

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

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2020 OCT 16 AM 10:24
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

**DEFENDANT AMBER LAURA HEARD'S MEMORANDUM IN SUPPORT OF
HER MOTION TO COMPEL PRODUCTION OF DOCUMENTS
IN RESPONSE TO DEFENDANT'S REVISED EIGHTH
REQUEST FOR PRODUCTION OF DOCUMENTS AND
TAX INFORMATION PURUSANT TO THIS COURT'S OCTOBER 10 ORDER**

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Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
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Counsel to Defendant Amber Laura Heard

Once again, Defendant has to come to this Court because Plaintiff is refusing to provide any documents in response to discovery requests and has violated this Court's Order. Plaintiff's Responses to Defendant's 8th RFPs were due on September 9, 2020 (*see Att. 1 at 19*), yet over a month later, Plaintiff has not produced a single page in response. Defendant met and conferred with Plaintiff on September 15, 2020, during which Defendant agreed to, and did, limit and narrow several of her Requests, and memorialized those limitations in writing that same day at Plaintiff's request. *Att. 2 at 2-4*. Yet Plaintiff did not respond. Defendant asked for Plaintiff's position again on September 23 – again no response. *Id. at 1*. Defendant requested a response one last time on October 13, 2020, but Plaintiff again refused to respond. *Id. at 1*. Defendant has no choice but to bring this motion to obtain the information requested.

Plaintiff has also violated this Court's Order by not providing his personal tax returns reflecting his gross income. Plaintiff produced tax information from three companies he owns, but refused to produce his own returns, which were the subject of the document request and Court Order. This Court's Order requires Plaintiff to produce "portions of tax returns sufficient to show Mr. Depp's gross income from January 2012 through the present date." *Att. 3*.

Plaintiff's actions have prejudiced Defendant. Defendant will not receive this relevant discovery before Plaintiff's deposition – clearly a goal of Plaintiff in his studied refusal to even respond to Defendant's multiple requests. Plaintiff has repeatedly delayed and ignored its discovery obligations and not followed this Court's Orders. This pattern needs to end. The discovery should be produced, and appropriate sanctions ordered.

ARGUMENT

A. Requests for Information from Other Litigations Involving Plaintiff

In close proximity to this litigation, Plaintiff has been involved in four other litigations Defendant specifically identified and defined as "Other Litigation." *Att. 4 at 4*. Defendant

sought depositions of Plaintiff and others involved, as well as pleadings, discovery responses, and documents produced from those litigations. Plaintiff objected that the requests were too broad, so during the parties' Meet and Confer, Defendant agreed to limit the RFPs to certain topics specifically relevant to this case and discussed these adjustments during the call. At the time, Plaintiff appeared to accept the limitations as reasonable and asked Defendant to send the revised requests by email after the meet and confer, which Defendant did. **Att. 2 at 2-4**. One month later, Plaintiff has not suggested any further revisions and has not contended that these revisions are not reasonably limiting. The revised RFPs 1-5 request the following:

1. Copies of depositions taken of Mr. Depp, both transcriptions and videos in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, and any other issue that relates to any of the claims and defenses in this Litigation.
2. Copies of all depositions taken in the Other Litigation, both transcriptions and videos (as defined in Paragraph "1" above), relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.
3. Copies of all pleadings filed in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.

4. Copies of all discovery responses signed by or otherwise attested to, sworn to, or declared, by Mr. Depp in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.
5. Copies of all documents produced in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.

Att. 2 at 2-3. As limited, the RFPs request information from these litigations very specific to the claims and defenses in this litigation. These categories were laid out and adjusted through collaboration with counsel for Plaintiff during the meet and confer, and counsel then asked for memorialization for their further review, with which Defendant complied. In spite of this, and multiple follow ups over the span of a month, Plaintiff has not even responded to Defendant. Plaintiff should be ordered to produce documents responsive to the revised RFPs 1-5.

B. Discovery Related to Other Litigations' Impact on Plaintiff's Career

Plaintiff alleges that Defendant caused harm to his reputation and harm to his ability to carry on his profession. Compl. ¶ 105. Thus, to prove damages Plaintiff will need to demonstrate it was Defendant's actions that damaged his reputation and his career, and not other causes. Defendant's discovery seeks information to establish that Plaintiff has claimed the same or similar damages in the other litigations, and also Plaintiff's Sun Litigation. In addition to the revised 1-5 that touch upon this, RFPs 6 and 7 seek the following:

6. Documents sufficient to reflect the impact of each of, and the totality of, the Other Litigation on Mr. Depp's reputation and career.
7. Documents sufficient to reflect the impact of the litigation brought by Mr. Depp against News Group Newspapers Ltd. and Dan Wootton ("the Sun Litigation") on Mr. Depp's reputation and career.

Att. 2 at 3-4. Plaintiff agreed in its responses and in the meet and confer to produce non-privileged documents that analyze the impact of these litigations on Plaintiff's career, **Att. 1 at 15-17**, but as of yet, has not produced a single page. Plaintiff should be ordered to produce these documents immediately.

C. Discovery Related to Impact on Plaintiff's Movies

Plaintiff alleges that because of Defendant, he suffered in his profession as a film actor, and more specifically lost out on the Sixth Pirates of the Caribbean movie produced by Walt Disney Motion Pictures Group, Inc. Defendant's RFP Nos. 8 and 9 seek information from Walt Disney and from insurance companies to discover other potential reasons for Plaintiff losing roles, including complaints against him by others that increased risk, and made Plaintiff difficult to insure. Plaintiff resisted the initial RFPs, and claimed that they were unlimited with respect to the subject matter. In response, during and after the meet and confer, Defendant tailored the RFPs for information directly related to the reasons Walt Disney would not allow Plaintiff to work on Pirates of the Caribbean, including the timing of those decisions, and whether insurance played a part in the decisions. The revised RFP Nos. 8 and 9 now request the following:

8. All communications and documents exchanged between Mr. Depp (and anyone on his behalf) and Walt Disney Motion Pictures Group, Inc. (and anyone on their behalf) during the period January 1, 2015 through the present, relating in any manner to complaints, roles, potential opportunities, decisions and timing, Pirates of the Caribbean, Jack Sparrow, potential expansion or decrease of any roles, career decisions, insurability, financial compensation, injuries, cost to the studio for finger injury, and anything related to Mr. Depp's Other Litigation, the Sun Litigation, this Litigation, and anything else that relates to the claims and defenses in this Litigation.

9. All communications and documents relating in any manner to insurance coverage for Mr. Depp on any film, movie, television or other project. This includes attempts to obtain coverage, insurance claims, difficulty in obtaining insurance, the costs of insuring Mr. Depp (and if they increased or decreased, the reasons for such change), the insurance policies reflecting coverage, including all exceptions and the reasons for such exceptions. This request is during the period January 1, 2012 through the present.

Att. 2 at 4. Plaintiff has provided no reason why these requests are not reasonably limited and why he will not produce this highly relevant information. Given the time remaining to evaluate this information, and retain and educate experts on these issues, this information is needed soon.

D. Plaintiff's Personal Tax Returns Sufficient to Show His Gross Income from January 2012 through the Present Date Should be Produced Pursuant to This Court's September 18 Ruling and October 10 Order

Defendant requested that Plaintiff produce “[a]ll tax returns for Mr. Depp, including all schedules, for the period 2010 through the present.” **Att. 5 at Req. 14.** On September 18, 2020, this Court ordered that by September 30, 2020, Plaintiff was to produce “portions of tax returns sufficient to show Mr. Depp’s gross income from January 2012 through the present date.” **Att. 3; see also Att. 6 at 35** (“The documents which show the gross income are to be produced.”) On September 30, Plaintiff produced tax information only from three companies owned by Plaintiff, but not Plaintiff’s personal tax information that would demonstrate his gross income. Plaintiff filed personal tax returns during this time period. In meet and confers, Plaintiff simply states that we have enough information from the other tax returns. This makes no sense and is not a basis for refusing to comply with this Court’s ruling and Order. Plaintiff should produce information from his personal tax returns (as ordered by the Court) from January 2012 through the present.

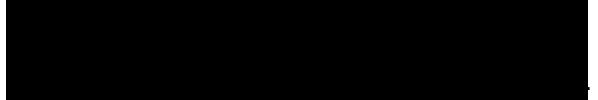
CONCLUSION

For the reasons set forth above, Defendant’s Motion to Compel should be granted. Defendant further requests appropriate sanctions against Plaintiff under Va. Sup. Ct. R. 4:12(a)(4), as well as any other relief this Court deems appropriate.

Dated this 16th day of October 2020.

Respectfully submitted,

Amber L. Heard



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Adam S. Nadelhaft (VSB No. 91717)
David E. Murphy (VSB No. 90938)
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Counsel to Defendant Amber Laura Heard

CERTIFICATE OF SERVICE

I certify that on this 16th day of October 2020, a copy of the foregoing shall be served by via email, pursuant to the Agreed Order dated August 16, 2019, as follows:

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Counsel for Plaintiff John C. Depp, II


Elaine Charlson Bredehoff (VSB No. 23766)

FILED
MOTIONS DOCKET
2020 OCT 16 AM 10:25
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S RESPONSES AND OBJECTIONS TO DEFENDANT
AMBER LAURA HEARD'S EIGHTH REQUEST FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II ("Plaintiff" and/or "Mr. Depp"), by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard's ("Defendant" and/or "Ms. Heard") Eighth Request for Production of Documents (each, a "Request" and collectively, the "Requests"), dated August 19, 2020 and served in the above captioned action ("Action") as follows:

GENERAL OBJECTIONS

1. These General Objections are incorporated into each specific response to the numbered Requests below as if fully repeated therein and are intended, and shall be deemed, to be in addition to any specific objection included in any response below. The assertion of the same, similar, or additional objections or partial responses to the individual Requests does not waive any of Plaintiff's General Objections. Failure to make a specific reference to any General Objection is not a waiver of any General Objection.

nonparties to unrelated litigation. The overwhelming majority of such documents could have no conceivable relationship to the issues in this litigation, and the majority of them were designated “confidential” in accordance with the terms of applicable Stipulated Protective Orders. Plaintiff further objects to this Request on the grounds that it constitutes an invasion of privacy. Plaintiff further objects to this Request on the grounds that because of its unlimited and unreasonable scope, and because it bears no reasonable relation to the issues in this action, it appears calculated to harass and represents a misuse of the discovery process.

Accordingly, Plaintiff will not produce documents in response to this Request.

6. **Documents sufficient to reflect the impact of each of, and the totality of, the Other Litigation on Mr. Depp's reputation and career.**

RESPONSE:

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instructions above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is facially overly broad, unduly burdensome, and harassing. Plaintiff further objects to this Request to the extent that it could be construed to seek documents protected by the attorney-client privilege, the work-product doctrine, and any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff, which is not subject to discovery in this action, and may be protected from disclosure under Protective Orders. Plaintiff further objects to this Request on the grounds that it is duplicative of other discovery and is unreasonably cumulative, and to the extent that this Request could be construed to seek documents, pleadings, discovery, or other materials from the “Other

Litigation," Plaintiff repeats and incorporates by this reference all objections stated in response to Request Nos. 1-5, above, and will not produce documents in response. Plaintiff further objects on the grounds that this Request is premature and purports to seek expert discovery beyond the scope permitted by the applicable rules. Plaintiff further objects to this Request on the grounds that it constitutes an invasion of privacy. Plaintiff further objects to this Request on the grounds that it is vague and ambiguous and overbroad, including as to time. Plaintiff further objects to this Request to the extent that it seeks documents and/or information that is publicly available, equally available to, or already in the possession of Defendant. Plaintiff has no obligation to seek out publicly available sources of information in the media or elsewhere to respond to Defendant's discovery, and such documents will not be produced.

Subject to, and without waiver of the above-stated objections, Plaintiff will produce non-privileged documents, if any, that reflect any analysis undertaken by Plaintiff or his agents of the impact on his career of the "Other Litigation." Plaintiff does not agree to produce documents prepared by or intended to be relied on by experts in this litigation, and will only provide expert discovery within the parameters and on the timeline provided by the applicable rules and the operative Order of this Court.

7. **Documents sufficient to reflect the impact of the litigation brought by Mr. Depp against News Group Newspapers Ltd. and Dan Wootton on Mr. Depp's reputation and career.**

RESPONSE:

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instructions above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is overly broad, unduly burdensome, and harassing. Plaintiff

further objects to this Request to the extent that it could be construed to seek documents protected by the attorney-client privilege, the work-product doctrine, and any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff, which is not subject to discovery in this action, and may be protected from disclosure under any applicable protective and confidentiality requirements for the above-mentioned litigation. Plaintiff further objects on the grounds that this Request is premature and purports to seek expert discovery beyond the scope permitted by the applicable rules. Plaintiff further objects to this Request on the grounds that it constitutes an invasion of privacy. Plaintiff further objects to this Request on the grounds that it is vague and ambiguous and overbroad, including as to time:

Subject to, and without waiver of the above-stated objections, Plaintiff will produce non-privileged documents, if any, that reflect any analysis undertaken by Plaintiff or his agents of the impact on his career of the litigation brought by Plaintiff against NGN. Plaintiff does not agree to produce documents prepared by or intended to be relied on by experts in this litigation, and will only provide expert discovery within the parameters and on the timeline provided by the applicable rules and the operative Order of this Court.

8. All communications and documents exchanged between Mr. Depp (and anyone on his behalf) and Walt Disney Motion Pictures Group, Inc. (and anyone on their behalf) during the period January 1, 2015 through the present.

RESPONSE:

Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instructions above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is facially overly broad, unduly burdensome, and harassing.

Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff, which is not subject to discovery in this action, and may be protected from disclosure by any applicable non-disclosure agreement. Plaintiff further objects to this Request on the grounds that it constitutes an invasion of privacy. Plaintiff further objects to this Request on the grounds and to the extent that it seeks documents protected by the attorney-client privilege, work-product doctrine, common interest doctrine, and/or any other applicable privilege or immunity. Plaintiff further objects to this Request on the grounds that it is vague and ambiguous and overbroad, including as to time.

Plaintiff will not produce documents in response to this Request as presently framed, as it is unlimited with respect to the subject matter of documents requested. Plaintiff is willing to meet and confer as to this Request, and would agree to produce responsive documents to a Request that is narrowed to seek non-privileged documents and communications sufficient to show the offer or loss of any performance opportunity from Walt Disney to Plaintiff from 2015 to present.

9. All communications and documents relating in any manner to insurance coverage for Mr. Depp on any film, movie, television or other project. This includes attempts to obtain coverage, and all policies reflecting coverage. This request is during the period January 1, 2012 through the present.

RESPONSE:

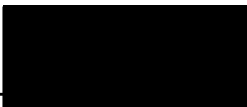
Plaintiff repeats and incorporates by this reference the General Objections and Objections to Definitions and Instructions above, as though set forth in full. Plaintiff further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this Request on the grounds that it is facially overly broad, unduly burdensome, and harassing. Plaintiff further objects to this Request to the extent that it could be construed to seek documents

protected by the attorney-client privilege, the work-product doctrine, and any other applicable privilege, immunity, or protection. Plaintiff further objects to this Request on the grounds that it seeks confidential, proprietary, and private personal and/or business information of Plaintiff, which is not subject to discovery in this action. Plaintiff further objects to this Request on the grounds that it constitutes an invasion of privacy. Plaintiff further objects to this Request on the grounds that it is vague and ambiguous and overbroad, including as to time.

Accordingly, Plaintiff will not produce documents in response to this Request as it is presently framed. Plaintiff is willing to meet and confer with Defendant regarding this Request, and would consider producing documents if it were narrowed to seeks claims against insurance policies that are relevant to the claims and defenses in this action.

Dated: September 9, 2020

Respectfully submitted,


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

Adam R. Waldman
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1775 Pennsylvania Avenue NW, Suite 350
Washington, DC 20006

Counsel for Plaintiff John C. Depp, II

From: Elaine Bredehoft
To: Vasquez, Camille M.; Moniz, Samuel A.
Cc: bchew@brownrudnick.com; Crawford, Andrew C.; brottenborn@woodsrogers.com; Treece, Joshua; Adam Nadelhaft; David Murphy; Michelle Bredehoft; Leslie Hoff
Subject: RE: Revised 8th RFPs based on Meet and Confer
Date: Tuesday, October 13, 2020 11:02:12 AM

Camille and Sam: We have still not received a response to the below, which were discussed in our meet and confer and you asked us to send in writing. Can you please let us know whether you will respond to these requests as narrowed per our meet and confer and when?

Thank you for your consideration. Elaine

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From: Elaine Bredehoft
Sent: Wednesday, September 23, 2020 2:53 PM
To: Vasquez, Camille M. <CVasquez@brownrudnick.com>; Moniz, Samuel A. <SMoniz@brownrudnick.com>
Cc: bchew@brownrudnick.com; Crawford, Andrew C. <ACrawford@brownrudnick.com>; brottenborn@woodsrogers.com; Treece, Joshua <jtreece@woodsrogers.com>; Adam Nadelhaft <anadelhaft@cbcblaw.com>; David Murphy <DMurphy@cbcblaw.com>; Michelle Bredehoft <mbredehoft@charlsonbredehoft.com>; Leslie Hoff <lhoff@charlsonbredehoft.com>
Subject: RE: Revised 8th RFPs based on Meet and Confer

Camille and Sam: Can you please respond to the email below with our narrowing of the topics based on the Meet and Confer? Will you be willing to respond to any of these absent a Court Order and if so, when? Thank you for your consideration. Elaine

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From: Elaine Bredehoft

Sent: Tuesday, September 15, 2020 5:08 PM

To: Vasquez, Camille M. <CVasquez@brownrudnick.com>; Moniz, Samuel A. <SMoniz@brownrudnick.com>

Cc: bchew@brownrudnick.com; Crawford, Andrew C. <ACrawford@brownrudnick.com>; brottenborn@woodsrogers.com; Treece, Joshua <jtreece@woodsrogers.com>; Adam Nadelhaft <anadelhaft@cbcbllaw.com>; David Murphy <DMurphy@cbcbllaw.com>; Michelle Bredehoft <mbredehoft@charlsonbredehoft.com>; Leslie Hoff <lhoff@charlsonbredehoft.com>

Subject: Revised 8th RFPs based on Meet and Confer

Camille and Sam: Thank you for taking the time to meet and confer with us over the 8th and 9th RFPs, as well as the depositions of Mr. Depp and Mr. Waldman.

Based on our discussions, we have revised the 8th RFPs as follows:

1. Copies of depositions taken of Mr. Depp, both transcriptions and videos in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, and any other issue that relates to any of the claims and defenses in this Litigation.
2. Copies of all depositions taken in the Other Litigation, both transcriptions and videos (as defined in Paragraph "1" above), relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical

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3. Copies of all pleadings filed in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.
4. Copies of all discovery responses signed by or otherwise attested to, sworn to, or declared, by Mr. Depp in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.
5. Copies of all documents produced in the Other Litigation, relating to Ms. Heard, Mr. Depp and/or Ms. Heard's financial condition during their relationship, physical or mental abuse, violence, medical issues or conditions, alcohol use, drug use (all types), property damage, audio recordings, video recordings, photographs, memory issues, Mr. Depp's explanations for his conduct, his perception of other person's fault, witness interactions, Mr. Depp's claims for damages, anything impacting his reputation, testimony by or relating to any person listed in this action as having knowledge of any facts or any person being deposed, and any other issue that relates to any of the claims and defenses in this Litigation.
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Litigation on Mr. Depp's reputation and career.

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Please let me know if you will agree to produce the documents responsive to these requests and when we may expect to receive them. We also ask you to reconsider your position on Nos. 1-5 of the 9th RFPs, and your position on Mr. Depp and Mr. Waldman's depositions.

Thank you. Elaine

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VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

John C. Depp, II,

Plaintiff,

v.

Amber Laura Heard,

Defendant.

Civil Action No.: CL-2019-0002911

ORDER


Upon consideration of Defendant's Motion to Compel Production of Documents in Response to certain of Defendant's 4th – 7th Requests for Production ("Defendant's Motion"), supporting and opposition memoranda, arguments of counsel on Friday, September 18, 2020, it is hereby

ORDERED that Defendant's Motion is Granted in part and Denied in part; and it is further

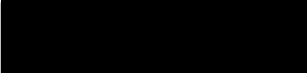
ORDERED that Plaintiff John C. Depp, II shall produce, (other than attorney-client privilege and work product, and shall produce a privilege log for those objections), on or before September 30, 2020, all non-privileged documents in response to:

(1) Defendant's Fourth Set of Requests for Production of Documents No. 1, 2 and 14 (portions of tax returns sufficient to show Mr. Depp's gross income from January 2012 through the present date, but not the supporting documents).

SO ORDERED: 10/10/20


The Honorable Bruce D. White
Chief Judge, Fairfax Circuit Court

WE ASK FOR THIS:


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SEEN AND EXCEPTED TO THE EXTENT THE MOTION WAS DENIED FOR THE REASONS SET FORTH IN THE BRIEFS AND IN ARGUMENT:

Endorsement Waived
Per Rule 1:13

Elaine Charlson Bredehoft (VSB No. 23766)
Carla D. Brown (VSB No. 44803)
Adam S. Nadelhaft (VSB No. 91717)
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Counsel for Defendant Amber Laura Heard

FILED
MOTIONS DOCKET
2020 OCT 16 AM 10:25
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

DEFENDANT AMBER LAURA HEARD'S EIGHTH SET OF REQUESTS FOR PRODUCTION TO PLAINTIFF JOHN C. DEPP, II

Defendant Amber Laura Heard, by counsel, pursuant to Rules 4: 1 and 4:9 of the Rules of the Supreme Court of Virginia, requests that Plaintiff John C. Depp, II, respond to the following Requests for Production ("Requests") within twenty-one (21) days of service hereof, in accordance with the Instructions and Definitions set forth below.

INSTRUCTIONS

1. In accordance with the Rules of this Court, You shall answer the following Requests separately and fully, in writing.
2. Where information in Your possession is requested, such request includes nonprivileged information in the possession of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.
3. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests
any information which might otherwise be construed to be outside their scope.
4. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.
5. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and all persons acting on his behalf.

k. **Complaint.** The term "Complaint" shall mean the Complaint filed by Plaintiff in this Action.

l. **Other Litigation.** The term "Other Litigation" includes the following cases either brought against Mr. Depp or by Mr. Depp. Individually, the name in quotations following the title of the case refers to that particular case.

Eugene Arreola, Miguel Sanchez v. John C. Depp, II et al ("security guard case")

Gregg "Rocky" Brooks v. John C. Depp, et al ("movie set assault case")

John C. Depp, II, et al v. Bloom Hergott Diemer, Rosenthal Laytolette Feldman

Schenkman & Goodman, LLP, Jacob A. Bloom, and DOES 1-30 ("attorney case")

John C. Depp, II, Edward L. White v. The Mandel Company, et al ("Mandel case")

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

REQUESTS

1. Copies of all depositions taken of Mr. Depp, both transcriptions and videos.
2. Copies of all depositions taken in the Other Litigation, both transcriptions and videos (as defined in Paragraph "l" above).
3. Copies of all pleadings filed in the Other Litigation.
4. Copies of all discovery responses signed by or otherwise attested to, sworn to, or declared, by Mr. Depp in the Other Litigation.
5. Copies of all documents produced in the Other Litigation.
6. Documents sufficient to reflect the impact of each of, and the totality of, the Other Litigation on Mr. Depp's reputation and career.
7. Documents sufficient to reflect the impact of the litigation brought by Mr. Depp against News Group Newspapers Ltd. and Dan Wootton on Mr. Depp's reputation and career.
8. All communications and documents exchanged between Mr. Depp (and anyone on his behalf) and Walt Disney Motion Pictures Group, Inc. (and anyone on their behalf) during the period January 1, 2015 through the present.

FILED
MOTIONS DOCKET
2020 OCT 16 AM 10:25
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**DEFENDANT AMBER LAURA HEARD'S FOURTH SET OF
REQUESTS FOR PRODUCTION TO PLAINTIFF JOHN C. DEPP, II**

Defendant Amber Laura Heard, by counsel, pursuant to Rules 4:1 and 4:9 of the Rules of the Supreme Court of Virginia, requests that Plaintiff John C. Depp, II, respond to the following Requests for Production ("Requests") within twenty-one (21) days of service hereof, in accordance with the Instructions and Definitions set forth below.

INSTRUCTIONS

1. In accordance with the Rules of this Court, You shall answer the following Requests separately and fully, in writing.
2. Where information in Your possession is requested, such request includes nonprivileged information in the possession of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.
3. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests any information which might otherwise be construed to be outside their scope.
4. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.
5. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and

8. All communications of any nature between Mr. Depp, Mr. Waldman or any representative of Mr. Depp, and any individual or representative of the Eastern Columbia Building, aka the South Broadway apartments, at any time from May 21, 2016 through the present. This includes, but is not limited to: Any request for videotapes from security cameras, any review of any footage, any retention of any footage, any clips, or selection, any preservation requests or discussion, and any discussion or communications with any employees or contractors of Eastern Columbia Building.
9. All communications with the LA police department, including any police officers, relating in any manner to Ms. Heard from May 21, 2016 through the present.
10. All documents between or among Mr. Depp or any representative of Mr. Depp, and Christi Dembrowski, Ben King, Kevin Murphy, Jerry Judge, Nathan Holmes, Malcolm Connelly, Steven Deuters, any other security for Mr. Depp, house personnel, housekeeping, and personal assistant staff, during the following date periods: January 1 - March 30, 2013; June 27-July 7, 2013; May 1-May 31, 2014; August 1-September 15, 2014; December 1, 2014-January 3, 2015; January 20 - February 12, 2015; March 1-March 30, 2015; July 15-August 5, 2015; November 20, 2015-December 31, 2015; April 15, 2016-April 30, 2016; May 3, 2016-May 21, 2016; May 22, 2016 through present.
11. All communications between Mr. Depp, or any representative of Mr. Depp, and anyone at Disney, or on behalf of Disney, relating in any manner to Disney's consideration of, and decision, not to cast Mr. Depp in the sixth Pirates of the Caribbean movie.
12. If Mr. Depp contends that he has lost any role or other job as the result of Ms. Heard's Op-Ed, please produce all documents supporting such claim.
13. Please provide all documents supporting each aspect of Mr. Depp's claims that he has been damaged, including all documents supporting the \$50 million *ad damnum* clause.
14. **All tax returns for Mr. Depp, including all schedules, for the period 2010 through the present.**
15. All documents supporting any reputational or financial damages claimed by Mr. Depp.

Dated this 2nd day of July 2020

Respectfully submitted,

Amber L. Heard

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V I R G I N I A:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

-----x

JOHNNY C. DEPP, II, :

Plaintiff, :

v. : Case No. CL-2019-0002911

AMBER LAURA HEARD, :

Defendant. :

-----x

HEARING

BEFORE THE HONORABLE BRUCE D. WHITE

Conducted Virtually

Friday, September 18, 2020

10:15 a.m. ET

Job No.: 319581

Pages: 1 - 38

Reported By: Victoria Lynn Wilson, RMR, CRR

1 be required to provide all this information is
2 denied. Mr. Waldman is still currently counsel
3 for a party in the case.

4 As to the documents that I guess I've got
5 sort of categorized here as fourth RFP 14; sixth
6 RFPs 1 through 6 and 8; and seventh RFPs 1, 3, 5,
7 and 7, those are, basically, the information
8 related to the divorce case. Request is denied as
9 to those documents. It is denied under the
10 doctrine of it's enough is enough. You all have
11 been through the divorce already. We're not going
12 to retry that divorce in this case, and that's
13 what I deem this to be aimed at.

14 The fourth RFP 1 and 2, that is to be
15 produced by September 30th.

16 As to the tax documents, it's granted in
17 part and denied in part. **The documents which show**
18 **the gross income are to be produced.** The
19 supporting documents are not to be produced. You
20 all have got a lot of information on income, and
21 this is just one more area where I envision a
22 rehashing of previous other issues.