

**VIRGINIA:  
IN THE CIRCUIT COURT FOR FAIRFAX COUNTY**

John C. Depp, II,  
Plaintiff,  
v.  
Amber Laura Heard,  
Defendant.

Case No. CL2019-02911

FILED  
MOTIONS DOCKET  
2019 SEP 27 PM 12:01  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

**DEFENDANT’S EXPANDED MOTION TO COMPEL PLAINTIFF  
TO PRODUCE DOCUMENTS AND RELEASE HIS MEDICAL RECORDS**

COMES NOW Defendant Amber Laura 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 John C. Depp, II to produce documents in response to certain of Defendant’s pending discovery requests and to release medical records he has put at issue. This expanded motion supplements and supersedes Defendant’s first motion to compel filed on September 12, 2019. 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 documents without judicial intervention.

2. Despite Defendant’s good-faith efforts to narrow the scope of her discovery requests, Plaintiff has refused to produce certain categories of documents that are responsive to the following requests for production (together the “Requests”):<sup>1</sup> (1) documents and communications

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<sup>1</sup> Defendant’s requests for production are set forth in **Ex. A**. Plaintiff’s responses and objections to Defendant’s requests are set forth in **Ex. B**. The parties’ positions regarding the requests at issue (“Disputed Requests”) are set forth in **Ex. C** and **D**. The Disputed Requests are set forth in full in **Appendix A** hereto.

between Plaintiff and any persons employed by him or working on his behalf pertaining to the use of drugs by Plaintiff or Defendant from 2013 to present (Request No. 4); (2) documents and communications pertaining to any treatment for alcohol or drug use or abuse by Plaintiff or Defendant from 2013 to present (Request No. 5); (3) any security or surveillance video from Plaintiff's residence on Sweetzer Avenue in Los Angeles, California, from 2013 to 2016 (Request 15); (4) documents sufficient to show payments made by Plaintiff or anyone acting on his behalf to certain third parties who are potential witnesses, as well as payments to hotels and other lodgings for property damage (Requests 17-21 and 40); (5) documents and communications exchanged between Plaintiff and others that refer or relate to Defendant or any of Plaintiff's other Romantic Partners from 2010 to April 2019 or present (Requests 30-37 & 39) which, with respect to communications referring or relating to other Romantic Partners, Defendant offered to narrow to communications concerning violence, abuse, fights, or destruction of property; (6) written agreements between Plaintiff and any former Romantic Partners (Request 42); (7) documents and communications between Plaintiff and any persons employed by him or working on his behalf and Dr. David Kipper that mention Defendant or any of Plaintiff's other romantic partners from 2010 to present (Request No. 38); (8) documents sufficient to show each time Plaintiff was arrested and the reason(s) for the arrest (Request No. 41); and (9) documents, records, and communications relating to Plaintiff's medical treatment for injuries to his finger sustained during an altercation with Defendant (Requests 43-44).

3. Plaintiff has also refused to execute Health Insurance Portability and Accountability Act ("HIPAA") releases to allow Defendant to subpoena Plaintiff's relevant medical records.

4. Defendant requests entry of an order compelling Plaintiff to produce nonprivileged documents responsive to the Requests, as narrowed by Defendant, and to execute HIPAA releases.

5. The grounds for Defendant's Motion are stated more fully in Defendant's accompanying Memorandum in Support and incorporated herein by reference.

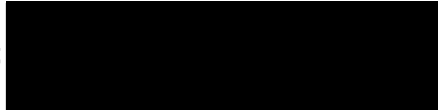
WHEREFORE, Defendant respectfully requests that the Court (1) enter an order compelling Plaintiff to produce documents responsive to Defendant's Requests, as narrowed by Defendant; (2) enter an order instructing Plaintiff to execute HIPAA releases necessary to allow Defendant to subpoena Plaintiff's relevant medical records; (3) award Defendant her attorney's fees and expenses; and (4) grant such other and further relief as the Court deems just and proper.

Dated this 27th day of September 2019

Respectfully submitted,

Amber L. Heard

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## CERTIFICATE OF SERVICE

I certify that on this 27th day of September 2019, a copy of the foregoing shall be served by first class mail, postage prepaid, and by email, upon:

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