

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counterclaim-Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim-Plaintiff.

FILED
MOTION [REDACTED]CKET

2021 JUN -9 PM 1:56

JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

Civil Action No.: CL-2019-0002911

**AMBER LAURA HEARD'S MOTION TO COMPEL AND FOR RELIEF
BASED ON PLAINTIFF DEPP'S FAILURE TO TIMELY PRODUCE
DISCOVERY BEFORE THE DEPOSITION OF TRACEY JACOBS**

COMES NOW Defendant and Counterclaim-Plaintiff Amber Laura Heard ("Ms. Heard"), by counsel, in accordance with Rule 4:12 of the Rules of the Supreme Court of Virginia, and moves this Court for entry of an Order compelling Plaintiff and Counterclaim-Defendant John C. Depp II to produce the two video depositions of third-party witness Tracey Jacobs - the transcripts of which were produced too late for counsel to review or use in the deposition of Tracey Jacobs - but counsel for Plaintiff used, to allow Defendant to designate portions of the late produced transcripts for trial, and to order that any authenticity or foundation objections by Mr. Depp to the late produced Tracey Jacobs' documents be waived. Ms. Heard further requests attorneys' fees and costs for having to bring this motion.

The grounds for this Motion are set forth in the accompanying Memorandum.

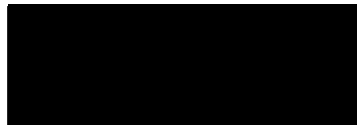
CERTIFICATE UNDER RULE 4:12(A)(2)

Pursuant to Va. Sup. Ct. R's 4:1(b)(8) and 4:15(b), Defendant and Counterclaim-Plaintiff, by counsel, certifies that counsel for Defendant and Counterclaim Plaintiff has conferred with counsel for Plaintiff and Counterclaim-Defendant in an effort to resolve the issues addressed in

this Motion prior to placing it on the docket. Counsel for the parties conferred by telephone on these issues on February 3, and then again on March 3. Both times, counsel for Mr. Depp refused to agree to the relief sought. On June 7, 2021, prior to placing this matter on the docket, counsel for Ms. Heard again asked counsel for Mr. Depp to agree to the relief requested. Counsel for Mr. Depp again would not agree to the relief requested.

June 9, 2021

Respectfully submitted,



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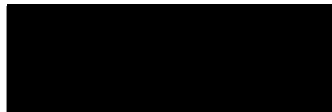
CERTIFICATE OF SERVICE

I certify that on this 9th day of June 2021, a copy of the foregoing was served by email, by agreement of the parties, addressed as follows:

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