

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

ORDER

THIS MATTER CAME TO BE HEARD upon Defendant and Counterclaim-Plaintiff Amber Laura Heard's ("Ms. Heard") Motion to Compel Responses to Third Requests for Admissions and Responses and Full Production of Non-privileged Documents Responsive to Ms. Heard's Fourteenth, Sixteenth, and Seventeenth Requests for Production of Documents to Plaintiff and Counterclaim-Defendant John C. Depp, II ("Mr. Depp") (the "Motion"); and upon consideration of the briefs and argument of counsel, it is hereby:

**ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part; and it is further

**ORDERED** that Mr. Depp shall admit or deny the authenticity of the photographs identified in Ms. Heard's 3rd Requests for Admissions Requests 1-14, 19-22, 27-49, 61-85, 102, 106, 114-118, 122-124, 128, 130, 134-162 within twenty-one (21) days of receipt of the relevant and non-privileged Extracted Data from Craig Young. For any denied by Mr. Depp, he shall produce all non-privileged documents, if any, supporting such denials; and it is further

**ORDERED** that the Motion to Compel Requests for Admissions 163-174 of Ms. Heard's 3rd Requests for Admissions Requests is denied; and it is further

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**ORDERED** that as to the following Requests in Ms. Heard's 17th Requests for Production of Documents brought in this Motion, Mr. Depp shall produce the following non-privileged documents within his possession, custody, and control, with respect to the requests as revised:

With respect to Requests 48-59, Mr. Depp shall produce any responsive documents referring to or reflecting the incidents described in the paragraphs of Mr. Depp's 2nd Witness Statement described in those Requests;

With respect to Requests 65-72, Mr. Depp shall produce any responsive documents referring to or reflecting the incidents described in the paragraphs of Mr. Depp's 3rd Witness Statement described in those Requests;

With respect to Requests 79-91, Mr. Depp shall produce any responsive documents referring to or reflecting the incidents described in the paragraphs of the Declaration of Ms. Heard described in those Requests;

With respect to Requests 106-19, Mr. Depp shall produce any responsive documents referring to or reflecting the incidents described in the paragraphs of Ms. Heard's Witness Statement described in those Requests;

and it is further

**ORDERED** that as to the following Requests of Ms. Heard's 14th Requests for Production of Documents, Mr. Depp shall produce any non-privileged documents within his possession, custody, and control responsive to the following revised Requests:

Revised Request 1: Please produce any documents relating to Mr. Depp's statement to Christian Carino in the audio recording produced as DEPP8296 that "[I] have gotten emails from every fucking studio fucking head from every motherfucker, I didn't do a thing. 'I'm sorry you're going through this. I'm so sorry.' Clearly she's out of her fucking mind. She is viewed as out of her fucking mind across the globe."

Revised Request 2: Please produce any documents relating to Mr. Depp's statement to Christian Carino in the audio recording produced as DEPP8296 that "There ain't no motherfucker in this business going to hire her."

Revised Request 3: Please produce any documents relating to Mr. Depp's statement to Christian Carino in the audio recording produced as DEPP8296 that "Oh, she's ruined. For sure. She did that herself. In terms of the business, she's a wrap."

; and it is further

**ORDERED** that the Motion to Compel Revised Requests 13 and 14 of Ms. Heard's 14th Requests for Production of Documents is denied; and it is further

**ORDERED** that as to the following requests in Ms. Heard's 16th Requests for Production of Documents, Mr. Depp shall produce any non-privileged documents within his possession, custody, and control responsive to the following revised Requests:

Revised Request 2: Please produce any documents and communications supporting the following statement from Mr. Depp's 4<sup>th</sup> Defense to the Counterclaim: "The statements forming the basis of the counterclaim were not made by the Counterclaim Defendant."

Revised Requests 3-7: Please produce any documents and communications supporting the following statements from Mr. Depp's 5<sup>th</sup> Defense to the Counterclaim:

- (a) "whether or not there was authorization from Counterclaim Defendant to, or a conspiracy with, Mr. Waldman to make the statements forming the basis of the Counterclaim";
- (b) "Counterclaim Defendant's lack of direction as to the subject statements";
- (c) "Counterclaim Defendant's lack of direction or control of a third party as to the subject statements";
- (d) "a third party exceed[ed] the scope of employment or agency relationship as to the subject statements"; and
- (e) The "statements [were] made by an independent contractor."

Combined Revised Requests 8-16: Please produce any documents and communications supporting the following statements in ¶¶ 41, 42, 44-49, and 52 of your Answer to the Counterclaim- whether "that particular conduct by Mr. Waldman was authorized by Counterclaim Defendant or done at his direction."

Combined Revised Requests 17-27: Please produce any documents and communications supporting the following statements in ¶¶ 66, 66(a-f), and 67-70 of your Answer to the Counterclaim- whether "that particular conduct by Mr. Waldman was performed as an agent or was authorized by Counterclaim Defendant or done at his direction."

Revised Request 38: Any video recordings, audio recordings, photographs, or images of Ms. Heard, including any copies of anything recorded by Mr. Depp or any of his entities, representatives or agents, from January 1, 2012 to the present.

Revised Request 39: Any documents that refer to or reflect any consumption of alcohol or drug use, or abuse, by Mr. Depp during any of the Depp Abuse of Heard Dates, the Depp Alleged Abuse by Heard Dates, or the Property Damage Dates.<sup>1</sup>

Revised Request 42: Any documents referring to or reflecting any instances or possible instances of physical violence by Mr. Depp toward any person or property, including any photographs, videos, drawings, or descriptions of any such physical violence.

Revised Request 45: Any documents referring to or reflecting any negative impact of the Divorce Action, the U.K. Action, and/or Ms. Heard's allegations of abuse against You on your reputation and/or career;

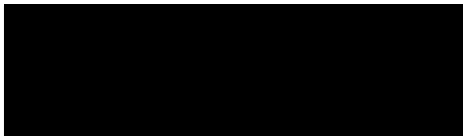
; and it is further

**ORDERED** that the Motion to Compel Revised Requests 1, 37, 40, 41, 43, 44, 46 of Ms. Heard's 16th Requests for Production of Documents is denied; and it is further

**ORDERED** that unless otherwise stated in this Order, Mr. Depp shall comply with the above by no later than March 4, 2022.

**SO ORDERED.**

February 16, 2022

  
The Honorable Penney S. Azcarate  
Chief Judge, Fairfax County Circuit Court

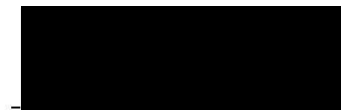
**Penney S. Azcarate**

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<sup>1</sup> For purposes of this Request, the phrases Depp Abuse of Heard Dates and the Depp Alleged Abuse by Heard Dates" are defined in the 16<sup>th</sup> Requests for Production of Documents. "Property Damage Dates" is defined as: "February 26-March 18, 2013; July 1-5, 2013; May 22-26, 2014; August 1-31, 2014; March 1-31, 2015; December 10-31, 2015; April 15-27, 2016; and May 15-27, 2016."

*Compliance with Rule 1:13 requiring the endorsement of counsel of record is modified by the Court, in its discretion, to permit the submission of the following electronic signatures of counsel in lieu of an original endorsement or dispensing with endorsement.*

**SEEN AND PARTIALLY OBJECTED TO FOR THE REASONS STATED IN BRIEFING AND AT ORAL ARGUMENT:**



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