

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

John C. Depp, II,  
Plaintiff,

v.

Amber Laura Heard,  
Defendant.

Case No. CL2019-02911

FILED  
2020 JUL -2 PM 3:17  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

**DEFENDANT AMBER LAURA HEARD'S MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS AND RESPONSES TO  
INTERROGATORIES AND REQUESTS FOR ADMISSION**

COMES NOW Defendant Amber Laura Heard, by counsel, and in accordance with Rule 4:12 and 4:15 of the Rules of the Supreme Court of Virginia, hereby moves this Court for entry of an Order compelling Plaintiff John C. Depp II to produce the following documents and information:

- (i) Interrogatory responses relating to payments to former romantic partners and supporting Mr. Depp's damages claims;
- (ii) Requests for Admission regarding property destruction and violent or obscene statements made to Ms. Heard;
- (iii) Documents relating to a number of discovery requests to which Mr. Depp has not fully responded and were Ordered by the Court on October 18, 2019, including acts of violence against other romantic partners, medical records relating to the finger injury he sustained in Australia, payments to potential witnesses; and
- (iv) Information relating to other interrogatories Mr. Depp has not fully answered, and were Ordered by the Court on October 18, 2019 relating to witness identification, business entities he owns or controls, financial records for payments to witnesses, romantic partners, and agreements with romantic partners; and
- (v) Documents and communications regarding violence against women including Ms. Heard, some of which Mr. Depp has admitted he has but has not yet produced;

In support of this motion, Defendant states as follows:

1. Counsel for Defendant hereby certifies, pursuant to Rule 4:12(a)(2), that they have in good faith conferred with counsel for Plaintiff in an effort to obtain the requested responses without judicial intervention.

2. The grounds for Defendant's Motion are summarized here and addressed more fully in Defendant's accompanying Memorandum in Support, which is incorporated by reference.

3. Mr. Depp has flatly refused to answer Ms. Heard's Second Interrogatories #1 requesting information on payments or gifts he has made to past romantic partners, even as he has leaked declarations from some of those people (without producing them in this case) purporting to show support for him. This information is relevant to, among other things, Mr. Depp's propensity for violence toward women (which he put at issue in the Complaint), and the credibility of potential witnesses.

4. Similarly, Mr. Depp has also refused to answer Ms. Heard's Second Interrogatories #2 requesting information on fees he has earned for performances since 2010. This information is critical to damages in this case, since it is well known that many of Mr. Depp's recent movies have been flops yet he has tried to attribute the demise of his career to Ms. Heard's op-ed.

5. Next, Mr. Depp has refused to answer the following requests for admission:

First RFAs #11: "Admit that You destroyed or damaged property in the presence of Amber Heard."

First RFAs #12: "Admit that You called Amber Heard a 'slut.'"

First RFAs #13: "Admit that You called Amber Heard a 'whore.'"

First RFAs #14: "Admit that You communicated to Amber Heard that she would not have any work as an actress when she got old and her 'tits sag.'"

First RFAs #15: "Admit that You told Amber Heard that she would, should, or wanted to 'get raped.'"

Heard First RFAs # 11-15. The information sought is relevant, and Virginia's rules do not provide for a party to refuse to answer requests for admission based on that party's self-serving view of relevance.

6. Mr. Depp has provided deficient responses to requests for: documents and information in support of his claim that he lost movie roles as a result of Ms. Heard's op-ed (*see* Heard First RFPs # 11-12; information relating to his damages claim and income (*see* Second RFPs #13-14; First Interrogatories #16). Again, this material is highly relevant and probative to his claim for significant damages, which Ms. Heard believes to be completely unfounded and disconnected to any reality of the case. She is entitled to test this claim through the discovery process.

7. Mr. Depp has similarly provided deficient responses to document requests seeking documents relating to acts of violence against other romantic partners (*see* Heard Second RFPs #4), the finger injury he sustained in Australia, for which Mr. Depp's counsel has admitted that they have responsive documents but have not yet produced them (*id.* at #10) and payments by Mr. Depp to potential witnesses (*id.* at #16).

8. Mr. Depp has also not provided sufficient interrogatory responses to interrogatories regarding identification of potential witnesses (Heard First Interrogatories #1), business entities Mr. Depp owns or controls (*id.* at #7), financial records for payments to potential witnesses (*id.* at #8), identification of romantic partners (*id.* at #12), and agreements with romantic partners (*id.* at #13). All of these are highly relevant to the factual issues in this case and to the credibility of potential witnesses.

9. Finally, Mr. Depp has admitted he possesses but has not yet produced documents responsive to Ms. Heard's Third Request for Production #4, which requests: "documents and

communications, from 2010 to the present, authored, written, transmitted, sent, or received by Mr. Depp containing discussion of or language reflecting misogyny, sexism, hatred of women, racism, homophobia, rape, violence toward women, abuse of women, and/or killing women.” Among the documents not yet produced are texts from Mr. Depp to actor Paul Bettany stating: “Let’s burn Amber!!!” and “Let’s drown her before we burn her!!! I’ll fuck her burnt corpse afterwards to make sure she is dead.” The relevance of these damaging documents is unquestionable.

Ms. Heard, by counsel, hereby certifies that she has met and conferred with counsel for Mr. Depp in an attempt to resolve these disputes before placing them on this Court’s docket.

WHEREFORE, Defendant respectfully requests that the Court enter an Order compelling Mr. Depp to produce each of the items above no later than 4 P.M. on Friday, July 31, award Ms. Heard her reasonable attorneys’ fees, costs, and expenses incurred in obtaining this Order, and grant any additional relief within the Court’s discretion that the Court deems just and proper.

Dated this 2nd day of July 2020

Respectfully submitted,

Amber L. Heard



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## CERTIFICATE OF SERVICE


I certify that on this 2<sup>nd</sup> day of July 2020, a copy of the foregoing shall be served by first class mail, postage prepaid, and by email, upon:

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