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JOHN T. FREY
CLERK OF CIRCUIT COURT
FAIRFAX, VA

VIRGINIA:

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

Civil Action No.: CL-2019-0002911

**DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE OF COURT
TO PRESENT TESTIMONY BY AUDIOVISUAL MEANS**

February 19, 2021

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*Counsel to Defendant and Counter-Plaintiff
Amber Laura Heard*

The parties worked for literally months to agree on a Scheduling Order to accommodate the unique issues of COVID and the fact that the vast majority of witnesses are in California, and other parts of the world. This was addressed by a robust deposition *de bene esse* designation schedule, coupled with setting a full day hearing on May 5 for the Court to rule on all the designations and objections so the parties would be able to edit the audiovisuals and provide smooth, uninterrupted testimony in a much faster manner, and to ensure the trial would be completed within the four weeks set by the Court.

Mr. Depp's last-minute blanket request to suddenly change the process to have all these witnesses who have been deposed, plus those who have not – a total in excess of 65 individuals - testify live by audiovisual means at trial, without regard to the audiovisual deposition testimony that has been ongoing extensively and is scheduled over the next two months through the discovery cut-off, will wreak havoc on the current process and will significantly increase the length of the trial. The Court should also view the request for what it is: an attempt to deny Ms. Heard pretrial deposition testimony from witnesses Mr. Depp intends to call live at trial.

Ms. Heard asks this Court to deny Mr. Depp's blanket request to permit "all non-party witnesses, including expert witnesses," to be "permitted to testify at trial by live audiovisual means," and instead, consider the appropriateness of any witness seeking to testify live by audiovisual means on a case-by-case basis, considering all of the circumstances, including whether they were identified and contact information provided with sufficient time to depose them in advance of trial, whether the parties have already taken the deposition of the individual in this case consistent with the parties' earlier agreement on *de bene esse* depositions, whether the side seeking their audiovisual testimony objected to or otherwise tried to block their deposition by the other side, and the circumstances giving rise to the party being unable to attend

the trial in person and whether there is good cause. A process can be established at the March 10, 2021 Pre-trial hearing in this case that is fair and equitable to the parties, meets the standards set forth in Rule 1:27, and will not unreasonably extend the trial.

THE SCHEDULING ORDER ALREADY PROVIDES FOR AUDIO VISUAL TESTIMONY IN LIEU OF LIVE AUDIOVISUAL TESTIMONY

The parties negotiated and discussed the Scheduling Order in this case for literally months before submitting it to the Court in December. This was after the Court alerted the parties to an important deadline on July 1 and the need to complete the trial by that time, and with the full knowledge of the challenges possessed with COVID-19 and that not a single witness is a resident of Virginia. On December 3, 2020, the parties submitted an agreed upon Scheduling Order that contemplated a significant number of witnesses testifying at trial *de bene esse* by audiovisual means, after providing their testimony in depositions. Specifically, the parties agreed in Section II to move out the time in which to take “depositions in lieu of live testimony” to 30 days before trial, and for a deposition designation process in the month before trial. *See* Section XI, 12/3/20 Scheduling Order, **Att. 1**. On December 3, 2020, the Court set the full day of May 5, 2021 to hear the objections to Depositions and Motions *in Limine*. This would provide sufficient time for the parties to then have the videos edited, so they would provide for smooth presentation at trial of a multitude of witnesses. With this understanding, the parties have scheduled, continue to schedule and have taken, and continue to take, multiple depositions, all through Zoom, all audiovisual, with the intention of providing the edited versions of the testimony at trial.

Thus, after Rule 1:27 of the Rules of the Virginia Supreme Court took effect, the parties devised a means to present an alternative approach to providing testimony of witnesses at trial

who were outside the Court's jurisdiction, which very significantly and specifically accounted for the tight schedule the parties would be on for completing the trial.

**RULE 1:27 DOES NOT TRUMP THE PARTIES' AGREED
PROCEDURE FOR INTRODUCING
AUDIOVISUAL TESTIMONY THROUGH DEPOSITIONS *DE BENE ESSE***

Rule 1:27 does not contemplate a blanket ruling by the Court that any witness who is more than 100 miles from the Court may testify by audiovisual means. Rule 1:27(b) provides that the Court “**may** grant permission for the testimony of any witness to be presented using audiovisual mean under subpart (d) of this Rule....” (emphasis added). The Rule provides the Court with 11 factors to consider, including “mechanisms for making and ruling upon objections both within and outside the hearing of the remote witness” and “procedures for sidebar conferences between counsel and the court....” The process the parties agreed to in the Scheduling Order provides precisely for this, in advance of trial, to expedite the process.

In addition, under Rule 1:27(c)(2), the Court may also inquire as to whether any witness's absence was procured by the party offering the testimony. As noted in a recent hearing, Plaintiff has identified 42 persons with knowledge in this case. Of those 42, Plaintiff has claimed that the addresses of 35 of the 42 are “unknown.” *See* Plaintiff's responses to Defendant's Int. No. 1 (all persons with knowledge of facts and information of claims and defenses in this case), **Att. 2**. While the response was dated October 28, 2019 and has never been supplemented, 14 of those identified as “unknown” provided Witness Statements and/or testified on behalf of Mr. Depp at the UK trial in July 2020. **Att. 3**. Many are current or recently former employees of Mr. Depp. Yet there was no effort to supplement with their contact information Mr. Depp obviously possessed. Therefore, whether Mr. Depp has withheld the addresses of 35 of his witnesses so that

they cannot be timely deposed would be a relevant factor in the Court's consideration of whether any of those witnesses would be allowed to testify live at trial by audiovisual means.

Rule 1:27(d)(1) also provides that the Court must find "that good cause exists for accepting testimony by audiovisual means for each witness who will so testify." This necessarily requires the Court to consider each potential third party witness on a case by case basis. Finally, Rule 1:27(d)(2) requires the Court to consider whether "exceptional circumstances warrant receiving the testimony of a party or expert witness by audiovisual means in the interests of justice." Again, this suggests the Court must consider the circumstances in each instance, not by blanket Order. Given the parties have already agreed to a process, which records all of these witnesses by audiovisual means – the same audiovisual now being requested by Plaintiff for the witnesses at trial, with built in time to rule on objections and to edit the videos for smooth and uninterrupted testimony, it would be difficult to comprehend how good cause would exist under these circumstances.

Defendant's concern that this request will exponentially increase the length of the trial is confirmed by Plaintiff's counsel in their responses to questions about why they are seeking this relief over the earlier negotiated process. Counsel for Defendant asked:

[C]an you please give me some information on exactly what you have in mind? How many people are you thinking? What are the parameters? Are there any restrictions or caveats you are seeking with this? How is this different than deposition de bene esse depositions?

Email to counsel for Plaintiff, Feb. 3, 2021, **Att. 4**. Counsel for Mr. Depp responded:

We are thinking between one and all of our witnesses, there are no parameters except the ones imposed by the rule, no restrictions or caveats and live testimony is obviously different than a deposition.

Att. 4. Given that the two parties are each expected to take several days for their testimony (each was four days in the UK trial, without factoring in their multiple Witness Statements

containing their primary evidence), presenting 45-50 live third party witnesses would easily take multiple weeks. On top of this, during the meet and confer, Mr. Depp's counsel stated that the primary reason for not wanting to be restricted to the depositions *de bene esse* is because that testimony is limited to 7 hours. Yet it was Mr. Depp's counsel who insisted on applying California's limitation of 7 hours total to all the California depositions. Now Mr. Depp does not want his third party witnesses to be limited to only 7 hours of testimony at trial. There is an existing solution for that: he can ask them to testify live in Virginia, where he brought the case.

Finally, the advantage of taking the audiovisual depositions in advance will also save the Court potentially hours of technical challenges with live feed. Several of the depositions thus far experienced technical issues, including having to completely reschedule one deposition because the video would not work on the end of the deponent, taking substantial breaks to fix video or audio issues, and occasional exhibit glitches. These will all have been eliminated by the use of the *de bene esse* depositions and ability to trim the delays and breaks from these problems.¹

PLAINTIFF'S REQUEST TO HAVE THE EXPERTS ALL TESTIFY LIVE THROUGH AUDIOVISUAL MEANS IS ALSO PREMATURE AND UNWARRANTED

Plaintiff's have identified seven "retained" expert witnesses in his main claim, and five "unretained" experts. Defendants have identified four experts supporting the Counterclaim. Opposing designations are due on March 16 and rebuttal designations are due on April 2, 2021. Because Rule 1:27(d)(2) contemplates audiovisual expert testimony only in "exceptional circumstances" and "in the interests of justice," Plaintiff's request to have all expert witnesses permitted to testify at trial by live audiovisual means is premature at best.

For all the reasons set forth above, Plaintiff's motion should be denied.

¹ In the UK trial, live audiovisual testimony was taken. There were a number of technical glitches, leading to rescheduling witnesses, some to another day, and several delays because of sound and connectivity issues.

Dated this 19th day of February 2021.

Respectfully submitted,

Amber L. Heard



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Amber Laura Heard*

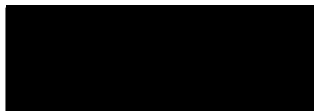
CERTIFICATE OF SERVICE

I certify that on this 19th day of February 2021, a copy of the foregoing shall be served by via email, pursuant to the Agreed Order dated August 16, 2019, as follows:

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John C. Depp, II*



Elaine Charlson Bredehoft (VSB No. 23766)

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

Civil Action No.: CL-2019-0002911

SCHEDULING ORDER

THE SCHEDULING CONFERENCE was held 12/3/2020.

After discussing the various issues presented, it was ORDERED:

I. Trial

The trial date is May 17, 2020 (with a jury). The estimated length of the trial is four weeks. [REDACTED]

II. Discovery

The parties shall complete discovery, including depositions, by thirty (30) days before trial; however, depositions taken in lieu of live testimony will be permitted until thirty (30) days before trial. "Complete" means that all interrogatories, requests for production, requests for admissions and other discovery must be served sufficiently in advance of trial to allow a timely response 30 days before trial. Depositions may be taken after the specified time period by agreement of counsel of record or for good cause shown, provided however, that the taking of a deposition after the deadline established herein shall not provide a basis for continuance of the trial date or the scheduling of motions inconsistent with the normal procedures of the court. The parties have a duty to seasonably supplement and amend discovery responses pursuant to Rule 4:1 (e) of the Rules of the Supreme Court of Virginia. "Seasonably" means as soon as practical. No provision of this Order supersedes the Rules of the Supreme Court of Virginia governing discovery. Any discovery motion filed shall contain a certification that counsel has made a good faith effort to resolve the matters set forth in the motion with opposing counsel.

III. Designation of Experts

If requested in discovery, plaintiff's, counter-claimant, third party plaintiff's and cross-claimant's experts shall be identified on or before ninety (90) days before trial. If requested in discovery, defendants and all opposing experts shall be identified on or before sixty (60) days before trial. If requested in discovery, experts or opinions responsive to new matters raised in the opposing parties' identification of experts shall be designated no later than forty-five (45) days before trial. If requested, all information discoverable under Rule 4:1 (b) (4) (A) (1) of the

Rules of the Supreme Court of Virginia shall be provided or the expert will ordinarily be permitted to express any non-disclosed opinions at trial. The foregoing deadlines shall not relieve a party of the obligation to respond to discovery requests within the time periods set forth in the Rules of the Supreme Court of Virginia, including, in particular, the duty to supplement or amend prior responses pursuant to Rule 4:1 (e).

IV. Dispositive Motions

All dispositive motions shall be presented to the court for hearing as far in advance of the trial date as practical. All counsel of record are encouraged to bring on for hearing all demurrers, special pleas, motions for summary judgment, or other dispositive motions not more than sixty (60) days after being filed.

V. Exhibit and Witness List

Counsel of record shall exchange twenty (20) days before trial a list specifically identifying each exhibit to be introduced at trial, copies of all exhibits, marked, tabbed and indexed, and a list of witnesses proposed to be introduced at trial. The lists of exhibits and witnesses shall be filed with the Clerk of the Court simultaneously therewith but the exhibits shall not then be filed. Any exhibit or witness not so identified and filed will not be received in evidence, except in rebuttal or for impeachment or unless the admission of such exhibit or testimony of the witness would cause no surprise or prejudice to the opposing party and the failure to list the exhibit or witness was through inadvertence. Any objections to exhibits or witnesses shall state the legal reasons therefore except on relevancy grounds, and shall be filed with the Clerk of the Court and a copy delivered to opposing counsel at least ten (10) days before trial or the objections will be deemed waived absent leave of court for good cause shown.

VI. Pretrial Conferences

Pursuant to Rule 4:13 of the Rules of the Supreme Court of Virginia, when requested by any party or upon its own motion, the court may order a pretrial conference wherein motions *in limine*, settlement discussions or other pretrial motions which may aid in the disposition of this action can be heard.

VII. Motions in Limine

Absent leave of court, any motion *in limine* which requires argument exceeding five (5) minutes shall be duly noticed and heard before the day of trial.

VIII. Witness Subpoenas

Early filing of a request for witness subpoenas is encouraged so that such subpoenas may be served at least ten (10) days before trial.

IX. Continuances

Continuances will only be granted by the court for good cause shown.

X. Jury Instructions

Counsel of record, unless compliance is waived by the court, shall ten (10) days before a civil jury trial date exchange proposed jury instructions. The parties shall confer and exchange objections five (5) days before trial, and shall confer with respect to the objections within two (2) days before trial. At the commencement of trial, counsel of record shall tender the court the originals of all agreed upon instructions and copies of all contested instructions with appropriate citations. This requirement shall not preclude the offering of additional instructions at the trial.

XI. Deposition Transcripts to be Used at Trial

Counsel of record shall confer and attempt to identify and resolve all issues regarding the use of depositions at trial. It is the obligation of the proponent of any deposition of any non-party witness who will not appear at trial to advise opposing counsel of record of counsel's intent to use all or a portion of the deposition at trial at the earliest reasonable opportunity. Other than trial depositions taken after completion of discovery under Paragraph II, designations of portions of non-party depositions, other than for rebuttal or impeachment, shall be exchanged no later than thirty-one (31) days before trial, except for good cause shown or by agreement of counsel. All objections and counter-designations shall be exchanged no later than twenty (20) days before trial, and any rebuttal and objections to the counter-designations shall be exchanged no later than fourteen (14) days before trial. A hearing before trial will be set at the pre-trial conference to hear all objections.

XII. Waiver or Modification of Terms of Order

Upon motion, the time limits and prohibitions contained in this order may be waived or modified by leave of court for good cause shown.

Entered this 3rd day of December 2020.

[Redacted Signature]

JUDGE

[Redacted Signature] by *[Handwritten Signature]*
Counsel for Plaintiff

[Redacted Signature]

Counsel for Defendant

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

PLAINTIFF JOHN C. DEPP, II'S RESPONSES AND OBJECTIONS TO DEFENDANT AMBER LAURA HEARD'S FIRST SET OF INTERROGATORIES

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, hereby responds and objects to Defendant Amber Laura Heard's First Set of Interrogatories (each, an "Interrogatory" and collectively, the "Interrogatory"), dated October 7, 2019 and served in the above captioned action ("Action") as follows:

GENERAL OBJECTIONS

1. Plaintiff incorporates by reference as if fully set forth herein the General Objections contained in the Responses and Objections to Defendant's First Set of Requests for Production of Documents and Things to Plaintiff, dated September 3, 2019.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Instructions

1. In accordance with the Rules of this Court, You shall answer the following Interrogatories separately and fully, in writing, under oath.

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t *You and/or Your*. The terms “You” and/or “Your” refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has “control” as understood by the Rules of this Court.

RESPONSE: No objection.

INTERROGATORIES

1. Identify each person having any knowledge or information about any of the claims or defenses in this case, including but not limited to Your (a) substance abuse, (b) damage of property, (c) acts of violence, (d) abuse in any form of any Romantic Partner, and (e) relationship with Ms. Heard. The answer to this Interrogatory should include contact information, to the extent known, for the following: Alejandro Romero, Ben King, Bobby de Leon, Brandon Patterson, Bruce Witkin, Christi Dembrowski, C.J. Roberts, Dr. Connell Cowan, Cornelius Harrell, Dr. David Kipper, Debbie Lloyd, Erin Boerum (Falati), Isaac Baruch, Joel Mandel, Kevin Murphy, Jerry Judge, Josh Drew, Keenan Wyatt, Laura Divenere, Lisa Beane, Malcolm Connolly, Melissa Saenz, Nathan Holmes, Samantha McMillan, Sam Sarkar, Sean Bett, Stephen Deuters, Tara Roberts, Todd Norman, Trinity Esparza, Trudy Salven, Tyler Hadden.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection. Plaintiff further objects to this Interrogatory as calling for information that is neither relevant nor proportional to this case. Plaintiff’s purported substance abuse, damage of property, acts of violence, and “abuse in any form” are irrelevant to the claims or defenses in this case. Plaintiff further objects to the extent that this Interrogatory assumes facts not in evidence, and contains allegations that Mr. Depp intends to disprove.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following individuals with knowledge of the claims or defenses in this case:

Person	Contact Information
Isaac Baruch	Unknown
Lisa Beane	Unknown
Sean Bett	Contact through Plaintiff's counsel.
Robin Baum	901 Highland Ave, Los Angeles , CA 90038 (310) 461-0100
Erin Boerum	Unknown
Malcolm Connolly	Unknown
Dr. Connell Cowan	Unknown
Bobby de Leon	Unknown
Elisa "Christi" Dembrowski	To be contacted through counsel Dylan Ruga, Stalwart Law Group, 1100 Glendon Ave., 17th Floor Los Angeles, CA 90024, 310-954-2000
Gina Deuters	Contact through Plaintiff's counsel.
Stephen Deuters	Contact through Plaintiff's counsel.
Laura Divenere	Unknown
Josh Drew	Unknown
Trinity Esparza	Unknown
Tyler Hadden	Unknown
Cornelius Harrell	Unknown
Nathan Holmes	Unknown
Jerry Judge	Deceased
Ben King	Unknown
Dr. David Kipper	Unknown

Debbie Lloyd	Unknown
Joel Mandel	To be contacted through Michael Kump and Suann MacIsaac, Kinsella Weitzman Iser Kump & Aldisert LLP, 808 Wilshire Blvd., Santa Monica, CA 90401, 310-566-9800
Samantha McMillen	Unknown
Kevin Murphy	Unknown
Todd Norman	Unknown
Brandon Patterson	Unknown
C.J. Roberts	Unknown
Tara Roberts	Unknown
Alejandro Romero	Unknown
Anthony Romero	Unknown
Melissa Saenz	Unknown
Trudy Salven	Unknown
Sam Sarkar	Unknown
Robin Schulman	Unknown
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Jessica Weitz	Unknown
Bruce Witkin	Unknown
Keenan Wyatt	Unknown

Blair Berk	Unknown
Jacob Bloom	Unknown

2. State whether You or anyone acting on Your behalf, including Your attorneys or investigator(s), have ever taken, received or assisted in drafting or preparing any declaration, affidavit, or other written statement of any person relating to this lawsuit and/or the factual allegations that are the substance of this suit. If so, please provide the names, current addresses, telephone numbers and occupation of each such person giving a statement, and the date of each such statement.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protection.

Subject to and without waiving the foregoing objections, Plaintiff identifies the following statements: Plaintiff's declaration in support of his opposition to the motion to dismiss and Kevin Murphy's (Plaintiff's former estate manager) declaration in support of Plaintiff's opposition to the motion to dismiss.

3. Identify all devices in Your possession, custody, or control in which ESI that relates to the claims or defenses in this case, or is reasonably likely to lead to the discovery of admissible evidence, is or is reasonably likely to be stored. For the avoidance of doubt, include in your response all devices in your possession, custody, or control that are or were owned or used by Ms. Heard.

ANSWER:

In addition to the foregoing General Objections and Objections to Definitions and Instructions, Plaintiff objects to this Interrogatory as overly broad and unduly burdensome, and to the extent that it seeks the production of documents or communications protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity,

Dated: October 28, 2019

Respectfully submitted,



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Counsel for Plaintiff John C. Depp, II

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

Roberta A. Kaplan (*pro hac vice*)
Julie E. Fink (*pro hac vice*)
John C. Quinn (*pro hac vice*)
Joshua Matz (*pro hac vice*)
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Counsel for Defendant Amber Laura Heard



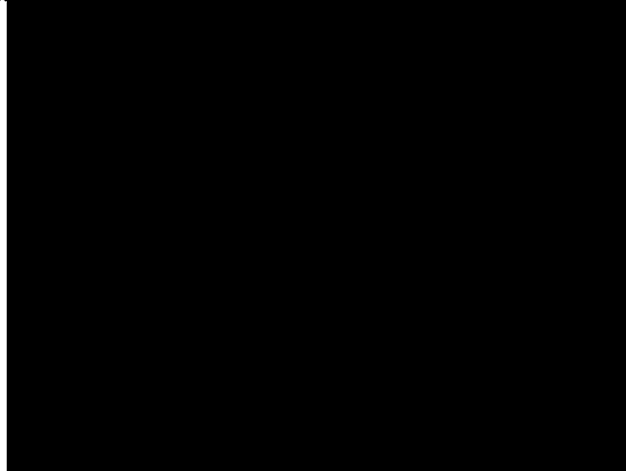
Benjamin G. Chew

CERTIFICATION

I hereby certify under penalty of perjury that the contents of the foregoing are true and accurate to the best of my knowledge, information and belief.

Dated: 28 Oct., 2019

Location: _____



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3

Elaine Bredehoft

From: Vasquez, Camille M. <CVasquez@brownrudnick.com>
Sent: Wednesday, February 03, 2021 12:00 PM
To: Elaine Bredehoft; Chew, Benjamin G.
Cc: Crawford, Andrew C.; Moniz, Samuel A.; cmariam@grsm.com; Hazel Mae Pangan; jcogger@grsm.com; Kristin Blocher; Adam Nadelhaft; brottenborn@woodsrogers.com; Michelle Bredehoft
Subject: RE: Meet and Confer re your request for live feed testimony

TimeMattersID: M3403ACEEB7E2650
TM Contact: Heard, Amber
TM Matter No: 20-5294
TM Matter Reference: Heard, Amber

We are thinking between one and all of our witnesses, there are no parameters except the ones imposed by the rule, no restrictions or caveats and live testimony is obviously different than a deposition.

From: Elaine Bredehoft [mailto:ebredehoft@charlsonbredehoft.com]
Sent: Wednesday, February 03, 2021 8:53 AM
To: Vasquez, Camille M.; Chew, Benjamin G.
Cc: Crawford, Andrew C.; Moniz, Samuel A.; cmariam@grsm.com; Hazel Mae Pangan; jcogger@grsm.com; Kristin Blocher; Adam Nadelhaft; brottenborn@woodsrogers.com; Michelle Bredehoft
Subject: RE: Meet and Confer re your request for live feed testimony

CAUTION: External E-mail. Use caution accessing links or attachments.

Thanks. Can you please send some details in response to my questions below, which I am cutting and pasting for your convenience:

Also, can you please give me some information on exactly what you have in mind? How many people are you thinking? What are the parameters? Are there any restrictions or caveats you are seeking with this? How is this different than deposition de bene esse depositions?

Thanks Camille. Elaine

Elaine Charlson Bredehoft
Charlson Bredehoft Cohen & Brown, P.C.
11260 Roger Bacon Drive
Suite 201

Reston, VA 20190
(703) 318-6800
(703) 919-2735 (mobile)
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From: Vasquez, Camille M. <CVasquez@brownrudnick.com>
Sent: Wednesday, February 03, 2021 11:49 AM
To: Elaine Bredehoft <ebredehoft@charlsonbredehoft.com>; Chew, Benjamin G. <BChew@brownrudnick.com>
Cc: Crawford, Andrew C. <ACrawford@brownrudnick.com>; Moniz, Samuel A. <SMoniz@brownrudnick.com>
Subject: RE: Meet and Confer re your request for live feed testimony

Elaine,

Yes, we're available at 9 a.m. I'll forward you a dial in.

From: Elaine Bredehoft [mailto:ebredehoft@charlsonbredehoft.com]
Sent: Wednesday, February 03, 2021 5:34 AM
To: Chew, Benjamin G.; Vasquez, Camille M.
Subject: Meet and Confer re your request for live feed testimony

CAUTION: External E-mail. Use caution accessing links or attachments.

Ben and Camille: My schedule is pretty tied up today, but do you have time to discuss your proposal with me tomorrow? Would 12:00 noon Eastern work? If that does not, please propose some other times.

Also, can you please give me some information on exactly what you have in mind? How many people are you thinking? What are the parameters? Are there any restrictions or caveats you are seeking with this? How is this different than deposition de bene esse depositions?

It would be helpful to have a sense of your thoughts on this beforehand if possible, so we can talk through this.

Thanks. Elaine

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