronically stored information, and things described in item 3.
- c. This deposition will be recorded stenographically through the instant visual display of testimony and by audiotape videotape.
2. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
3. The documents, electronically stored information, and things to be produced and any testing or sampling being sought are described as follows (if electronically stored information is required, 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. If the witness is a representative of a business or other entity, the matters upon which the witness is to be examined are described as follows:

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

5. Attorneys for the parties to this action or parties without attorneys are (name, address, telephone number, and name of party represented):

See Attachment 5

Continued on Attachment 5 (use form MC-025).

PLAINTIFF/PETITIONER: John C. Depp, II DEFENDANT/RESPONDENT: Amber Laura Heard	CASE NUMBER:
---	--------------

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

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

7. If you have been served with this subpoena as a custodian of consumer or employee records under Code of Civil Procedures section 1985.3 or 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.

8. At the deposition, you will be asked questions under oath. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. You may read the written record and change any incorrect answers before you sign the deposition. You are entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition. Unless the court orders or you agree otherwise, if you are being deposed as an individual, the deposition must take place within 75 miles of your residence. The location of the deposition for all deponents is governed by Code of Civil Procedure section 2025.250.

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:

(SIGNATURE OF PERSON ISSUING SUBPOENA)

(TYPE OR PRINT NAME)

(TITLE)

PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS

1. I served this *Deposition Subpoena for Personal Appearance and Production of Documents, Electronically Stored Information, and Things 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. 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)

1 ATTACHMENT 3

2 DEFINITIONS

3 1. "YOU" and/or "YOUR" shall mean and refer to iO Tillett Wright.

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

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

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24 their customarily broad sense and shall refer to and mean all writings and other tangible things of
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26 medical records, drawings, graphs, charts, photographs, phone records, other data compilations or
27 storage devices from which information can be obtained (even if such information must be
28 translated into a reasonably usable form), magnetically recorded or stored information generated

1 by a computer, contracts, agreements, communications, correspondence, telegrams, memoranda,
2 records, reports, books, summaries or records of telephone conversations, summaries or records of
3 personal conversations or interviews, diaries, forecasts, statistical statements, work papers, drafts,
4 accounts, analytical records, minutes or records of meetings or conferences, records, reports or
5 summaries of negotiations, brochures, pamphlets, circulars, calendars, notes, marginal notations,
6 bills, invoices, checks, lists, journals, advertising, and all other written, printed, recorded or
7 photographic matter or sound reproductions, or tangible representations of things, however
8 produced or reproduced, including ELECTRONICALLY STORED INFORMATION and all
9 nonidentical copies of the foregoing.

10 5. "RELATING TO" means, without limitation, constituting, containing, showing,
11 reflecting, discussing, concerning, commenting upon, mentioning, evidencing, quoting,
12 describing, or referencing in any way, directly or indirectly.

13 6. "MR. DEPP" means and refers to John C. Depp, II.

14 7. "MS. HEARD" means and refers to Amber Laura Heard.

15 **INSTRUCTIONS**

16 8. These requests for production shall be deemed continuing in nature so as to require
17 you to file prompt supplementary responses if further responsive information is subsequently
18 obtained or discovered by you up to and including the time of trial in this action.

19 9. Notwithstanding anything else to the contrary herein, each word, term, or phrase is
20 intended to have the broadest meaning permitted under rules.

21 10. Each request shall be construed conjunctively or disjunctively as necessary to make
22 the request inclusive rather than exclusive. Any request propounded in the singular shall also be
23 read as if propounded in the plural and vice versa. Any request propounded in the present tense
24 shall also be read as if propounded in the past tense and vice versa.

25 11. To the extent that any request is considered to be ambiguous, it shall be construed
26 to require the fullest and most complete disclosure of all information and requested documents.

27 12. When DOCUMENTS, data, knowledge, or information in your possession are
28 requested, such request includes documents by your attorneys, accountants, agents,

1 representatives, and experts, as well as any professional employed or retained by you, relating to
2 any of the facts or issues involved in this proceeding.

3 13. The DOCUMENTS responsive to this request shall be produced as they have been
4 kept in the usual course of business or shall be organized and labeled to correspond with the
5 specific request to which they are responsive.

6 14. The original or one copy of each non-identical duplicate of every DOCUMENT
7 should be produced. Any copy of a document that varies in any way from the original or from any
8 other copy of the document, whether by reason of handwritten (or other) notation, revision, or
9 omission, shall constitute a separate document that must be produced.

10 15. DOCUMENTS that were generated, or have ever been stored, in machine-readable
11 electronic form should be produced in native original machine-readable electronic form, as used in
12 the ordinary course of business, with all accompanying (including, but not limited to, all metadata
13 such as author(s) and date(s) of file creation, access, and modification) intact.

14 16. If any of the requests herein are objected to, whether in whole or in part, on the
15 grounds that information sought therein is subject to a claim of attorney-client privilege, work
16 product immunity, or some other applicable privilege or immunity, as much of the document
17 concerned as to which no claim of privilege or immunity is made shall be produced. With respect
18 to DOCUMENTS or portions of DOCUMENTS for which a claim of privilege or immunity is
19 made, state the following:

- 20 a. The type and nature of the DOCUMENT or COMMUNICATIONS;
- 21 b. The date of the DOCUMENT;
- 22 The person(s) in receipt of the document or the person(s) present during the
23 communication;
- 24 c. The person(s) who authored or created the DOCUMENT or the person(s)
25 who made the communication;
- 26 d. The person(s) to whom such DOCUMENT or COMMUNICATION was
27 made;

28

- 1 e. The general subject matter of the DOCUMENT or COMMUNICATION in
2 a manner sufficient to support the privilege claimed;
- 3 f. The nature of the privilege and/or the specific reason why the DOCUMENT
4 is not being produced; and
- 5 g. The same information referenced in (a)-(f) above for each enclosure or
6 attachment to each listed DOCUMENT if the enclosure or attachment is also
7 withheld from production.

8 17. An objection or claim of privilege directed to part of a request does not constitute
9 an excuse for failure to respond to those parts of a request to which no objection or claim of
10 privilege is made.

11 18. If any DOCUMENT responsive to any request has been lost, destroyed, or
12 otherwise disposed of, such document is to be identified as completely as possible, to include
13 without limitation the following information: contents, author(s); recipient(s); sender(s); copied
14 recipient(s) (indicated or blind); date prepared and received; date of disposal; manner of
15 disposition; person(s) currently in possession of the document or any copies thereof; and person(s)
16 disposing of the DOCUMENT.

17 **DOCUMENT REQUESTS**

18 **Request No. 1:**

19 All DOCUMENTS and COMMUNICATIONS YOU reviewed and/or relied upon in
20 preparation for YOUR deposition.

21 **Request No. 2:**

22 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
23 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
24 Los Angeles, California in late 2012 or early 2013, involving MR. DEPP and MS. HEARD.

25 **Request No. 3:**

26 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
27 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
28 Los Angeles, California on March 8, 2013, involving MR. DEPP and MS. HEARD.

1 **Request No. 4:**

2 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
3 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident
4 occurring on a flight from Boston, Massachusetts to Los Angeles, California on or about May 24,
5 2014, involving MR. DEPP and MS. HEARD.

6 **Request No. 5:**

7 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
8 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in the
9 Bahamas on August 17, 2014, involving MR. DEPP and MS. HEARD.

10 **Request No. 6:**

11 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
12 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
13 Los Angeles on December 17, 2014, involving MR. DEPP and MS. HEARD.

14 **Request No. 7:**

15 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
16 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident
17 taking place in a hotel room in Tokyo, Japan on January 25, 2015, involving MR. DEPP and MS.
18 HEARD.

19 **Request No. 8:**

20 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
21 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
22 Australia on March 3 through March 5, 2015, involving MR. DEPP and MS. HEARD.

23 **Request No. 9:**

24 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
25 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
26 Los Angeles, California in March 2015, involving MR. DEPP and MS. HEARD.

27 **Request No. 10:**

28 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any

1 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
2 Thailand and Malaysia in August 2015, involving MR. DEPP and MS. HEARD.

3 **Request No. 11:**

4 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
5 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
6 Los Angeles, California on November 26, 2015, involving MR. DEPP and MS. HEARD.

7 **Request No. 12:**

8 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
9 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
10 Los Angeles, California on December 15, 2015, involving MR. DEPP and MS. HEARD.

11 **Request No. 13:**

12 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
13 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
14 Los Angeles, California on April 21, 2016, involving MR. DEPP and MS. HEARD.

15 **Request No. 14:**

16 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
17 PERSON, including but not limited to MS. HEARD, RELATING TO the purported incident in
18 Los Angeles, California on May 21, 2016, involving MR. DEPP and MS. HEARD.

19 **Request No. 15:**

20 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
21 PERSON, including but not limited to MS. HEARD, RELATING TO the purported injuries that
22 appeared on MS. HEARD'S face on May 27, 2016, involving MR. DEPP and MS. HEARD,
23 including any COMMUNICATIONS RELATING TO how MS. HEARD came to have those
24 purported injuries on her face on May 27, 2016.

25 **Request No. 16:**

26 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
27 PERSON, including but not limited to MS. HEARD, RELATING TO any other domestic abuse
28 incidents in which MS. HEARD assaulted MR. DEPP.

1 **Request No. 17:**

2 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
3 PERSON, including but not limited to MS. HEARD, RELATING TO the incident between MS.
4 HEARD and Tasya van Ree that occurred at the Seattle-Tacoma International Airport on
5 September 14, 2009, which prompted MS. HEARD's arrest.

6 **Request No. 18:**

7 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
8 PERSON, including but not limited to MS. HEARD, RELATING TO any other domestic abuse
9 allegations against MR. DEPP not identified in Request Nos. 2 through 17.

10 **Request No. 19:**

11 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
12 PERSON, including but not limited to MS. HEARD, RELATING TO MS. HEARD'S relationship
13 with Elon Musk.

14 **Request No. 20:**

15 All DOCUMENTS and all COMMUNICATIONS by and between YOU and any
16 PERSON, including but not limited to MS. HEARD, RELATING TO MS. HEARD requesting
17 Ms. Trinity Esparza and Mr. Brandon Patterson of the Eastern Columbia Building to give a
18 statement to *People Magazine* about one week after MS. HEARD made her domestic abuse
19 allegations against MR. DEPP on May 27, 2016.

20 **Request No. 21:**

21 All COMMUNICATIONS concerning YOU visiting MS. HEARD at any time at the
22 Eastern Columbia Building, located at 849 South Broadway Los Angeles, CA 90014, including
23 but not limited to, any visits that you made to the Eastern Columbia Building in December 2015 or
24 May 2016.

25 **Request No. 22:**

26 All DOCUMENTS reflecting YOUR in-person interactions with MS. HEARD in or
27 around December 2015.

28 **Request No. 23:**

1 All DOCUMENTS concerning the affidavit that you submitted to help MS. HEARD
2 obtain the temporary restraining order against MR. DEPP on May 27, 2016, including but not
3 limited to drafts of the affidavit.

4 **Request No. 24:**

5 All COMMUNICATIONS by and between YOU and any PERSON, including but not
6 limited to MS. HEARD, concerning the affidavit that you submitted to help MS. HEARD obtain
7 the temporary restraining order against MR. DEPP on May 27, 2016.

8 **Request No. 25:**

9 All DOCUMENTS reflecting your work schedule in December 2015, including but not
10 limited to shooting dates, locations, and travel in connection with your hosting responsibilities for
11 MTV's *Suspect*.

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SHORT TITLE: John C. Depp, II v. Amber Laura Heard	CASE NUMBER:
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ATTACHMENT (Number): 5

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

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Counsel for Plaintiff John C. Depp, II

(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 2

(Add pages as required)

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

ATTACHMENT (Number): 5*(This Attachment may be used with any Judicial Council form.)*

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(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 2 of 2
(Add pages as required)

SHORT TITLE: John C. Depp, II v. Amber Laura Heard	CASE NUMBER: CL-2019-0002911
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ATTACHMENT (Number): 6

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

See attached Fairfax County Circuit Court Subpoena

(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 2

(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

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the enclosed Subpoena/Subpoena Duces Tecum to Person Under Foreign Subpoena and Deposition Subpoena for Personal Appearance and Production of Documents, Electronically Stored Information, and Things In Action Pending Outside California, to be sent via email (per written agreement between the Parties), on this 25th day of October 2019, to counsel of record.


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October 25, 2019

FILED
CIVIL INTAKE
2019 OCT 28 AM 8:35
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

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*, No. CL-2019-0002911

Dear Mr. Frey,

Please find enclosed for filing in the above-referenced matter, original attorney-issued subpoena for deposition and documents to third party witness iO Tillet Wright. Also enclosed are three copies of the subpoena and a check for the Court's related fee. The subpoenas will be served in California by private process server. We request one file-stamped copy for immediate return to the courier who will deliver it to our offices. We also request one certified copy of the subpoena to be issued and served under the laws of the state of California. Upon preparation of the certified copy, please contact my paralegal Christian Seitz at (202) 536-1722 so that we may arrange for a courier to retrieve it.

This letter certifies that California has reciprocal privileges regarding discovery with Virginia and that I will cause copies of the subpoena to be served on counsel of record. Thank you for your assistance.

Regards,

BROWN RUDNICK LLP


Benjamin G. Chew USB # 29113

Enclosures

Fairfax Circuit Court
Circuit Court
Receipt No. 863605
Receipt Date: 10/31/2019 11:50 AM

Received of: Brown Rudnick LLP, \$ 14.00

Fourteen and 00/100

John C Depp II vs. Amber Laura Heard

Filer(s): Depp, John C II

<u>Case</u>	<u>Amount</u>
CL-2019-0002911	
Copy - Certified	4.00
Subpoena Duces Tecum Clerks Fee	10.00

Total: 14.00

Balance due court: \$ 0.00

Next fine/fee due date:

Next restitution due date:

Check (Num: 1378, Exp: xx/xx)

Amount Tendered: 14.00

Overage: 0.00

Change Due: 0.00

John T. Frey, Clerk of Circuit Court

By: _____

Deputy Clerk

Clerk: CSMI32