

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of:

JOHN C. DEPP, II,

Petitioner,

v.

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION, BENJAMIN WIZNER, and
ANTHONY ROMERO,

Respondents,

Index No. 154545/2021

Part 37

Hon. Arthur F. Engoron

**AFFIRMATION OF JESSICA N.
MEYERS**

Jessica N. Meyers, an attorney duly admitted to the bar of the State of New York, under the penalties of perjury, hereby affirms the following:

1. I am an attorney with the firm of Brown Rudnick LLP, counsel for Petitioner John C. Depp, II in the above-captioned action. I am fully familiar with the facts and circumstances herein.

2. I submit this affirmation in opposition to Respondents' Motion for Production Expenses Pursuant to CPLR 3111 & 3122(d).

3. In response to the subpoenas *duces tecum* (the "Subpoenas") served on the respondents in February and March of 2021, Respondents produced approximately 1,900 documents.

4. On October 15, 2021, Respondents provided a log of documents withheld or redacted on the basis of privilege (the "Privilege Log"). A true and correct copy of the Privilege Log is annexed hereto as **Exhibit 1**. The Privilege Log includes 405 entries and, for approximately 160 of those entries, Respondent assert a common interest privilege over communications between Respondents' counsel and Ms. Heard's counsel.

5. On November 8, 2021, I e-mailed Respondents' counsel to challenge Respondents' assertion of the common interest privilege over communications between Respondents' counsel and Ms. Heard's counsel.

6. On December 21, 2021, Respondents' counsel sent a letter to me and Mr. Depp's other counsel requesting the reimbursement of over \$86,000 in fees and costs associated with their document production.

Dated: New York, New York
June 1, 2022

/s/ Jessica N. Meyers
Jessica N. Meyers

CERTIFICATION OF COMPLIANCE

In accordance with Section 202.8-b of the Uniform Civil Rules for the Supreme Court & the County Court, I certify that this Affirmation contains 226 words, exclusive of the caption and the signature block, based on a Word Count check performed by our word processing system.

Dated: June 1, 2022

/s/ Jessica N. Meyers
Jessica N. Meyers