

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counterclaim Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim Plaintiff.

Civil Action No.: CL-2019-0002911

FILED
CIVIL PROCESSING

2022 MAR 28 2:39

JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S
OBJECTIONS TO THE REBUTTAL DESIGNATIONS OF PLAINTIFF AND
COUNTERCLAIM DEFENDANT JOHN C. DEPP, II, AND SUR-REBUTTAL
DESIGNATIONS OF DEPOSITION TESTIMONY FOR TRIAL**

COMES NOW the Defendant and Counterclaim Plaintiff, Amber Laura Heard, by counsel, and pursuant to the Scheduling Order issued in this case on April 22, 2021, and hereby objects to Plaintiff and Counterclaim Defendant John C. Depp, II's Rebuttal Designations of deposition testimony for trial as follows, and designates the following rebuttal deposition testimony for trial.

All designations are subject to rulings on Motions *in Limine* and other rulings of the Court, and Defendant/Counterclaim Plaintiff reserves the right to modify or withdraw any designations based on rulings of the Court and/or other developments prior to or at trial.

Defendant and Counterclaim Plaintiff's Sur-Rebuttal designations set forth below are in addition to the deposition testimony previously designated, including counter-designation and rebuttal designations, and those previous designations are hereby incorporated by reference into these Rebuttal designations.

To the extent that any initial or counter designations of Plaintiff and Counterclaim Defendant overlap his rebuttal designations, Defendant and Counterclaim Plaintiff's objections to those initial and rebuttal designations are incorporated herein by reference.

In addition, in each instance where Plaintiff and Counterclaim Defendant has designated an objection made by counsel, that designation is objected to, and not repeated below, since all objections will be ruled upon by the Court and all objections should be removed from the transcript.

KEY TO OBJECTIONS

R=Irrelevant or Immaterial: **H**=Hearsay: **F/A**=No Foundation or Authenticity: **MIL**=Currently the subject of Motions in Limine: **P**=Prejudice outweighs probative value: **D**=Document does not accurately and completely depict facts and events or is not authentic business document: **IC**= Document is incomplete: **S**=Settlement Communications: **SS**=Self-serving: **NP**=Not produced in discovery, although requested: **SP**=Speculative/Calls for Speculation: **L**=Leading: **AF**= Assumes Facts Not in Evidence: **C**= Compound: **IR**= Improper Use of Document/Attempt at Impeachment/Improper Attempt to Refresh Recollection: **MS**= Mischaracterizes/Misstates Testimony: **AA**=Asked and Answered: **O**=Designation of Objection: **UN**=Unresponsive.

DEPOSITION OF LAUREL ANDERSON (February 21, 2022)

Objection to Plaintiff's Rebuttal Designations of Laurel Anderson

Page/Line	Objections
137:16-20	H, L, O

DEPOSITION OF ISAAC BARUCH (November 20, 2019)

Objection to Plaintiff's Rebuttal Designations of Isaac Baruch

Page/Line	Objections
97:3-9	UN
98:24-99:1	MS
99:2-3	SP, F/A
150:16-21 and 24	UN
151:3-5 and 8-12	UN

Defendant's Sur-Rebuttal Designations of Isaac Baruch

Page

Line

97	11-19
----	-------

DEPOSITION OF CHRISTI DEMBROWSKI (February 22, 2022)

Defendant's Sur-Rebuttal Designations of Christi Dembrowski

Page

Line

15	17-22
16	1
20	9-10 and 15-16
42	13-17
43	3-4
44	16-18 and 20
66	12-14
68	5-9, 17-18 and 20-21
69	8-11, 17 and 19-20
95	5-8 and 16-22
96	4 and 6-14
97	8-17
99	3 and 5-7
101	15-18
102	14-16 and 18
146	20-22
147	1-3 and 7-8
159	14-17
161	1-2
162	13-19
163	3-5
179	14-15 and 18-19

DEPOSITION OF LAURA DIVENERE (January 15, 2021)

Objection to Plaintiff's Rebuttal Designations of Laura Divenere

Page/Line

Objections

94:16-19	F/A, VA, SP
----------	-------------

DEPOSITION OF TERENCE DOUGHERTY (December 2, 2021)

Objection to Plaintiff's Rebuttal Designations of Terence Dougherty

Page/Line	Objections
17:5-18:5	R
77:21-78:2	R
78:13-18	R
161:16-162:6	R, F/A, H, MIL, SP, C, L
165:14-166:7	R, P, F/A, H, MIL, SP
192:16-193:4	R, P, F/A, H, MIL, SP, AF, L
193:5-13	R, P, F/A, H, MIL, AF, L
193:14-194:5	R, P, MS, H, F/A, MIL, SP, AF, L
194:6-194:20	R, P, H, F/A, MIL, SP, L, C
198:1-15	R, P, H, MIL, AF, L
209:17-18	R, P, MIL
211:1-212:3	R, P, H, F/A, SP, AF
227:14-228:2	R, P, MIL, H, F/A, SP
243:6-16	R, P, MIL, H, F/A, SP
380:8-381:2	R, P, MIL, H, MS, F/A, SP
381:3-14	R, P, MIL, L
381:15-382:1	R, P, MIL, H, F/A, SP
410:7-13	R, P, MIL, SP, F/A

Defendant's Sur-Rebuttal Designations of Terence Dougherty

Page	Line
211	1-2 and 5
213	9-12 and 18-22
214	1 and 18-21
215	4-13
229	4-7
405	15 and 17
428	17-20
429	1-5 and 9-18

DEPOSITION OF JOSHUA DREW (November 19, 2019)

Objections to Plaintiff's Rebuttal Designations of Joshua Drew

Page/Line Objections

42:23-25	IR, AF, F/A, SS
----------	-----------------

Defendant's Sur-Rebuttal Designations of Joshua Drew

Page Line

88	12-14
89	9-11

DEPOSITION OF ERIN FALATI (February 4, 2022)

Objection to Plaintiff's Rebuttal Designations of Erin Falati

Page/Line Objections

203:10-14	R, SP
-----------	-------

DEPOSITION OF OFFICER TYLER HADDEN (March 11, 2021)

Defendant's Sur-Rebuttal Designations of Officer Tyler Hadden:

Page Line

83	11-15
----	-------

DEPOSITION OF WHITNEY HENRIQUEZ (February 2, 2022)

Objections to Plaintiff's Rebuttal Designations of Whitney Henriquez

Page/Line Objections

213:1-22	R, H, F
214:1-5	R, H, F

DEPOSITION OF JENNIFER HOWELL (March 3, 2022)

Objections to Plaintiff's Rebuttal Designations of Jennifer Howell

Page/Line	Objections
285:7-18	R, P, MIL, UN (after "asked me" 285:10)
297:5-9	R, P, MIL, H, SP
297:22-298:8	UN, R, P, MIL, H, SP
312:18-313:1	R, P, MIL, H
314:7-11	R, P, MIL, H
354:6-10	R, P, UN

Defendant's Sur-Rebuttal Designations of Jennifer Howell

Page	Line
294	12-22
295	1 (through "handled" 5-10)
296	3-8, 14-16 and 18-22
297	1-2 and 10-20 (through "me")
313	2-7 (through "mistaken") 15-17
339	17
341	22
342	1-14
346	15-18 and 21-22
347	1-9 and 12-19
351	18-22
352	13-15
353	13-14, 15-19 and 21-22
354	1-5, 11-12 and 17-22
355	1-3
359	16-17
360	8 and 10-22

DEPOSITION OF KATHERINE JAMES (February 18, 2022)

Objections to Plaintiff's Rebuttal Designations of Katherine James

Page/Line Objections

17:18-20	IR
18:18-19:11	IR

Defendant's Sur-Rebuttal Designations of Katherine James

Page Line

20	17-22
----	-------

DEPOSITION OF BRANDON PATTERSON (March 2, 2022)

Objections to Plaintiff's Rebuttal Designations of Brandon Patterson

Page/Line Objections

159:20-21	D, SP, AF, L
192:3-8	D, IR, AF, F/A, MIL, H, P, NP, L

Defendant's Sur-Rebuttal Designations of Brandon Patterson

Page Line

142	12-13 and 16
144	1-4 and 7
181	1-5 and 7-8 (through "days")
229	10-13 14 (from "You") – 16 19-20
231	5-6 8-9 (through "attorney") 14-22
232	4

DEPOSITION OF ANTHONY ROMERO (December 15, 2021)

Objections to Plaintiff's Rebuttal Designations of Anthony Romero

Page/Line Objections

54:15-55:2	R, P, MIL, F/A, L
110:22-111:2	R, P, MIL, H, L
164:16-17	Objection to Motion to Strike – Testimony is responsive
169:15- 170:12	R, P, MIL, L
225:6-11	R, P, UN, L
283:8-22	R, P, MIL, F/A, SP
350:4-6	Objection to Motion to Strike – Testimony is responsive

Defendant's Sur-Rebuttal Designations of Anthony Romero

Page Line

55	3-5
110	6-8
180	18-21
181	2-6

DEPOSITION OF LAURA WASSER (December 16, 2020)

Objections to Plaintiff's Rebuttal Designations of Laura Wasser

Page/Line Objections

203:12-17	R, UR
-----------	-------

DEPOSITION OF JACK WHIGHAM (January 20, 2021)

Objections to Plaintiff's Rebuttal Designations of Jack Whigham

Page/Line Objections

73:10-17	R, P, L
----------	---------

Defendant's Sur-Rebuttal Designations of Jack Whigham

Page	Line
163	11-22
164	1-3
175	12-16 and 21-22
176	1-8

March 28, 2022

Respectfully submitted,



Elaine Charlson Bredehoft (VSB No. 23766)
Adam S. Nadelhaft (VSB No. 91717)
Clarissa K. Pintado (VSB No. 86882)
David E. Murphy (VSB No. 90938)
CHARLSON BREDEHOFT COHEN
BROWN & NADELHAFT, P.C.
11260 Roger Bacon Drive, Suite 201
Reston, Virginia 20190
Telephone: (703) 318-6800
ebredehoft@cbcblaw.com
anadelhaft@cbcblaw.com
cpintado@cbcblaw.com
dmurphy@cbcblaw.com

J. Benjamin Rottenborn (VSB No. 84796)
Joshua R. Treece (VSB No. 79149)
WOODS ROGERS PLC
10 S. Jefferson Street, Suite 1400
P.O. Box 14125
Roanoke, Virginia 24011
Telephone: (540) 983-7540
brottenborn@woodsrogers.com
jtreece@woodsrogers.com

*Counsel to Defendant and Counterclaim
Plaintiff Amber Laura Heard*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served this 28^h day of March, 2022, by email, by agreement of the parties, addressed as follows:

Benjamin G. Chew, Esq.
Andrew C. Crawford, Esq.
BROWN RUDNICK LLP
601 Thirteenth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 536-1700
Facsimile: (202) 536-1701
bchew@brownrudnick.com
acrawford@brownrudnick.com

Camille M. Vasquez, Esq.
BROWN RUDNICK LLP
2211 Michelson Drive
Irvine, CA 92612
Telephone: (949) 752-7100
Facsimile: (949) 252-1514
cvasquez@brownrudnick.com

*Counsel for Plaintiff/Counterclaim
Defendant John C. Depp, II*


Elaine Charlson Bredenoit (VSB No. 23766)