

[ ] This SUBPOENA/SUBPOENA DUCES TECUM TO PERSON UNDER FOREIGN SUBPOENA is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the Clerk of Court.

NAME: LAPD - Discovery Section - Subpoena Duces Tecum Processing Unit	
ADDRESS: LAPD, 200 N. Spring Street, Suite 1900 Los Angeles, CA 90012	
<input type="checkbox"/> PERSONAL SERVICE	Tel. No. _____
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above: _____ _____	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> not found	_____, Sheriff
_____ DATE	by _____, Deputy Sheriff

JOHN T. FREY, CLERK  
FAIRFAX COUNTY CIRCUIT COURT  
4110 CHAIN BRIDGE ROAD  
FAIRFAX, VIRGINIA 22030

**SUBPOENA/SUBPOENA DUCES TECUM  
TO PERSON UNDER FOREIGN SUBPOENA**

File No. 2019-002911

Commonwealth of Virginia VA CODE §§ 8.01-412.8—8.01-412.15; Rule 4:9

FAIRFAX COUNTY

Circuit Court

4110 Chain Bridge Road, 3rd Floor, Fairfax, VA 22030

ADDRESS OF COURT

JOHN C. DEPP, II

v./In re: AMBER LAURA HEARD

**TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:**

You are commanded to summon

LAPD - Discovery Section - Subpoena Duces Tecum Processing Unit

NAME

LAPD, 200 N. Spring Street, Suite 1900

STREET ADDRESS

Los Angeles

CA

CITY

STATE

90071

ZIP

FILED  
CIVIL INTAKE  
2021 SEP 14 PM 1:40  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

**TO THE PERSON SUMMONED:** You are commanded to

attend and give testimony at a deposition

produce the books, documents, records, electronically stored information, and tangible things designated and described below

PLEASE SEE ATTACHMENT

.....  
.....  
.....

at 633 West Fifth Street, 52nd Floor, Los Angeles, CA 90071

LOCATION

at October 5, 2021 at 8:30am PST

DATE AND TIME

and to permit inspection and copying by the requesting party or someone acting in his or her behalf of the designated items in your possession, custody or control

permit inspection of the premises

at the following location

.....  
LOCATION

on .....  
DATE AND TIME

This subpoena is issued upon the request of the party named below

Defendant Amber Laura Heard

NAME OF REQUESTING PARTY

c/o Charlson Bredehoff Cohen & Brown, P.C., 11260 Roger Bacon Drive, Suite 201

STREET ADDRESS

Reston

VA

20190

703 318 6800

CITY

STATE

ZIP

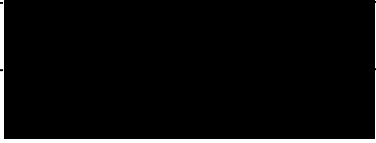
TELEPHONE NUMBER

The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8.01-412.10.

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided [ ] below [ ] on attached list.

September 20, 2021  
DATE ISSUED

**JOHN T. FREY, CLERK**

by 

Elaine Charlson Bredehoff for Defendant  
NAME OF ATTORNEY FOR REQUESTING PARTY

23766 VA  
BAR NUMBER LICENSING STATE

11260 Roger Bacon Drive, Suite 201  
OFFICE ADDRESS

703 318 6800  
TELEPHONE NUMBER OF ATTORNEY

Reston, VA 20190  
OFFICE ADDRESS

703 318 6808  
FACSIMILE NUMBER OF ATTORNEY

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

**RETURN OF SERVICE** (see page three of this form)

## ATTACHMENT

**John C. Depp, II v. Amber Laura Heard**

**Fairfax County Circuit Court: CL 2019-0002911**

### DEFINITIONS

- a. **Action.** The term "Action" means the above-captioned action.
- b. **And/or.** The use of "and/or" shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.
- c. **Communication.** The term "communication" means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, photographs, video or audio tape recordings, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).
- d. **Complaint.** The term "Complaint" means the Complaint, dated March 1, 2019, filed in the Action.
- e. **Concerning.** The term "concerning" includes relating to, referring to, describing, evidencing, or constituting.
- f. **Correspondence.** The term "correspondence" means any document(s) and/or communication(s) sent to or received from another entity and/or person.
- g. **Defendant and/or Ms. Heard.** The terms "Defendant" and/or "Ms. Heard" refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and all persons acting on her behalf
- h. **Document.** The term "document" is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term "document" shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, audio or video recordings, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

i. **Engaged.** The term "Engaged," in relation to a person (as defined herein), means contracted, directed, hired, retained, formed an agreement with (whether formal or informal, binding or nonbinding, written or oral), and/or procured the services of, whether or not in exchange for remuneration or other valuable consideration.

j. **Including.** The term "including" means including but not limited to.

k. **Person.** The term "person" is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

l. **Performance.** The term "Performance," in relation to Mr. Depp, means any creative work in which Mr. Depp or his likeness is, was, will be, may be, or is contemplated to appear, whether or not in exchange for payment or other benefit to Mr. Depp, and includes (without limitation) any appearance (or potential appearance) by Mr. Depp in any film, TV series, product endorsement, advertisement, musical performance, or in-person appearance. To avoid doubt, a Performance includes any creative work in which it was contemplated that Mr. Depp or his likeness would be featured, even if the work was ultimately created without Mr. Depp or his likeness appearing.

m. **Plaintiff and/or Mr. Depp.** The terms "Plaintiff" and/or "Mr. Depp" refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and all persons acting on his behalf both individually or as entities.

n. **Requests.** The term "Requests" shall mean the requests for documents to be produced under this Subpoena as set forth in this Attachment.

o. **You and/or Your.** The terms "You" and/or "Your" refer to the recipient of this Subpoena, as well as all persons and entities over which said recipient has "control" as understood by the Rules of this Court.

## INSTRUCTIONS

1. Where information in Your possession is requested, such request includes non-privileged information in the possession of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.
2. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests any information which might otherwise be construed to be outside their scope.
3. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.
4. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.
5. If You perceive any ambiguities in a question, instruction, definition, or other aspect of this Subpoena, set forth the matter deemed ambiguous and the construction used in answering.
6. If You assert a claim of privilege as to any of Your responses to the Requests, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication.
7. If You perceive any Request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so as to permit an informed ruling on the objection.
8. These Requests are continuing in character so as to require You to promptly amend or supplement Your production of documents within a reasonable time if You obtain or become aware of any further documents responsive to this Subpoena.

## DOCUMENTS TO BE PRODUCED UNDER THIS SUBPOENA

In response to this subpoena, you are required to produce the original or an exact copy of the following:

1. All documents and communications of any nature respecting any investigation of, and any disciplinary actions taken against, Officers Saenz and Hadden for any conduct up through December 31, 2016.
2. All documents and communications of any nature respecting any investigation into whether Officers Saenz and Hadden followed LAPD policy, procedures and/or protocols in responding to the call at Eastern Columbia Building on May 21, 2016 respecting Ms. Heard.
3. All documents and communications of any nature respecting any investigation into whether Officers Saenz and Hadden followed LAPD policy, procedures and/or protocols in the use of their body cameras and/or preservation of the video footage from their body cameras, in responding to the call at Eastern Columbia Building on May 21, 2016 respecting Ms. Heard.
4. All training materials from any training program taken by, or otherwise provided to, Officer Saenz and/or Officer Hadden prior to and including May 21, 2016.
5. All documents reflecting the training taken by Officers Saenz and Hadden on or before May 21, 2016. Please include the types of training, date, and whether in-person or online.
6. All documents reflecting the training and transition period for Officers Saenz and Hadden concerning their body camera equipment.
7. All documents reflecting the dates on which Officers Saenz and Hadden were issued body cameras, including all documents showing the specific dates of any changes in body camera equipment, and the dates of any malfunctions or use of the wrong body camera equipment.
8. All forms completed by Officers Saenz and/or Hadden (or on their behalf) for the period October 1, 2015 through August 1, 2016, reflecting their failure to turn on their body cameras, malfunctions to the capture and upload process to evidence.com, or any other issues with the body cameras that resulted in a failure to capture or upload any or all video associated with a response to an incident while on duty.
9. All documents reflecting the dates on which Officers Saenz and Hadden captured and uploaded body camera footage to evidence.com for the period October 1, 2015 through August 1, 2016.
10. All videos uploaded to evidence.com by Officers Saenz and Hadden or on their behalf, for the period of May 1, 2016 through May 31, 2016, including all calibration and testing videos.

11. The audit trails for any deletions, modifications, or viewing of the body camera footage uploaded to evidence.com by Officers Saenz and Hadden during the period October 1, 2015 through August 1, 2016. This request includes all documents that show any deletions, modifications, or viewing up to the present for footage uploaded during that timeframe.

12. All notebooks created or kept by, and all notes, photographs, or other evidence created and/or gathered by Officer Saenz and Officer Hadden during the period May 1, 2016 through May 31, 2016.

13. All documents reflecting the dates and shifts worked by Officers Hadden and Saenz during the period October 1, 2015 through August 1, 2016.

14. All communications and documents reflecting all communications between Officers Hadden and/or Saenz and Officers Diener and/or Gatlin on May 21 and 22, 2016.

15. All documents reflecting the dates on which Officers Diener and Gatlin were issued body cameras, including all documents showing the specific dates of any changes in body camera equipment, and the dates of any malfunctions or use of the wrong body camera equipment.

16. All documents reflecting the equipment that Officers Saenz, Diener, Gatlin, and/or Hadden checked out of the LAPD Kit Room at the beginning of, or during, their shifts for the period of May 1, 2016 through May 31, 2016.

17. The Watch Commander's log for May 21, 2016, and May 22, 2016, reflecting or concerning the shifts of Officers Saenz, Diener, Gatlin, and/or Hadden.

18. All supervisors' logs for any sergeant working May 21 and 22, 2016.



**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**COUNSEL OF RECORD FOR ALL PARTIES**

<p>Benjamin G. Chew (VSB 29113) Andrew C. Crawford (VSB 89093) BROWN RUDNICK LLP 601 Thirteenth Street, N.W. Washington, D.C. 20005 Telephone: (202) 536-1700 Facsimile: (202) 536-1701 <a href="mailto:bchew@brownrudnick.com">bchew@brownrudnick.com</a> <a href="mailto:acrawford@brownrudnick.com">acrawford@brownrudnick.com</a> <i>Counsel for Plaintiff John C. Depp, II</i></p>	<p>Camille M. Vasquez (admitted <i>pro hac vice</i>) BROWN RUDNICK LLP 2211 Michelson Drive Irvine, CA 92612 Telephone: (949) 752-7100 Facsimile: (949) 252-1514 <a href="mailto:cvasquez@brownrudnick.com">cvasquez@brownrudnick.com</a> <i>Counsel for Plaintiff John C. Depp, II</i></p>
<p>Elaine Charlson Bredehoft (VSB No. 23766) Adam S. Nadelhaft (VSB No. 91717) David E. Murphy (VSB No. 90938) Charlson Bredehoft Cohen &amp; Brown, P.C. 11260 Roger Bacon Drive, Suite 201 Reston, Virginia 20190 Telephone: (703) 318-6800 <a href="mailto:ebredehoft@cbcblaw.com">ebredehoft@cbcblaw.com</a> <a href="mailto:anadelhaft@cbcblaw.com">anadelhaft@cbcblaw.com</a> <a href="mailto:dmurphy@cbcblaw.com">dmurphy@cbcblaw.com</a> <i>Counsel for Defendant Amber Laura Heard</i></p>	<p>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 <a href="mailto:broddenborn@woodsrogers.com">broddenborn@woodsrogers.com</a> <a href="mailto:jtreece@woodsrogers.com">jtreece@woodsrogers.com</a> <i>Counsel for Defendant Amber Laura Heard</i></p>

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Craig J. Mariam, SBN: 225280 / Michael J. Dailey, SBN: 301394</b> <b>Gordon Rees Scully Mansukhani, LLP</b> 633 West Fifth Street, 52nd Floor Los Angeles, CA 90071 Telephone No.: 213-576-5000 Fax No. (Optional): 877-306-0043 E-Mail Address (Optional): cmariam@grsm.com / mdailey@grsm.com ATTORNEY FOR (Name): Defendant Amber Laura Heard	FOR COURT USE ONLY
Court for county in which discovery is to be conducted: <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b> STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Central District	
Court in which action is pending: <b>Name of Court: In the Circuit Court of Fairfax County, Virginia</b> STREET ADDRESS: 4110 Chain Bridge Road MAILING ADDRESS: CITY, STATE, AND ZIP CODE: Fairfax, VA 22030-4009 COUNTRY: USA	
PLAINTIFF/PETITIONER: John C. Depp, II DEFENDANT/RESPONDENT: Amber Laura Heard	CALIFORNIA CASE NUMBER (if any assigned by court) <b>19STCP04763</b>
<b>APPLICATION FOR DISCOVERY SUBPOENA                  IN ACTION PENDING OUTSIDE CALIFORNIA</b>	CASE NUMBER (of action pending outside California): <b>CL 2019-002911</b>

1. Applicant (name): Amber Laura Heard is (check one):

Plaintiff  
  Petitioner  
  Defendant  
  Respondent  
  Other (specify):  
 in the above action.

2. Applicant requests that this court issue a subpoena for discovery under Code of Civil Procedure sections 2029.100 – 2029.900 to (name and address of deponent or person in control of property):  
 LAPD, Discovery Section, Subpoena Duces Tecum Processing Unit, 200 N. Spring St, Ste. 1900, L.A., CA 90012

3. Attached is (check one):  the original  
 a true and correct copy of the document from the court in which the action is pending that requires the person in 2 to (check all that apply):

a.  attend and give testimony at a deposition;

b.  produce and permit inspection and copying of designated materials, information, or tangible things in the possession, custody, or control of the deponent;

c.  permit the inspection of premises under the control of the deponent.

4. Applicant submits with this application a proposed subpoena that includes terms identical to those in the document from the out-of-state court. (Code of Civil Procedure section 2029.300(d).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 14, 2021

Michael J. Dailey

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)

**Note:** This application must be accompanied by the fee specified in Government Code section 70626. A discovery subpoena must be personally served on the deponent in compliance with California law, including Code of Civil Procedure section 1985.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Craig J. Mariam, SBN: 225280 / Michael J. Dailey, SBN: 301394	FOR COURT USE ONLY
Gordon Rees Scully Mansukhani, LLP 633 West Fifth Street, 52 <sup>nd</sup> Floor Los Angeles, CA 90071 TELEPHONE NO.: 213-576-5000 FAX NO.: 877-306-0043 E-MAIL ADDRESS: cmariam@grsm.com / mdailey@grsm.com ATTORNEY FOR (Name): Defendant Amber Laura Heard	
Court for county in which discovery is to be conducted: <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b>  STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY, STATE, AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Central District	
Court in which action is pending: <b>Name of Court:</b> In the Circuit Court of Fairfax County, Virginia <b>STREET ADDRESS:</b> 4110 Chain Bridge Road <b>MAILING ADDRESS:</b> CITY, STATE, AND ZIP CODE: Fairfax, VA 22030-4009 <b>COUNTRY:</b> USA	
PLAINTIFF/PETITIONER: John C. Depp, II  DEFENDANT/RESPONDENT: Amber Laura Heard	CALIFORNIA CASE NUMBER (if any assigned by court): 19STCP04763
<b>SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS          IN ACTION PENDING OUTSIDE CALIFORNIA</b>	CASE NUMBER (of action pending outside California): CL 2019-002911

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):  
 LAPD, Discovery Section, Subpoena Duces Tecum Processing Unit, 200 N. Spring St, Ste. 1900, Los Angeles, CA 90012  
 1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer): Michael J. Dailey On (date): October 5, 2021 At (time): 08:30 a.m. PT Location (address): 633 West Fifth Street, 52nd Floor, Los Angeles, CA 90071 or mdailey@grsm.com <b>Do not release the requested records to the deposition officer prior to the date and time stated above.</b>
---

- a.  by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
  - b.  by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
  - c.  by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records must be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified): See attachment.
- Continued on Attachment 3 (use form MC-025).
4. Attorneys of record in this action or parties without attorneys are (name, address, telephone number, and name of party represented): See attachment.
- Continued on Attachment 4 (use form MC-025).

PLAINTIFF/PETITIONER: John C. Depp, II	CASE NUMBER (of action pending outside California): CL 2019-002911
DEFENDANT/RESPONDENT: Amber Laura Heard	

5. If you have been served with this subpoena as a custodian of consumer or employee records under Code of Civil Procedure section 1985.6 and a motion to quash or an objection has been served on you, a court order or agreement of the parties, witnesses, and consumer or employee affected must be obtained before you are required to produce consumer or employee records.


6.  Other terms or provisions from out-of-state subpoena, if any (specify):

Continued on Attachment 6 (use form MC-025).

**DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.**

Date issued: September 14, 2021

Michael J. Dailey  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

▶   
 \_\_\_\_\_  
 (SIGNATURE OF PERSON ISSUING SUBPOENA)  
 Attorney for Defendant Amber Laura Heard  
 \_\_\_\_\_  
 (TITLE)

**PROOF OF SERVICE OF SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS**

1. I served this *Subpoena for Production of Business Records In Action Pending Outside California* by personally delivering a copy to the person served as follows:
  - a. Person served (name):
  - b. Address where served:
  - c. Date of delivery:
  - d. Time of delivery:
  - e. Witness fees and mileage both ways (check one):
    - (1)  were paid. Amount:.....\$ \_\_\_\_\_
    - (2)  were not paid.
    - (3)  were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (specify): \$ \_\_\_\_\_
  - f. Fee for service:.....\$ \_\_\_\_\_
2. I received this subpoena for service on (date):
3.  I also served a completed *Proof of Service of Notice to Consumer or Employee and Objection* (form SUBP-025) by personally delivering a copy to the person served as described in 1 above.
4. Person serving:
  - a.  Not a registered California process server
  - b.  California sheriff or marshal
  - c.  Registered California process server
  - d.  Employee or independent contractor of a registered California process server
  - e.  Exempt from registration under Business and Professions Code section 22350(b)
  - f.  Registered professional copier
  - g.  Exempt from registration under Business and Professions Code section 22451
  - h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

▶ \_\_\_\_\_  
 (SIGNATURE)

(For California sheriff or marshal use only)  
 I certify that the foregoing is true and correct.

Date:

▶ \_\_\_\_\_  
 (SIGNATURE)



SHORT TITLE: John C. Depp, II v. Amber Laura Heard	CASE NUMBER: CL-2019-002911
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ATTACHMENT (Number): 3

*(This Attachment may be used with any Judicial Council form.)*

DEFINITIONS, INSTRUCTIONS AND DOCUMENTS TO BE PRODUCED  
SEE ATTACHED

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page \_\_\_\_\_ of \_\_\_\_\_  
*(Add pages as required)*

**ATTACHMENT**

**John C. Depp, II v. Amber Laura Heard**

**Fairfax County Circuit Court: CL 2019-0002911**

**DEFINITIONS**

- a. **Action.** The term "Action" means the above-captioned action.
- b. **And/or.** The use of "and/or" shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.
- c. **Communication.** The term "communication" means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, photographs, video or audio tape recordings, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).
- d. **Complaint.** The term "Complaint" means the Complaint, dated March 1, 2019, filed in the Action.
- e. **Concerning.** The term "concerning" includes relating to, referring to, describing, evidencing, or constituting.
- f. **Correspondence.** The term "correspondence" means any document(s) and/or communication(s) sent to or received from another entity and/or person.
- g. **Defendant and/or Ms. Heard.** The terms "Defendant" and/or "Ms. Heard" refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and all persons acting on her behalf
- h. **Document.** The term "document" is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts, social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term "document" shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, audio or video recordings, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

- i. **Engaged.** The term "Engaged," in relation to a person (as defined herein), means contracted, directed, hired, retained, formed an agreement with (whether formal or informal, binding or nonbinding, written or oral), and/or procured the services of, whether or not in exchange for remuneration or other valuable consideration.
- j. **Including.** The term "including" means including but not limited to.
- k. **Person.** The term "person" is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.
- l. **Performance.** The term "Performance," in relation to Mr. Depp, means any creative work in which Mr. Depp or his likeness is, was, will be, may be, or is contemplated to appear, whether or not in exchange for payment or other benefit to Mr. Depp, and includes (without limitation) any appearance (or potential appearance) by Mr. Depp in any film, TV series, product endorsement, advertisement, musical performance, or in-person appearance. To avoid doubt, a Performance includes any creative work in which it was contemplated that Mr. Depp or his likeness would be featured, even if the work was ultimately created without Mr. Depp or his likeness appearing.
- m. **Plaintiff and/or Mr. Depp.** The terms "Plaintiff" and/or "Mr. Depp" refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and all persons acting on his behalf both individually or as entities.
- n. **Requests.** The term "Requests" shall mean the requests for documents to be produced under this Subpoena as set forth in this Attachment.
- o. **You and/or Your.** The terms "You" and/or "Your" refer to the recipient of this Subpoena, as well as all persons and entities over which said recipient has "control" as understood by the Rules of this Court.

## INSTRUCTIONS

1. Where information in Your possession is requested, such request includes non-privileged information in the possession of Your agent(s), employee(s), assign(s), representative(s), and all others acting on Your behalf.
2. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests any information which might otherwise be construed to be outside their scope.
3. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.
4. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.
5. If You perceive any ambiguities in a question, instruction, definition, or other aspect of this Subpoena, set forth the matter deemed ambiguous and the construction used in answering.
6. If You assert a claim of privilege as to any of Your responses to the Requests, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication.
7. If You perceive any Request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so as to permit an informed ruling on the objection.
8. These Requests are continuing in character so as to require You to promptly amend or supplement Your production of documents within a reasonable time if You obtain or become aware of any further documents responsive to this Subpoena.



## DOCUMENTS TO BE PRODUCED UNDER THIS SUBPOENA

In response to this subpoena, you are required to produce the original or an exact copy of the following:

1. All documents and communications of any nature respecting any investigation of, and any disciplinary actions taken against, Officers Saenz and Hadden for any conduct up through December 31, 2016.
2. All documents and communications of any nature respecting any investigation into whether Officers Saenz and Hadden followed LAPD policy, procedures and/or protocols in responding to the call at Eastern Columbia Building on May 21, 2016 respecting Ms. Heard.
3. All documents and communications of any nature respecting any investigation into whether Officers Saenz and Hadden followed LAPD policy, procedures and/or protocols in the use of their body cameras and/or preservation of the video footage from their body cameras, in responding to the call at Eastern Columbia Building on May 21, 2016 respecting Ms. Heard.
4. All training materials from any training program taken by, or otherwise provided to, Officer Saenz and/or Officer Hadden prior to and including May 21, 2016.
5. All documents reflecting the training taken by Officers Saenz and Hadden on or before May 21, 2016. Please include the types of training, date, and whether in-person or online.
6. All documents reflecting the training and transition period for Officers Saenz and Hadden concerning their body camera equipment.
7. All documents reflecting the dates on which Officers Saenz and Hadden were issued body cameras, including all documents showing the specific dates of any changes in body camera equipment, and the dates of any malfunctions or use of the wrong body camera equipment.
8. All forms completed by Officers Saenz and/or Hadden (or on their behalf) for the period October 1, 2015 through August 1, 2016, reflecting their failure to turn on their body cameras, malfunctions to the capture and upload process to evidence.com, or any other issues with the body cameras that resulted in a failure to capture or upload any or all video associated with a response to an incident while on duty.
9. All documents reflecting the dates on which Officers Saenz and Hadden captured and uploaded body camera footage to evidence.com for the period October 1, 2015 through August 1, 2016.
10. All videos uploaded to evidence.com by Officers Saenz and Hadden or on their behalf, for the period of May 1, 2016 through May 31, 2016, including all calibration and testing videos.

11. The audit trails for any deletions, modifications, or viewing of the body camera footage uploaded to evidence.com by Officers Saenz and Hadden during the period October 1, 2015 through August 1, 2016. This request includes all documents that show any deletions, modifications, or viewing up to the present for footage uploaded during that timeframe.

12. All notebooks created or kept by, and all notes, photographs, or other evidence created and/or gathered by Officer Saenz and Officer Hadden during the period May 1, 2016 through May 31, 2016.

13. All documents reflecting the dates and shifts worked by Officers Hadden and Saenz during the period October 1, 2015 through August 1, 2016.

14. All communications and documents reflecting all communications between Officers Hadden and/or Saenz and Officers Diener and/or Gatlin on May 21 and 22, 2016.

15. All documents reflecting the dates on which Officers Diener and Gatlin were issued body cameras, including all documents showing the specific dates of any changes in body camera equipment, and the dates of any malfunctions or use of the wrong body camera equipment.

16. All documents reflecting the equipment that Officers Saenz, Diener, Gatlin, and/or Hadden checked out of the LAPD Kit Room at the beginning of, or during, their shifts for the period of May 1, 2016 through May 31, 2016.

17. The Watch Commander's log for May 21, 2016, and May 22, 2016, reflecting or concerning the shifts of Officers Saenz, Diener, Gatlin, and/or Hadden.

18. All supervisors' logs for any sergeant working May 21 and 22, 2016.

SHORT TITLE: John C. Depp, II v. Amber Laura Heard	CASE NUMBER: CL-2019-002911
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ATTACHMENT (Number): 4 \_\_\_\_\_

*(This Attachment may be used with any Judicial Council form.)*

COUNSEL OF RECORD

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page \_\_\_\_\_ of \_\_\_\_\_  
*(Add pages as required)*

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

COUNSEL OF RECORD FOR ALL PARTIES

<p>Benjamin G. Chew (VSB 29113) Andrew C. Crawford (VSB 89093) BROWN RUDNICK LLP 601 Thirteenth Street, N.W. Washington, D.C. 20005 Telephone: (202) 536-1700 Facsimile: (202) 536-1701 <a href="mailto:bchew@brownrudnick.com">bchew@brownrudnick.com</a> <a href="mailto:acrawford@brownrudnick.com">acrawford@brownrudnick.com</a> <i>Counsel for Plaintiff John C. Depp, II</i></p>	<p>Camille M. Vasquez (admitted <i>pro hac vice</i>) BROWN RUDNICK LLP 2211 Michelson Drive Irvine, CA 92612 Telephone: (949) 752-7100 Facsimile: (949) 252-1514 <a href="mailto:cvasquez@brownrudnick.com">cvasquez@brownrudnick.com</a> <i>Counsel for Plaintiff John C. Depp, II</i></p>
<p>Elaine Charlson Bredehoft (VSB No. 23766) Adam S. Nadelhaft (VSB No. 91717) David E. Murphy (VSB No. 90938) Charlson Bredehoft Cohen &amp; Brown, P.C. 11260 Roger Bacon Drive, Suite 201 Reston, Virginia 20190 Telephone: (703) 318-6800 <a href="mailto:ebredehoft@cbcblaw.com">ebredehoft@cbcblaw.com</a> <a href="mailto:anadelhaft@cbcblaw.com">anadelhaft@cbcblaw.com</a> <a href="mailto:dmurphy@cbcblaw.com">dmurphy@cbcblaw.com</a> <i>Counsel for Defendant Amber Laura Heard</i></p>	<p>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 <a href="mailto:broddenborn@woodsrogers.com">broddenborn@woodsrogers.com</a> <a href="mailto:jtreece@woodsrogers.com">jtreece@woodsrogers.com</a> <i>Counsel for Defendant Amber Laura Heard</i></p>

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

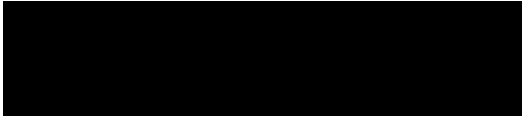
Civil Action No.: CL-2019-0002911

CERTIFICATE OF COUNSEL

This is to certify that I caused a true and accurate copy of the enclosed Subpoena for Production of Business Records in Action Pending Outside California to be sent by email this

14<sup>th</sup> Day of September, 2021

September 14, 2021



Elaine Charlson Bredehoff (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
David E. Murphy (VSB No. 90938)  
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[jtreece@woodsrogers.com](mailto:jtreece@woodsrogers.com)  
*Counsel to Defendant/Counterclaim Plaintiff  
Amber Laura Heard*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 14<sup>th</sup> Day of September, 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.  
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*Counsel for Plaintiff/Counterclaim  
Defendant John C. Depp, II*

  
\_\_\_\_\_  
Elaine Charlson Breidenot (vsB No. 23766)

CHARLSON BREDEHOFT COHEN & BROWN, P.C.  
ATTORNEYS AND COUNSELORS AT LAW

September 14, 2021

FILED  
CIVIL INTAKE  
2021 SEP 14 PM 1:39  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

**BY MESSENGER**

John T. Frey, Clerk  
Fairfax County Circuit Court  
4110 Chain Bridge Road, 3rd Floor  
Fairfax, VA 22030

Re: *Case No. CL-2019-0002911 – John C. Depp, II v. Amber Laura Heard*

Dear Mr. Frey:

Enclosed for filing in the above referenced matter, please find four copies of Defendant's Certificate of Counsel and corresponding subpoena issued pursuant to Virginia Code Section 8.01-412.10, and California Civil Procedure Code Section 2029.100 (collectively, "Acts"). The enclosed Subpoena for Production of Business Records in Action Pending Outside California and Subpoenas Duces Tecum to Person Under Foreign Subpoena have been issued in accordance with both Acts and the reciprocal privileges included therein. Please return a file stamped copy of the same via the awaiting messenger.

Please also find a check in the amount of \$7, made payable to the Clerk, Fairfax Circuit Court, for the filing fee.

Thank you very much for your assistance.

Very truly yours,

  
Elaine Charlson Bredehoft

Enclosures