

# EXHIBIT 8

Amber Laura Heard vs The Mandel Company, Inc.  
Transcript of Proceedings 10/29/2020

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 19

HON. STEPHANIE BOWICK, JUDGE

AMBER LAURA HEARD, )  
 )  
 PETITIONER )  
 )  
 VS. ) NO. 19STCP04763  
 )  
 THE MANDEL COMPANY, INC., D/B/A )  
 THE MANAGEMENT GROUP, A )  
 CALIFORNIA CORPORATION, )  
 )  
 RESPONDENTS. )  
 )  
 )  
 JOHN C. DEPP, II, )  
 )  
 PLAINTIFF/PETITIONER, )  
 VS. )  
 )  
 AMBER LAURA HEARD, )  
 )  
 DEFENDANT/RESPONDENT. )  
 )  
 )

REPORTER'S TRANSCRIPT OF REMOTE PROCEEDINGS HEREIN AT  
10:28 A.M., ON THURSDAY, OCTOBER 29, 2020

LACOURTCONNECT APPEARANCES:

FOR PLAINTIFF JOHN C. DEPP, II:

BROWN RUDNICK LLP

BY: CAMILLE M. VASQUEZ, ESQ.

LEO J. PRESIADO, ESQ.

SAMUEL A. MONIZ, ESQ.

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(APPEARANCES CONTINUED ON FOLLOWING PAGE.)

REPORTED BY:

ALICIA RENEE DESMOND, CSR NO. 13037  
OFFICIAL REPORTER PRO TEMPORE

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1 LACOURTCONNECT APPEARANCES (CONTINUED):

2 FOR DEFENDANT AMBER LAURA HEARD:  
3 GORDON REES SCULLY & MANSUKHANI  
4 BY: JOHN P. COGGER, ESQ.  
5 KRISTIN BLOCHER, ESQ.  
6 633 WEST FIFTH STREET,  
7 52ND FLOOR,  
8 LOS ANGELES, CALIFORNIA 90071  
9 (213)576-5000  
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M A S T E R I N D E X

THURSDAY, OCTOBER 29, 2020

CHRONOLOGICAL AND ALPHABETICAL INDEX OF WITNESSES

NONE OFFERED

EXHIBITS

NONE OFFERED

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1 CASE NUMBER: 19STCP04763  
2 CASE NAME: AMBER LAURA HEARD VS. THE  
3 MANDEL COMPANY, INC.  
4 LOS ANGELES, CALIFORNIA THURSDAY, OCTOBER 29, 2020  
5 DEPARTMENT 19 HON. STEPHANIE BOWICK, JUDGE  
6 REPORTER: ALICIA RENEE DESMOND, CSR 13037  
7 TIME: MORNING SESSION  
8 APPEARANCES: (AS PREVIOUSLY NOTED.)  
9

10 (THE FOLLOWING PROCEEDINGS HELD IN OPEN COURT.)  
11

12 THE COURT: GOOD MORNING. THIS IS JUDGE  
13 BOWICK CALLING THE HEARD VERSUS MANDEL MATTER.

14 GOOD MORNING, EVERYBODY, AND THANK YOU FOR  
15 YOUR PATIENCE.

16 I'M GOING TO ASK FOR APPEARANCES, AND LET'S  
17 ASK FOR APPEARANCES STARTING WITH COUNSEL FOR MR. DEPP.

18 MR. PRECIADO: GOOD MORNING, YOUR HONOR. LEO  
19 PRECIADO FOR MR. DEPP.

20 THE COURT: GOOD MORNING.

21 MS. VASQUEZ: GOOD MORNING, YOUR HONOR.  
22 CAMILLE VASQUEZ FOR MR. DEPP.

23 THE COURT: GOOD MORNING.

24 MR. MONIZ: AND GOOD MORNING, YOUR HONOR.  
25 SAMUEL MONIZ FOR MR. DEPP.

26 THE COURT: GOOD MORNING, COUNSEL.

27 AND THEN WHO DO I HAVE APPEARING ON BEHALF OF  
28 MS. HEARD?

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1 MR. COGGER: GOOD MORNING, YOUR HONOR. THIS  
2 IS JOHN COGGER ON BEHALF OF MS. HEARD.

3 THE COURT: GOOD MORNING.

4 MS. BLOCHER: AND KRISTIN BLOCHER ON BEHALF OF  
5 MS. HEARD, YOUR HONOR.

6 THE COURT: GOOD MORNING, COUNSEL.

7 SO WHAT I WOULD LIKE TO DO FIRST IS TO START  
8 WITH THE MOTION TO QUASH THE CIVIL SUBPOENA TO  
9 CHILDREN'S HOSPITAL.

10 WHO ON BEHALF OF MS. HEARD IS GOING TO BE  
11 ARGUING THAT MOTION?

12 MR. COGGER: I WILL, YOUR HONOR, JOHN COGGER.

13 THE COURT: GREAT, THANK YOU.

14 AND WHO ON BEHALF OF MR. DEPP IS GOING TO BE  
15 ARGUING THAT MOTION?

16 MR. PRECIADO: ME, YOUR HONOR, LEO PRECIADO.

17 THE COURT: GREAT, THANK YOU.

18 AND I WANT TO JUST CONFIRM WE HAVE A COURT  
19 REPORTER THAT IS APPEARING ALSO TELEPHONICALLY.

20 MR. PRECIADO, FOR BOTH OF THESE MOTIONS THAT  
21 ARE PENDING THIS MORNING, DOES YOUR CLIENT STIPULATE  
22 THAT THE COURT REPORTER CAN TRANSCRIBE THE PROCEEDINGS  
23 VIA TELEPHONIC APPEARANCE?

24 MR. PRECIADO: YES.

25 THE COURT: AND MR. PRECIADO STIPULATED?

26 MR. PRECIADO: YES.

27 THE COURT: OKAY. AND MR. COGGER STIPULATED?

28 MR. COGGER: YES, SAME FOR ME, YOUR HONOR,

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1 YES.

2 THE COURT: THANK YOU.

3 SO WHAT I WOULD LIKE TO ASK AND I'M TRYING TO,  
4 YOU KNOW, FOLLOW OUR COURT'S, YOU KNOW, MOST RECENT  
5 EFFORTS TO BE MORE ELECTRONIC THESE DAYS AS OPPOSED TO  
6 PAPER FILES AND PAPER FILING, SO I JUST NEED YOUR  
7 ASSISTANCE, MR. COGGER.

8 AS PART OF YOUR FILING ON THIS MOTION TO QUASH  
9 THE CIVIL SUBPOENA FOR THE CHILDREN'S HOSPITAL, DID YOU  
10 ALSO SUBMIT A COPY OF THE SUBPOENA, AND, IF SO, WHAT  
11 DOCUMENT CAN I SEE THE ACTUAL SUBPOENA THAT WAS PART OF  
12 THIS MOTION?

13 IS IT IN YOUR DECLARATION DATED OCTOBER 22?  
14 DID YOU ATTACH IT THERE?

15 I'M JUST TRYING TO FIND WHERE IT IS ATTACHED.

16 MR. COGGER: AND, YOUR HONOR, I'M TRYING TO  
17 LOCATE IT RIGHT NOW, AND, AGAIN, I'M DOING IT  
18 ELECTRONICALLY AS WELL.

19 THE COURT: AND I'VE LOOKED AT IT, BUT I, JUST  
20 AS PART OF THIS HEARING, I WANT TO BE ABLE TO REFER TO  
21 IT, AND I JUST CAN'T REMEMBER WHICH DOCUMENT I'VE SEEN  
22 IT ATTACHED OR PART OF.

23 MR. COGGER: I APOLOGIZE, YOUR HONOR. I'M  
24 SEARCHING RIGHT NOW JUST ELECTRONICALLY JUST TO SEE.

25 THE COURT: AND IF MR. DEPP'S COUNSEL KNOWS  
26 EXACTLY WHERE I CAN LOOK AT THAT SUBPOENA, THAT WOULD BE  
27 VERY HELPFUL.

28 MR. PRECIADO: I THINK IT'S EXHIBIT B TO THE

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1 MOTION.

2 MR. COGGER: THAT'S CORRECT. THAT WAS FILED  
3 IN JULY, I BELIEVE, OR AUGUST. I'M SORRY.

4 THE COURT: SO EXHIBIT B TO THE MOTION ITSELF  
5 AND NOT A DECLARATION?

6 MR. COGGER: EXHIBIT B TO MY DECLARATION, I  
7 BELIEVE.

8 THE COURT: SO YOU FILED A DECLARATION,  
9 MR. COGGER, ON OCTOBER 22.

10 IS THAT THE DECLARATION YOU'RE REFERRING TO?

11 MR. COGGER: NO. I BELIEVE IT'S THE  
12 DECLARATION OF MR. MARIAM. I BELIEVE THAT MIGHT BE  
13 DATED JULY 29.

14 THE COURT: SO LET ME ASK YOU THIS,  
15 MR. COGGER. THE MOTION FILED BACK IN JULY, WAS IT JUST  
16 REFRESHED WHEN IT WAS FILED AGAIN IN OCTOBER? BECAUSE I  
17 DIDN'T LOOK -- I DIDN'T LOOK AT THE DOCUMENTS FILED BACK  
18 IN JULY. I LOOKED AT EVERYBODY'S DOCUMENTS FILED IN  
19 OCTOBER.

20 WERE YOU INTENDING THAT I CONSIDER THE JULY  
21 FILINGS ALSO?

22 MR. COGGER: YES, YOUR HONOR. THE JULY  
23 FILINGS ARE THE ACTUAL PETITION, AND THEN AN OPPOSITION  
24 WAS FILED BY MR. DEPP, AND THEN WE FILED OUR REPLY BRIEF  
25 IN OCTOBER.

26 AND, YOUR HONOR, JUST AS A REMINDER, THE  
27 MATTER WAS ORIGINALLY SCHEDULED FOR FEBRUARY OF 2021,  
28 AND THEN THE COURT ADVANCED THE HEARING, AND THUS THE --



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1 THE COURT: I REMEMBER -- I REMEMBER ALL OF  
2 THAT. I REMEMBER THAT. I'M JUST TRYING TO -- BECAUSE  
3 MR. DEPP'S COUNSEL HAS OBJECTED TO OVERSIGHT BRIEFING ON  
4 BEHALF OF YOUR CLIENT, MR. COGGER, AND SO THERE'S A LOT  
5 GOING ON HERE, AND I'M JUST TRYING TO GET MY HANDS  
6 AROUND HOW MANY DIFFERENT THINGS YOU'VE FILED.

7 SO IT LOOKS LIKE, MR. COGGER, YOU FILED A  
8 DECLARATION IN SUPPORT OF THE REPLY OCTOBER 22 --

9 MR. COGGER: THAT'S CORRECT.

10 THE COURT: -- AS WELL AS -- OKAY. JUST GIVE  
11 ME ONE MOMENT, PLEASE.

12 WHAT EXHIBIT, MR. COGGER, IS THE MARIAM  
13 DECLARATION?

14 MR. COGGER: IT'S EXHIBIT B, YOUR HONOR.

15 THE COURT: GREAT. THANK YOU.

16 OKAY. SO I HAVE A FEW QUESTIONS, MR. COGGER,  
17 AND THEN I'M GOING TO HEAR ARGUMENT, BUT I JUST -- IF I  
18 UNDERSTAND CORRECTLY, YOUR CLIENT IS ARGUING THAT THE  
19 PROOF OF SERVICE THAT'S ATTACHED TO THIS DEPOSITION  
20 NOTICE IS NOT ACCURATE, THAT MS. HEARD'S COUNSEL LISTED  
21 ON THE SERVICE LIST DID NOT GET SERVED WITH THIS  
22 SUBPOENA.

23 IS THAT YOUR CLIENT'S POSITION?

24 MR. COGGER: AND, YOUR HONOR, I ASSUME THAT  
25 WE'RE REFERRING NOW TO THE JENNIFER HOWELL SUBPOENA?

26 THE COURT: NO. I'M TALKING ABOUT CHILDREN'S  
27 HOSPITAL. I'M LOOKING AT THE DECLARATION OF CRAIG J.  
28 MARIAM IN SUPPORT OF PETITION TO QUASH PLAINTIFF'S

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1 SUBPOENA DUCES TECUM TO CHILDREN'S HOSPITAL LOS ANGELES.  
2 SO ONE OF THE ARGUMENTS, IF I UNDERSTAND YOUR  
3 ARGUMENT, MR. COGGER, ON BEHALF OF YOUR CLIENT IS THAT  
4 THERE WAS NOT PROPER SERVICE OF THIS SUBPOENA ON  
5 MS. HEARD; RIGHT?

6 MR. COGGER: YES, YOUR HONOR.

7 THE COURT: AND IS IT YOUR POSITION THAT  
8 THERE'S A PROOF OF SERVICE ATTACHED TO THAT SUBPOENA;  
9 RIGHT? YOU SAID EXHIBIT B.

10 ISN'T THERE A PROOF OF SERVICE ATTACHED TO IT?

11 MR. COGGER: I'M JUST SCROLLING TO IT, YOUR  
12 HONOR.

13 THE COURT: AND ON THE PROOF OF SERVICE, I  
14 SHOW THAT DEFENDANT HEARD LISTED: ROBERTA KAPLAN, FROM  
15 KAPLAN HECKER & FINK, IN NEW YORK; DAVID HERMAN  
16 (INAUDIBLE) ROGERS IN ROANOKE, VIRGINIA; DAVIDA BROOK,  
17 SUSMAN GODFREY, IN L.A.

18 MR. COGGER: I'M SORRY, YOUR HONOR. I'M  
19 TRYING TO PULL THAT UP AS WELL.

20 THE COURT: WELL, LET ME ASK YOU ANOTHER WAY.

21 WHEN YOU ARGUED IN THIS MOTION THAT SERVICE  
22 WAS NOT PROPER, WHAT DID YOU MEAN THEN WHEN IT COMES TO  
23 MS. HEARD?

24 BECAUSE IF I UNDERSTAND CORRECTLY, MR.  
25 PRECIADO, THAT'S ONE OF THE ARGUMENTS IN THIS MOTION TO  
26 QUASH.

27 DO YOU AGREE WITH ME, MR. PRECIADO?

28 MR. PRECIADO: I DON'T, YOUR HONOR. THEY MAKE

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1 THAT ARGUMENT IN CONNECTION WITH THE HOWELL SUBPOENA.  
2 IN CONNECTION WITH THE CHILDREN'S HOSPITAL SUBPOENA,  
3 THEY DON'T MAKE THAT ARGUMENT. AND THE DECLARATION  
4 YOU'RE REFERRING TO, THAT OF MR. MARIAM, IT DOESN'T MAKE  
5 -- IT DOESN'T STATE THAT IN HIS DECLARATION. WHEN IT  
6 REFERS TO EXHIBIT B, IT JUST SIMPLY REFERS TO THE  
7 SUBPOENA, AND IT SAYS IT WAS ACTUALLY SERVED. SO I  
8 THINK THAT ARGUMENT IS ONLY MADE IN CONNECTION WITH THE  
9 HOWELL MOTION. THAT'S MY UNDERSTANDING.

10 THE COURT: OKAY. MY APOLOGIES, MR. COGGER.  
11 MR. PRECIADO IS RIGHT. THE ISSUE OF SERVICE IS ONLY AS  
12 TO THE HOWELL.

13 SO WE'LL GET TO THAT ONE IN A MOMENT, AND MY  
14 APOLOGIES, EVERYBODY.

15 SO LET ME JUST GO BACK. I DO WANT TO GO BACK,  
16 THOUGH, TO THE SUBPOENA ITSELF, AND THEN I HAVE A COUPLE  
17 OF QUESTIONS FOR YOU, MR. PRECIADO, BUT HOLD ON. I NEED  
18 TO PULL IT UP AGAIN, AND I JUST WANT SOME CLARIFICATION,  
19 MR. PRECIADO.

20 I'M LOOKING AT PAGE 6 OF THE SUBPOENA. WHEN  
21 WE GET TO THE ACTUAL DOCUMENTS REQUESTED, THE FIVE  
22 DIFFERENT SETS OF DOCUMENTS REQUESTED, AND THE SUBPOENA  
23 ITSELF GIVES A LOT OF SO-CALLED INSTRUCTIONS AND  
24 DEFINITIONS TO CHILDREN'S HOSPITAL ABOUT WHAT A DOCUMENT  
25 IS, DEFINE TERMS OF THE DOCUMENT, ET CETERA.

26 AND SO DO YOU INTEND IN THIS REQUEST NUMBER 1  
27 TO INCLUDE MORE THAN JUST -- SO, FOR EXAMPLE, LET'S SAY  
28 MS. HEARD ACTUALLY DID MAKE A DONATION AND MAYBE SHE

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1 SENT IT BY MAIL AND THERE WAS A LETTER THAT SAID, YOU  
2 KNOW, IN QUOTES, PLEASE FIND MY DONATION OR MY CHECK OR  
3 A COMMUNICATION BY E-MAIL REGARDING HER PROVIDING A  
4 DONATION, AND MAYBE THERE WAS A RESPONSE BACK OR A  
5 CONFIRMED LETTER BACK SAYING THANK YOU SO MUCH, WE'VE  
6 RECEIVED YOUR DONATION, AND MAYBE THERE MIGHT HAVE BEEN  
7 SOME COMMUNICATION REGARDING THE USE OF THAT DONATION,  
8 AND I'M NOT SAYING THAT IT ACTUALLY HAPPENED. BUT I'M  
9 JUST SAYING, FOR EXAMPLE, HYPOTHETICALLY, WHAT ELSE ARE  
10 YOU WANTING IN THAT SUBPOENA, MR. PRECIADO, MORE THAN  
11 MAYBE, YOU KNOW, THE ACTUAL COMMUNICATION PROVIDING THE  
12 DONATION ITSELF, A CONFIRMATION, MAYBE A CHECK, A COPY  
13 OF A CHECK, SOME OTHER PERHAPS E-MAIL EXCHANGES THAT  
14 MIGHT HAVE OCCURRED WITH RESPECT TO THAT DONATION?

15 WHAT OTHER DOCUMENTS ARE YOU LOOKING FOR OTHER  
16 THAN COMMUNICATIONS OR -- BUT IT LOOKS LIKE ALSO NUMBER  
17 5 MAYBE A PUBLIC STATEMENT OR PRESS RELEASE THAT MIGHT  
18 HAVE SAID, YOU KNOW, CHILDREN'S HOSPITAL IS SO PLEASED  
19 TO ANNOUNCE --

20 ARE YOU ALSO LOOKING FOR FINANCIAL RECORDS AND  
21 THINGS OF THAT NATURE?

22 MR. PRECIADO: WELL, WE'RE LOOKING FOR  
23 EVERYTHING THE COURT JUST DESCRIBED. SO IT WOULD BE  
24 COMMUNICATIONS, E-MAILS, LETTERS WITH RESPECT TO ANY  
25 DONATION, ANY CONFIRMING DOCUMENTS THAT THE HOSPITAL HAS  
26 WITH RESPECT TO RECEIPT OF DONATIONS FROM MS. HEARD,  
27 WHICH I'M SURE THE HOSPITAL KEEPS TRACK OF THAT, AND ANY  
28 PUBLICATIONS RESULTING FROM THAT DONATION. OF COURSE,

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1 THE FIRST TWO CATEGORIES ARE MORE IMPORTANT THAN THE  
2 LATTER, THE PUBLICATION OR NEWS RELEASES.

3 BUT, YES, I MEAN, THERE'S A CONTENTION MADE BY  
4 MS. HEARD IN THE MEDIA THAT THE DONATIONS WERE MADE --

5 THE COURT: I UNDERSTAND ALL OF THAT. I  
6 UNDERSTAND ALL OF THAT.

7 MR. PRECIADO: OKAY.

8 THE COURT: I'M JUST TRYING TO GET AN  
9 UNDERSTANDING OF THE SCOPE OR BREADTH OF --

10 MR. PRECIADO: YES, THAT'S THE SCOPE.

11 THE COURT: SO YOU'RE EXCLUDING THAT YOU WANT  
12 THEM TO DIG UP FINANCIAL RECORDS. SO, FOR EXAMPLE, ONCE  
13 THEY GOT A CHECK, IF THEY DID, AND ONCE THEY DEPOSITED  
14 IT AND THEN THERE WAS A FINANCIAL RECORD THAT REFLECTED  
15 CHARITABLE DONATIONS AND HIGHLIGHTED CHARITABLE  
16 DONATIONS WITH THE NAME OF MS. HEARD, YOU'RE NOT ASKING  
17 FOR ALL OF THAT; CORRECT?

18 MR. PRECIADO: NO. JUST DOCUMENTS SUFFICIENT  
19 TO VERIFY IF, IN FACT, DONATIONS WERE MADE DURING THE  
20 RELEVANT TIME PERIOD AND THE AMOUNT.

21 THE COURT: OKAY.

22 MR. PRECIADO: BY THE WAY, YOUR HONOR, WE HAVE  
23 NOT RECEIVED ANY OBJECTIONS FROM THE HOSPITAL. THEY  
24 HAVE NOT FILED A MOTION, AND THEY HAVE NOT OBJECTED.

25 THE COURT: I KNOW THAT.

26 MR. PRECIADO: BUT TO THE --

27 THE COURT: I KNOW THAT TOO, BUT --

28 MR. PRECIADO: OKAY.

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1 THE COURT: -- BUT AS PART OF THE MOTION TO  
2 QUASH, YOU AGREE THAT THE COURT HAS AUTHORITY TO MODIFY  
3 IT, IF IT THINKS IT NEEDS TO BE MODIFIED, AND THAT'S  
4 WHAT I'M CONSIDERING AS FAR AS MY DISCUSSIONS ON THESE  
5 QUESTIONS.

6 MR. PRECIADO: I AGREE WITH THAT, YOUR HONOR.

7 THE COURT: OKAY. SO, BECAUSE, YOU KNOW,  
8 LOOKING AT THE DEFINITION OF THE DOCUMENTS AND ALL OF  
9 THE DIFFERENT INSTRUCTIONS ABOUT THE DOCUMENTS, ALL  
10 DOCUMENTS SOMEONE COULD CONCLUDE WOULD MEAN FINANCIAL  
11 RECORDS. SO I JUST WANTED TO CLARIFY THAT YOU'RE NOT  
12 NECESSARILY LOOKING FOR FINANCIAL RECORDS, BUT WHAT  
13 YOU'VE JUST DESCRIBED AND WHAT I'VE DESCRIBED IS KIND OF  
14 THE UNIVERSE OF WHAT YOU'RE SEEKING. SO --

15 MR. PRECIADO: THAT'S CORRECT.

16 THE COURT: OKAY. GREAT. THANK YOU.

17 SO I GUESS HERE'S MY THINKING, COUNSEL FOR  
18 MS. HEARD, MR. COGGER. I'M INCLINED TO GRANT -- I MEAN  
19 DENY THE MOTION TO QUASH OR TO GRANT IT IN PART. I'M  
20 INCLINED TO MODIFY IT OR AT LEAST HAVE COUNSEL FOR MR.  
21 DEPP MODIFY IT SO THAT THE HOSPITAL IS NOT THINKING IT  
22 NEEDS TO PRODUCE FINANCIAL RECORDS OR ACCOUNTING RECORDS  
23 OR, YOU KNOW, ANYTHING TO THAT NATURE, BUT REALLY JUST  
24 E-MAILS, LETTERS, COMMUNICATIONS, CONFIRMATIONS  
25 REGARDING ANY DONATION FROM MS. HEARD DURING THAT TIME  
26 FRAME, PRESS RELEASES OR ANNOUNCEMENTS OF RECEIVING A  
27 DONATION FROM MS. HEARD.

28 AND THE LAST QUESTION I HAVE FOR YOU, MR.

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1 PRECIADO, IS I'M NOT QUITE SURE WHAT YOU'RE LOOKING FOR  
2 WITH RESPECT TO THE DIVORCE ACTION. HONESTLY, IT SEEMS  
3 LIKE YOU'RE TRYING TO GET INFORMATION ABOUT DONATIONS  
4 MS. HEARD MIGHT HAVE MADE. I UNDERSTAND, YOU KNOW, YOUR  
5 POSITION IS THAT SHE MADE ANNOUNCEMENTS ABOUT DONATIONS,  
6 YOU KNOW, IN CONJUNCTION WITH OR AS PART OF SETTLEMENT  
7 PROCEEDS FROM HER DIVORCE.

8 I THINK THAT IF I WERE TO GRANT IN PART THIS  
9 MOTION TO QUASH BUT ALLOW FOR COMMUNICATIONS ABOUT  
10 DONATIONS, I DON'T KNOW IF THEY NECESSARILY NEED TO LOOK  
11 FOR DOCUMENTS REGARDING THE DIVORCE --

12 MR. PRECIADO: YEAH.

13 THE COURT: -- IF THE RESPONSE IS REALLY ONLY  
14 RELATED BECAUSE DIVORCE PROCEEDS WERE USED FOR  
15 DONATIONS.

16 MR. PRECIADO: AND THAT'S EXACTLY WHAT WE WERE  
17 AIMING FOR FOR THAT PARTICULAR REQUEST, NUMBER 3. TO  
18 THE EXTENT THERE'S ANY COMMUNICATIONS THAT INDICATES  
19 THAT THE DONATION IS COMING FROM DIVORCE SETTLEMENT  
20 FUNDS, AS SHE CLAIMED IN THE MEDIA, THAT WOULD BE  
21 HELPFUL.

22 IT'S GRANTED, YOUR HONOR, THAT SORT OF --

23 THE COURT: BUT LET ME STOP YOU.

24 IF THEY'RE GOING TO GIVE YOU COMMUNICATIONS  
25 ABOUT A DONATION, THAT WOULD COVER IF THE COMMUNICATION  
26 REFERENCED THE DIVORCE OR NOT; RIGHT?

27 MR. PRECIADO: YOU'RE RIGHT. THAT IS RIGHT.

28 THE COURT: SO I WAS INCLINED TO JUST NOT

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1 INCLUDE REQUEST NUMBER 3, BUT JUST, WITH THE SCOPE THAT  
2 WE'VE TALKED ABOUT, FIND THAT THE OTHER 1, 2, 3, AND  
3 5 -- I'M NOT QUITE SURE REGARDING THE RELATIONSHIP  
4 BETWEEN MR. DEPP AND MS. HEARD.

5 DO YOU WANT TO ADDRESS NUMBER 4, MR. PRECIADO,  
6 WHY THAT'S NEEDED -- COMMUNICATION REGARDING THEIR  
7 RELATIONSHIP?

8 MR. PRECIADO: AGAIN, 3 AND 4 COULD BE SEEN AS  
9 SUBPARTS OF REQUEST 2. SO TO THE EXTENT THE COURT IS  
10 INCLINED TO STRIKE 3 AND 4, WE COULD LIVE WITH THAT  
11 BECAUSE THOSE WOULD BE INCLUDED IN REQUEST NUMBER 2.

12 THE COURT: OKAY. YEAH. SO I'M INCLINED TO  
13 QUASH IN PART AS TO REQUEST NUMBER 3 AND 4 BUT ALLOW  
14 REQUEST NUMBER 1, 2, AND 5 TO BASICALLY BE ALLOWED WITH  
15 PERHAPS THE NOTATION THAT THE REQUESTED DOCUMENTS DON'T  
16 INCLUDE FINANCIAL RECORDS OR ACCOUNTING RECORDS.

17 BUT, YOU KNOW, OTHERWISE, I WAS INCLINED TO  
18 CONSIDER THOSE NEWS ARTICLES, MR. COGGER. YOUR CLIENT,  
19 AT LEAST IN THE BRIEFINGS FROM THAT I'VE REVIEWED,  
20 DOESN'T SEEM TO DENY THAT THOSE STATEMENTS WERE MADE;  
21 CORRECT?

22 MR. COGGER: WHICH STATEMENTS, YOUR HONOR?

23 THE COURT: THE STATEMENTS THAT ARE REFLECTED  
24 IN THE NEWS ARTICLES SUBMITTED BY MR. DEPP'S COUNSEL.

25 I DON'T SEE IN ANY OF YOUR BRIEFING THAT SHE'S  
26 DENYING THAT AT SOME POINT, SHE MADE PUBLIC STATEMENTS  
27 THAT DIVORCE PROCEEDS WERE GOING TO BE USED FOR  
28 DONATIONS TO CHILDREN'S HOSPITAL; RIGHT?



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1 SHE'S NOT DENYING THAT, IS SHE?

2 MR. COGGER: YOUR HONOR, WE'RE NOT DENYING  
3 THAT --

4 THE COURT: I JUST WANT THE ANSWER. RIGHT?  
5 THAT'S A NO; RIGHT? YOU'RE NOT DENYING IT; RIGHT?

6 MR. COGGER: WE HAVE NOT DENIED IT IN THE  
7 PAPERS; CORRECT.

8 THE COURT: OKAY. SO I DON'T KNOW WHY THE  
9 COURT CAN'T CONSIDER THOSE NEWSPAPER ARTICLES AS, I  
10 BELIEVE, IN ONE OF THE DOCUMENTS FILED BY MR. DEPP'S  
11 COUNSEL, THEY BELIEVE I CAN TAKE JUDICIAL NOTICE OF  
12 THOSE DOCUMENTS UNDER SUBSECTION H OF EVIDENCE CODE  
13 SECTION 452 BECAUSE THE ACCURACY OF THOSE SOURCES COULD  
14 BE REASONABLY DETERMINED AT SOME POINT, AND SHE'S NOT  
15 DENYING SHE SAID IT.

16 MR. COGGER: WELL, YOUR HONOR, WE DON'T  
17 BELIEVE THAT A NEWSPAPER ARTICLE IS NOT A SUBJECT OF  
18 JUDICIAL NOTICE.

19 THE COURT: WELL, TELL ME WHY UNDER 452(H),  
20 WHICH IS THE SUBSECTION THAT MR. DEPP'S COUNSEL IS  
21 SEEKING JUDICIAL NOTICE -- IS THAT CORRECT, MR.  
22 PRECIADO?

23 MR. PRECIADO: YES.

24 AND TO BE CLEAR, YOUR HONOR, WE'RE SEEKING  
25 JUDICIAL NOTICE OF THOSE NOT FOR THE TRUTH OF THE  
26 STATEMENTS MADE IN THEM BUT SIMPLY THAT THEY WERE --  
27 SIMPLY THAT THEY WERE MEDIA REPORTS AT THE TIME STATED,  
28 WHICH IS CLEAR ON THEIR FACE. SO WE'RE NOT ASKING THE

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1 COURT TO TAKE JUDICIAL NOTICE OF ANY FACTS STATED IN THE  
2 DOCUMENTS BUT RATHER THEIR EXISTENCE.

3 THE COURT: OKAY. SO DO YOU WANT TO RESPOND  
4 TO THAT, MR. COGGER, IN LIGHT OF WHAT MR. PRECIADO JUST  
5 HIGHLIGHTED FOR THE COURT?

6 MR. COGGER: YES, YOUR HONOR.

7 THEY'RE EXACTLY BEING OFFERED FOR THE TRUTH OF  
8 THE MATTER. I MEAN, THERE'S NO WAY TO GET AROUND THAT.

9 THE COURT: WELL, LET ME JUST STOP FOR A  
10 MINUTE. I'M NOT GOING TO SAY -- I'M NOT LOOKING AT  
11 THOSE REPORTS TO SAY MS. HEARD HAS, IN FACT, REPORTED  
12 WHAT SHE'S DONE, BUT YOUR CLIENT IS NOT DENYING THAT  
13 SHE, IN THE NEWS MEDIA, SHE'S MADE STATEMENTS ABOUT  
14 DONATIONS TO CHILDREN'S HOSPITAL FROM THE SETTLEMENT;  
15 RIGHT?

16 AND MR. PRECIADO IS SAYING THESE NEWS REPORTS  
17 ARE MEDIA REPORTS OF STATEMENTS THAT YOUR CLIENT MADE IN  
18 THE PUBLIC MEDIA ABOUT HER DIVORCE, HER RELATIONSHIP  
19 WITH MR. DEPP, AND DONATIONS.

20 I'M NOT TAKING JUDICIAL NOTICE OF WHETHER OR  
21 NOT SHE WAS ABUSED OR SHE DID MAKE A DONATION OR SHE WAS  
22 EVEN DIVORCED. IT'S JUST THEY'RE WANTING ME TO TAKE  
23 JUDICIAL NOTICE THAT THERE WERE MEDIA REPORTS ABOUT THIS  
24 SUBJECT.

25 MR. COGGER: BUT, YOUR HONOR, EXACTLY WHAT YOU  
26 SAID IS THAT YOU ARE TAKING JUDICIAL NOTICE OF THEM IN  
27 ORDER TO DETERMINE WHETHER OR NOT SHE MADE THESE  
28 CHARITABLE CONTRIBUTIONS, AND, YOUR HONOR --

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1 THE COURT: SO LET'S PUT IT ASIDE THEN. LET'S  
2 PUT IT ASIDE ABOUT THE JUDICIAL NOTICE.

3 BUT THE BOTTOM LINE IS SHE'S NOT DENYING THAT  
4 IN THE PUBLIC MEDIA, SHE HAS MADE STATEMENTS ABOUT -- IN  
5 CONJUNCTION AND TOGETHER, SHE'S MADE STATEMENTS ABOUT  
6 THE DIVORCE, ABUSE BY MR. DEPP, AND DONATIONS TO THE  
7 CHILDREN'S HOSPITAL ALL IN THE SAME STATEMENT. YOUR  
8 CLIENT HAS NOT, IN THE MOTION HERE, STATED AND DENIED I  
9 NEVER MADE STATEMENTS ABOUT MR. DEPP, THE DIVORCE, AND  
10 CHARITABLE CONTRIBUTIONS AS REPRESENTED BY MR. DEPP'S  
11 COUNSEL IN THIS OPPOSITION TO THE MOTION.

12 SO LET'S SAY I PUT ASIDE THE JUDICIAL NOTICE,  
13 PUT IT ASIDE THERE. SHE'S NOT DENYING THAT I SAID I WAS  
14 ABUSED, MR. DEPP AND I ARE DIVORCED, AND TO HELP OTHERS  
15 IN MY SITUATION, I'M GOING TO BE DONATING MAKING  
16 CHARITABLE CONTRIBUTIONS.

17 AND SO ONE OF THE REASONS WHY I'M INCLINED TO  
18 DENY THE MOTION IS BECAUSE THAT IS WHAT I BELIEVE MR.  
19 DEPP'S COUNSEL HAS SUFFICIENTLY SHOWN AS A BASIS FOR  
20 ALLOWING THE SUBPOENA TO GO FORWARD.

21 IT WOULD BE ONE THING IF SHE, NUMBER ONE,  
22 NEVER MADE ANY STATEMENTS ABOUT CHARITABLE DONATIONS TO  
23 CHILDREN'S HOSPITAL. IF SHE NEVER MADE A PUBLIC  
24 STATEMENT, YOUR MOTION MAY HAVE BEEN GRANTED.

25 IT WOULD ALSO MAY HAVE BEEN GRANTED IF SHE HAD  
26 JUST MADE A STATEMENT ABOUT MAKING DONATIONS BUT DIDN'T  
27 MAKE IT IN CONJUNCTION WITH DISCUSSIONS ABOUT ABUSE BY  
28 MR. DEPP AND A DIVORCE FROM MR. DEPP.

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1 MR. COGGER: AND, YOUR HONOR, I --

2 THE COURT: I THINK ONE OF MY CONCERNS IS AND  
3 WHAT MR. DEPP'S COUNSEL ARGUES IS THAT YOUR CLIENT HAS  
4 IN THE PUBLIC DOMAIN MADE STATEMENTS ABOUT MR. DEPP,  
5 NEGATIVE STATEMENTS ABOUT MR. DEPP, STATEMENTS ABOUT I'M  
6 GETTING DIVORCED FROM MR. DEPP BECAUSE OF, YOU KNOW,  
7 TREATMENT THAT I RECEIVED FROM HIM, AND AS A RESULT OF  
8 ALL OF THAT, I'M GOING TO BE DONATING MONIES TO  
9 CHILDREN'S HOSPITAL, I DON'T WANT TO KEEP THE MONEY, I'M  
10 GOING TO BE DONATING IT, AND I WANT TO HELP OTHER  
11 PEOPLE.

12 I'M NOT SAYING THESE DOCUMENTS ARE GOING TO BE  
13 ADMISSIBLE FOR TRIAL, BUT YOU ALSO HAVEN'T SHOWN ME THAT  
14 THE COURT HAS GRANTED ANY MOTION OR MADE ANY FORMAL  
15 RULING THAT ANY OF THAT EVIDENCE IS GOING TO BE EXCLUDED  
16 AT TRIAL. YOU HAVEN'T GIVEN ME THAT SHOWING. AND WHILE  
17 THE COURT MAY HAVE MADE SOME REFERENCES TO IT OR MAYBE  
18 MADE SOME SUGGESTIONS ABOUT IT, AS OF RIGHT NOW, AGAIN,  
19 AS ARGUED BY MR. DEPP, THERE HAS NOT BEEN A FORMAL ORDER  
20 BY THE COURT THAT IT'S GOING TO BE EXCLUDED, AND AS PART  
21 OF DISCOVERY, I THINK IT'S DISCOVERABLE. MAYBE THERE'S  
22 NOTHING THERE; MAYBE THERE IS. I DON'T KNOW, BUT I  
23 THINK IN LIGHT OF THE LIMITATIONS I'VE TALKED ABOUT, I  
24 THINK IT'S REASONABLE --

25 MR. COGGER: YOUR HONOR --

26 THE COURT: -- AND THERE'S BEEN NO FORMAL  
27 OBJECTION BY THE CHILDREN'S HOSPITAL.

28 SO THIS IS WHAT I'M GOING TO DO. I'M GOING TO

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1 ALLOW MR. PRECIADO TO SAY ANY OTHER FINAL THOUGHTS YOU  
2 WOULD LIKE TO MAKE AS TO WHY THE COURT SHOULD GRANT THE  
3 MOTION, I MEAN, GRANT THE MOTION IN PART AS I'VE  
4 INCLINED TO SAY I WAS GOING TO DO AND ALLOW THE SUBPOENA  
5 TO GO FORWARD AS TO CATEGORIES 1, 2 AND 5.

6 IS THERE ANYTHING ELSE, MR. PRECIADO, YOU  
7 WOULD LIKE TO HIGHLIGHT BEFORE I LET MR. COGGER HAVE ANY  
8 FINAL STATEMENTS?

9 MR. PRECIADO: I DON'T THINK SO, YOUR HONOR.  
10 YOU'VE TOUCHED ON EVERYTHING.

11 IT'S TRUE THAT THOSE STATEMENTS WERE MADE IN  
12 THE MEDIA. AGAIN, THE TRUTH OF THOSE STATEMENTS IS NOT  
13 AT ISSUE HERE TODAY. THE ONLY THING THAT IS AT ISSUE  
14 HERE TODAY IS THAT IF IT MEETS THE DISCOVERY RELEVANCE  
15 THRESHOLD, WHICH CLEARLY IT DOES, MS. HEARD HAS NOT  
16 DENIED THAT STATEMENTS WERE MADE IN THE MEDIA, AND WE'RE  
17 ENTITLED TO EXPLORE THEM. AND THE COURT IS EXACTLY  
18 RIGHT.

19 THERE'S BEEN NO PRECLUSION OF THIS EVIDENCE IN  
20 THE VIRGINIA COURT. AS A MATTER OF FACT, THERE WAS A  
21 MOTION TO COMPEL FILED, WHICH THEY REFERENCE IN THEIR  
22 PAPERS, IN CONNECTION WITH THE HOWELL MOTION THAT WAS  
23 DENIED. THIS IS LIVE TERRITORY. WE'RE ENTITLED TO  
24 DISCOVER IT.

25 THE COURT: THANK YOU.

26 FINAL THOUGHT, MR. COGGER, BUT AS I'VE SAID,  
27 MY TENTATIVE AND CONSIDERING WHAT MR. PRECIADO SAID, I'M  
28 INCLINED TO GRANT IN PART, EXCLUDE REQUESTS NUMBER 3 AND

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21

1 4, ALLOW THE OTHER COMMUNICATIONS AND CONFIRMATIONS AND  
2 ANY PRESS RELEASES, ET CETERA, TO BE EXPLORED.

3 SO FINAL THOUGHT, MR. COGGER.

4 MR. COGGER: YES, YOUR HONOR.

5 YOUR HONOR, MY SUGGESTION HERE IS THAT THE  
6 FOCUS OF THE ARGUMENT SHOULD BE ON WHETHER OR NOT THESE  
7 MATERIALS ARE CALCULATED TO LEAD TO RELEVANT, ADMISSIBLE  
8 DISCOVERY, YOUR HONOR.

9 THE COURT: SO LET ME STOP YOU FOR A MINUTE ON  
10 THAT.

11 WHY DO YOU FEEL IT'S NOT POSSIBLE TO LEAD TO  
12 DISCOVERY OF ADMISSIBLE EVIDENCE?

13 LET'S SAY, FOR EXAMPLE, IT TURNS OUT SHE  
14 DIDN'T DONATE ANYTHING.

15 MR. COGGER: OKAY, YES.

16 THE COURT: WHY IS MR. DEPP'S COUNSEL NOT  
17 ENTITLED TO EXPLORE IF SHE EVEN MADE DONATIONS?

18 MR. COGGER: BECAUSE IT'S NOT --

19 THE COURT: AND IF SHE DIDN'T MAKE DONATIONS,  
20 THAT'S FOR THE TRIAL COURT IN VIRGINIA TO DECIDE WHETHER  
21 THAT'S RELEVANT TO THESE CLAIMS AT TRIAL.

22 MR. COGGER: AND, YOUR HONOR, THE CLAIMS AT  
23 TRIAL ARE DEFAMATION IN REGARDS TO THREE SPECIFIC COUNTS  
24 WHICH IS THE ONLINE PUBLICATION OF THE OP-ED PIECE OF  
25 THE WASHINGTON POST, THE PRINT EDITION PUBLICATION BY  
26 THE WASHINGTON POST, AND MS. HEARD TWEETING OUT A LINK  
27 TO THAT WASHINGTON POST ARTICLE IN DECEMBER OF 2018.

28 THE COURT: SO LET ME STOP YOU THERE, AND I

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1 KNOW I KEEP STOPPING YOU, MR. COGGER, AND I'M TRYING TO  
2 UNDERSTAND YOUR POINT, BUT LET ME JUST HEAR QUICKLY FROM  
3 MR. PRECIADO.

4 LET'S SAY, FOR EXAMPLE, CHILDREN'S HOSPITAL  
5 SAYS WE NEVER RECEIVED ANY DONATIONS FROM MS. HEARD.  
6 WHY IS THAT RELEVANT OR POSSIBLY RELEVANT TO THE CLAIMS  
7 AT TRIAL?

8 MR. PRECIADO: WELL, IT'S RELEVANT FOR TWO  
9 SEPARATE REASONS, YOUR HONOR. AS THE COURT IS AWARE,  
10 THE UNDERLYING DEFAMATORY STATEMENTS ARISE FROM  
11 STATEMENTS MADE BY MS. AMBER IN THE MEDIA. TO THE  
12 EXTENT SHE'S MAKING OTHER RELATED STATEMENTS IN THE  
13 MEDIA THAT ARE FALSE TO SUPPORT HER NARRATIVE, AND WE  
14 CAN SHOW THAT SHE'S MAKING FALSE STATEMENTS TO THE MEDIA  
15 IN CONNECTION WITH THE SAME NARRATIVE THAT'S AT ISSUE IN  
16 THE CASE, I THINK THAT GOES TO HER CREDIBILITY, AND IT  
17 STRONGLY SUGGESTS THAT SHE'S CREATING FALSE NARRATIVES  
18 IN THE MEDIA.

19 SECOND --

20 THE COURT: I'M GOING TO JUST STOP YOU THERE.  
21 I DON'T WANT TO ARGUE BEFORE THE PARTIES, BUT THAT'S  
22 EXACTLY WHAT I WAS THINKING, MR. COGGER, AND, AGAIN,  
23 THAT'S FOR THE TRIAL COURT IN VIRGINIA TO DECIDE, BUT  
24 I'M FINDING THAT IT MAY POSSIBLY LEAD TO THE DISCOVERY  
25 OF ADMISSIBLE EVIDENCE AT TRIAL, AND WHAT MR. PRECIADO  
26 JUST SAID WAS SOMETHING THAT THIS COURT WAS THINKING.

27 SO I'LL LET YOU FINISH, MR. COGGER, BUT GO  
28 AHEAD. THAT'S WHY THIS COURT BELIEVES IT MAY LEAD TO

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23

1 THE DISCOVERY OF ADMISSIBLE EVIDENCE, WHAT MR. PRECIADO  
2 JUST SAID.

3 MR. COGGER: YOUR HONOR, AND THAT WOULD BE  
4 ESSENTIALLY SHE'S ACTED IN A CERTAIN WAY ON A PARTICULAR  
5 OCCASION; THEREFORE, IT'S MORE LIKELY THAT THIS  
6 STATEMENT THAT IS AT ISSUE IN THE TRIAL IS FALSE AS  
7 WELL, IF THAT STATEMENT IS FALSE AS WELL, AS ANY  
8 STATEMENT MADE IN THE PRESS IS FALSE AS WELL, AND THAT  
9 WE WOULD ASSERT TO BE CHARACTER EVIDENCE.

10 YOUR HONOR, THIS CASE HAS NOTHING TO DO WITH  
11 CHARITABLE DONATIONS. IT HAS NOTHING TO DO WITH IT.

12 THE COURT: BUT YOUR CLIENT MADE IT A POINT TO  
13 DISCUSS CHARITABLE DONATIONS AS SHE WAS DISCUSSING WHAT  
14 SHE BELIEVES WAS, YOU KNOW, NEGATIVE TREATMENT BY MR.  
15 DEPP AS WELL AS THE NECESSITY TO DIVORCE HIM FOR THAT.  
16 AND AS I SAID, IF SHE HAD MADE A PUBLIC STATEMENT ABOUT  
17 I'M GOING TO DONATE \$7 MILLION TO CHILDREN'S HOSPITAL  
18 AND DIDN'T MENTION MR. DEPP AND DIDN'T MENTION HER  
19 DIVORCE, I WOULD BE GRANTING THIS MOTION TO QUASH. BUT  
20 SHE DID IT IN CONJUNCTION WITH TALKING ABOUT MR. DEPP  
21 AND TALKING ABOUT HER DIVORCE, AND I AGREE WITH  
22 MR. COGGER THAT SHE'S BASICALLY PUT IT AT ISSUE HERE.

23 AGAIN, IT'S UP TO THE TRIAL COURT TO DECIDE  
24 WHETHER OR NOT IT'S GOING TO BE -- CAN BE OR WILL BE  
25 USED AT TRIAL. IT'S UP TO MR. DEPP'S COUNSEL TO ARGUE  
26 WHATEVER THEY FIND WHAT SHOULD BE ADMITTED AND NOT  
27 ADMITTED AT TRIAL, BUT I'M HERE TO CONSIDER WHAT'S  
28 DISCOVERABLE, AND I'M FINDING THAT, BASED ON THE



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24

1 ARGUMENTS OF MR. DEPP, I'M FINDING IT SHOULD BE  
2 DISCOVERABLE.

3 SO YOUR FINAL THOUGHT MR. COGGER, AND  
4 UNFORTUNATELY WE'RE GOING TO HAVE MOVE ON BECAUSE I  
5 STILL HAVE ANOTHER CASE TO HEAR THIS MORNING. SO FINAL  
6 THOUGHTS ON CHILDREN'S HOSPITAL, AND THEN WE'LL MOVE ON  
7 TO THE HOWELL MOTION TO QUASH.

8 MR. COGGER: I UNDERSTAND, YOUR HONOR.

9 TWO THINGS: ONE, AGAIN, WHILE THESE ARE NOT  
10 RELEVANT TO THE PROCEEDINGS, THE POINT OF WHAT THE COURT  
11 HAS RAISED IS THAT, WELL, THERE'S BEEN NO MOTION TO  
12 ADDRESS THESE ISSUES. THERE ARE LESS INTRUSIVE WAYS TO  
13 OBTAIN THIS INFORMATION, AND AS COUNSEL INCLUDED IN  
14 THEIR OPPOSITION, THEY HAVE REQUESTED SUCH VIA WRITTEN  
15 DISCOVERY IN THIS MATTER. THAT WAS OBJECTED TO IN  
16 VIRGINIA. THEY HAVE NOT -- PLAINTIFFS HAVE NOT SOUGHT  
17 ANY RELIEF OF THE COURT IN VIRGINIA SPECIFICALLY  
18 ATTEMPTING TO CIRCUMVENT THAT COURT BY --

19 THE COURT: LET ME STOP YOU FOR A MOMENT. SO  
20 YOU'RE SAYING THAT IN THE VIRGINIA COURT, MS. HEARD HAS  
21 OBJECTED TO PROVIDING ANY EVIDENCE SIMILAR TO WHAT'S  
22 BEING REQUESTED HERE?

23 IS THAT WHAT YOU'RE SAYING?

24 MR. COGGER: YES, YOUR HONOR.

25 THE COURT: SO WHAT -- I DON'T UNDERSTAND YOUR  
26 POINT THAT THERE ARE LESS INTRUSIVE MEANS. YOUR CLIENT  
27 IS OBJECTING TO THE LESS INTRUSIVE MEANS OF GIVING THE  
28 INFORMATION HERSELF. IN FACT, THERE DOESN'T HAVE TO

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25

1 EVEN BE A DOCUMENT REQUEST. OFTENTIMES I HAVE CASES  
2 WHERE COUNSEL JUST SAY, HERE, LET US GIVE YOU THE  
3 DOCUMENTS AS OPPOSED TO BOTHERING CHILDREN'S HOSPITAL.  
4 MS. HEARD WILL GIVE YOU HER COMMUNICATIONS WITH  
5 CHILDREN'S HOSPITAL ABOUT THE DONATION ITSELF, A COPY OF  
6 THE CHECK, ANY E-MAILS ABOUT IT SHE HAD WITH CHILDREN'S  
7 HOSPITAL. HERE YOU GO. LET'S NOT BOTHER CHILDREN'S  
8 HOSPITAL. WE'RE GOING TO GIVE IT TO YOU INSTEAD. I  
9 DON'T SEE ANYTHING IN THE PAPERS WHERE MS. HEARD HAS  
10 AGREED TO DO THAT, EITHER BY WAY OF FORMAL DISCOVERY OR  
11 NONFORMAL DISCOVERY.

12 SO WHAT IS THE LESS INTRUSIVE MEANS?

13 YOU'RE SAYING THEY HAVE TO MOVE TO COMPEL IN  
14 VIRGINIA AND GO THAT ROUTE. IS THAT WHAT YOU'RE SAYING,  
15 MR. COGGER?

16 MR. COGGER: YES, YOUR HONOR.

17 THE COURT: OKAY. WELL, I DON'T AGREE.

18 SO FINAL THOUGHTS. ANYTHING ELSE?

19 MR. COGGER: YES, YOUR HONOR.

20 AND, AGAIN, I JUST WANT TO STRESS THAT BECAUSE  
21 OF THE NATURE OF THE INFORMATION, THESE ARE CHARITABLE  
22 CONTRIBUTIONS, THESE HAVE NOTHING TO DO WITH THE FACTS  
23 AND THE ALLEGATIONS IN THE LITIGATION AT ISSUE.

24 THE COURT: UNDERSTOOD. I UNDERSTAND, BUT I  
25 DISAGREE.

26 SO I'M GOING TO GRANT THE MOTION IN PART AS  
27 I'VE STATED.

28 WE'LL TALK ABOUT SANCTIONS IN A MOMENT AFTER I

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26

1 HEAR ARGUMENT ON THE HOWELL.

2 SO I WILL HAVE MR. PRECIADO, YOU'RE GOING TO  
3 GIVE NOTICE THAT THE COURT IS ONLY GRANTING THE MOTION  
4 IN PART, THE CATEGORIES WHICH I INDICATED MUST BE  
5 COMPLIED WITH. I WILL FILE A WRITTEN RULING ON THIS,  
6 AND PERHAPS -- I DON'T KNOW HOW YOU WANT TO GO ABOUT IT,  
7 MR. COGGER. I DON'T KNOW IF YOU WANT TO GIVE ME A  
8 SPECIFIC PROPOSED ORDER THAT INCLUDES THE SPECIFIC  
9 CATEGORIES THAT I'M ORDERING GOING FORWARD. I DON'T  
10 KNOW HOW YOU PREFER I DO IT.

11 SO, MR. COGGER, I'M ASKING YOU WHAT DO YOU  
12 PREFER I DO WITH RESPECT TO THE PROPOSED ORDER? YOU  
13 WANT TO GIVE ME A SPECIFIC PROPOSED ORDER TO SIGN?

14 MR. COGGER: WE CAN DO THAT, YOUR HONOR.

15 THE COURT: OKAY.

16 MR. PRECIADO: AND, YOUR HONOR, JUST IF I --

17 THE COURT: AND I ASK MR. COGGER THAT YOU  
18 SHARE IT WITH MR. PRECIADO FIRST BEFORE YOU SUBMIT IT.

19 MR. PRECIADO: YES.

20 MR. COGGER: OF COURSE.

21 MR. PRECIADO: THANK YOU.

22 THE COURT: I WILL BE FILING MY WRITTEN RULING  
23 TODAY. IF COUNSEL WANTS TO WAIT UNTIL THAT WRITTEN  
24 RULING IS FILED, THAT'S FINE, BUT I'M TELLING YOU NOW  
25 THE PARAMETERS FOR WHICH I'M ORDERING. AND I THINK  
26 MAYBE IF THE PARTIES WILL INCLUDE AT THE BOTTOM OF THAT  
27 PROPOSED ORDER NO FINANCIAL RECORDS OR ACCOUNTING  
28 RECORDS NEED BE PRODUCED, BUT CATEGORIES 1, 2, AND 5 ARE

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1 ORDERED COMPLIED WITH, I THINK THAT SHOULD BE CLEAR  
2 ENOUGH.

3 SO LET'S MOVE ON NOW TO THE HOWELL MOTION TO  
4 QUASH. ESSENTIALLY I'M INCLINED -- MY TENTATIVE IS TO  
5 DENY THAT.

6 AND I'M HAPPY TO HEAR YOUR THOUGHTS,  
7 MR. COGGER. I'M GOING TO ASK YOU TO HELP ME OUT THE  
8 SAME WAY THAT WE DID WITH THE CHILDREN'S HOSPITAL  
9 DOCUMENTS. CAN YOU REMIND ME AGAIN OF WHERE I CAN FIND  
10 THAT SPECIFIC SUBPOENA, WHAT DATE AND WHAT DECLARATION.

11 MR. COGGER: IT WOULD BE IN THE AUGUST FILING,  
12 YOUR HONOR, AND I BELIEVE IT WAS EXHIBIT B.

13 THE COURT: WHAT DOCUMENT AM I LOOKING FOR?

14 MR. COGGER: THE PETITION. YES, THE  
15 DECLARATION OF MR. MARIAM.

16 THE COURT: I APOLOGIZE BECAUSE SOMETIMES  
17 WHOEVER INPUTS THE TITLE OF THE DOCUMENT, SOMETIMES THEY  
18 COPY IT EXACTLY AS THE COVER SHEET SAYS, AND SOMETIMES  
19 THEY DON'T.

20 SO IS IT THE DECLARATION OF MARIAM FILED ON  
21 AUGUST 12?

22 MR. COGGER: YES, YOUR HONOR.

23 THE COURT: OKAY. THANK YOU. CAN YOU TELL ME  
24 WHAT EXHIBIT IT IS, PLEASE?

25 MR. COGGER: EXHIBIT B, YOUR HONOR.

26 THE COURT: OKAY. AND I APOLOGIZE. I'VE GOT  
27 THE TWO SUBPOENAS CONFUSED.

28 SO I'M GOING TO ASK YOU THE QUESTION AGAIN,

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28

1 MR. COGGER. IS IT YOUR ARGUMENT THAT COUNSEL FOR  
2 MS. HEARD ON THE PROOF OF SERVICE DID NOT RECEIVE THIS  
3 NOTICE OF DEPOSITION?

4 MR. COGGER: THAT'S CORRECT, YOUR HONOR. IN  
5 FACT, NOT ONLY THAT, BUT MY FIRM ISN'T EVEN LISTED  
6 IDENTIFIED ON THERE.

7 THE COURT: I KNOW, BUT DO THEY HAVE TO BE?  
8 BECAUSE YOU'RE --

9 MR. COGGER: AS COUNSEL OF RECORD?

10 THE COURT: -- COUNSEL OF RECORD IN THE  
11 VIRGINIA ACTION?

12 MR. COGGER: WE'RE COUNSEL -- WE'RE NOT  
13 COUNSEL OF RECORD IN THE VIRGINIA RECORD, NO.

14 THE COURT: OKAY. SO WHY IS COUNSEL OF RECORD  
15 IN THE VIRGINIA ACTION NOT SUFFICIENT FOR NOTICE WITH  
16 RESPECT TO THIS DEPOSITION?

17 MR. COGGER: WELL, THEY WEREN'T SERVED WITH  
18 IT.

19 THE COURT: WELL, WHY DO YOU HAVE TO BE ON THE  
20 NOTICE OF PROOF OF SERVICE?

21 MR. COGGER: BECAUSE THAT'S WHAT WE'VE DONE  
22 THROUGHOUT THIS CASE. THIS IS A CALIFORNIA SUBPOENA,  
23 AND WE'RE ENTITLED TO BE ON IT, JUST AS WE'VE DONE WITH  
24 THEM ON EVERY SUBPOENA WE'VE ISSUED IN THIS CASE, AND  
25 THEY'VE GENERALLY SERVED US WITH DOCUMENTS, NOT LATELY  
26 THEY HAVEN'T, BUT THEY ARE ENTITLED TO DO THAT.

27 THE POINT OF THE MATTER IS --

28 THE COURT: BUT MR. DEPP'S COUNSEL IN

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1 WASHINGTON, D.C. ISSUES THE SUBPOENA NOT MR. PRECIADO'S  
2 FIRM; IS THAT CORRECT, MR. PRECIADO?

3 MR. PRECIADO: THAT'S CORRECT. THAT SUBPOENA  
4 WAS REQUIRED TO BE ISSUED FROM THE VIRGINIA CASE, AND IT  
5 WAS, IN FACT, ISSUED BY JUDGE WHITE.

6 MR. COGGER: AND, YOUR HONOR, THIS IS JOHN  
7 COGGER.

8 THE COURT: BUT, MR. COGGER, QUICK QUESTION:  
9 DID YOU GIVE ME A DECLARATION FROM COUNSEL ON THE  
10 VIRGINIA MATTER THAT THEY DIDN'T GET NOTICE?

11 IS THERE A DECLARATION?

12 MR. COGGER: NO, YOUR HONOR.

13 THE COURT: OKAY.

14 MR. COGGER: IT'S PART OF MR. MARIAM'S  
15 DECLARATION.

16 YOUR HONOR, THE DEPOSITION SUBPOENA INCLUDES A  
17 CALIFORNIA SUBPOENA WHICH IS ISSUED BY MR. PRECIADO'S  
18 OFFICE.

19 THE COURT: SO WHY CAN'T THIS COURT FIND THAT  
20 MS. HEARD'S COUNSEL OF RECORD IS ON THIS NOTICE?

21 SO IT WOULD BE ONE THING IF NOBODY ON BEHALF  
22 OF MS. HEARD WAS ON THE PROOF OF SERVICE, BUT THERE IS  
23 COUNSEL LISTED HERE. THERE'S NOT ONLY COUNSEL --  
24 THERE'S TWO DIFFERENT COUNSEL HERE FOR MS. HEARD THAT  
25 ARE ON THIS PROOF OF SERVICE FOR THIS -- AND ALSO, WELL,  
26 THERE'S MORE THAN THAT. THERE'S WOOD AND ROGERS COUNSEL  
27 (PHONETIC SPELLING). IT LOOKS LIKE THERE'S ANOTHER FIRM  
28 HERE IN RESTON, VIRGINIA. THEN THERE'S ALSO CHARLSON,

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30

1 BREDEHOFT, COHEN & BROWN IN RESTON, VIRGINIA ON THIS  
2 PROOF OF SERVICE.

3 SO ARE YOU SAYING THAT THE COURT CANNOT FIND  
4 THAT IF COUNSEL OF RECORD IN VIRGINIA WAS SERVED, THAT  
5 THAT'S NOT SUFFICIENT? IS THAT YOUR ARGUMENT?

6 MR. COGGER: IN PART, YES, YOUR HONOR.

7 BUT AS NOTED IN THE DECLARATION OF MR. MARIAM,  
8 OUR COCOUNSEL IN THIS CASE FOUND OUT ABOUT THIS SUBPOENA  
9 BY CHECKING THE COURT DOCKET NOT VIA SERVICE, AND  
10 THEY'VE INDICATED THAT THEY'VE NEVER BEEN INCLUDED AND  
11 IDENTIFIED IN THE PROOF OF SERVICE. AND THAT'S  
12 PARAGRAPH 3 TO MR. MARIAM'S DECLARATION.

13 AND THEY HAVE NOT AFFIRMATIVELY STATED IN ANY  
14 OF THEIR PLEADINGS OR THEIR OPPOSITION THAT THEY HAVE  
15 SERVED EITHER THE VIRGINIA COUNSEL VIA PROOF OF SERVICE  
16 AS REQUIRED OR THE WITNESS.

17 MR. PRECIADO: I CAN ADDRESS THAT, YOUR HONOR.

18 THE COURT: GO AHEAD, MR. PRECIADO. THANK  
19 YOU.

20 MR. PRECIADO: THAT'S JUST SIMPLY NOT THE  
21 CASE. THE COURT IS REFERRED TO A PROOF OF SERVICE.  
22 THEY'VE DENIED THAT -- WELL, THEY'VE DENIED THAT THEY'VE  
23 RECEIVED IT, BUT I THINK IT'S IMPORTANT TO LOOK AT THE  
24 PROOF THAT THEY PRESENTED IN THAT DENIAL. THEY  
25 PRESENTED A DECLARATION OF MR. MARIAM, CALIFORNIA  
26 COUNSEL, ATTESTING TO VIRGINIA'S COUNSEL'S CONTENTION  
27 THAT THEY DID NOT RECEIVE THE DOCUMENTS. THAT IS, IN  
28 AND OF ITSELF, INADMISSIBLE BECAUSE IT'S HEARSAY. IT

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1 ALSO BEGS THE QUESTION WHY DIDN'T VIRGINIA COUNSEL  
2 PRESENT A DECLARATION SAYING THEY WEREN'T SERVED WITH  
3 IT. SO THEY REALLY DON'T HAVE ANY PROOF IN FRONT OF  
4 THIS COURT THAT THEY DID NOT RECEIVE IT PER THE PROOF OF  
5 SERVICE.

6 SECOND POINT, OUR EXHIBIT 1 TO OUR OPPOSITION  
7 CLEARLY SHOWS THAT IT WAS E-MAILED TO VIRGINIA COUNSEL  
8 ALSO 15 DAYS BEFORE THE RETURN DATE ON THE SUBPOENA.  
9 ONLY TEN DAYS' NOTICE IS REQUIRED. SO THERE'S ACTUALLY  
10 TWO POINTS IN TIME WHERE THIS WAS SERVED ON OPPOSING  
11 COUNSEL. THE FIRST POINT IN TIME, THEY DENY THAT IT  
12 ACTUALLY HAPPENED, BUT THEY DON'T PRESENT ANY EVIDENCE  
13 ESTABLISHING THAT. THEY PRESENT HEARSAY EVIDENCE WHEN  
14 THEY COULD HAVE EASILY PRODUCED THE DECLARATION OF  
15 VIRGINIA COUNSEL SAYING THAT THEY DIDN'T RECEIVE IT.

16 SECOND, IT WAS, IN FACT, E-MAILED, OUR EXHIBIT  
17 1 TO OUR OPPOSITION, 15 DAYS BEFORE THE RETURN DATE ON  
18 THE SUBPOENA TO THEM WHICH IS SUFFICIENT IN AND OF  
19 ITSELF. SO EITHER WAY IT'S BEEN SERVED.

20 AND THIS IDEA THAT THEY WERE NOT ON THE PROOF  
21 OF SERVICE, CALIFORNIA COUNSEL, I MEAN TALK ABOUT A  
22 HYPERTECHNICALITY. NOT ONLY THAT, IT WAS AROUND THE  
23 TIME WHEN CALIFORNIA COUNSEL WAS JUST SUBSTITUTING IN.  
24 IT'S NOT EVEN CLEAR TO ME THAT THEY WERE OFFICIALLY IN  
25 THE CASE AT THE TIME THE SUBPOENA WAS ISSUED OR THAT WE  
26 HAD RECEIVED NOTICE THAT THEY WERE, IN FACT, NEW COUNSEL  
27 FOR CALIFORNIA.

28 SO, I MEAN, ANY WAY YOU LOOK AT IT OR SLICE



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1 IT, IT'S JUST A FRIVOLOUS ARGUMENT.

2 THE COURT: OKAY. SO, MR. COGGER, MY  
3 INCLINATION IS TO DENY THE MOTION ON THIS ONE, BUT I'LL  
4 GIVE YOU ANY FINAL THOUGHTS.

5 LET ME SEE IF THERE'S SOMETHING I CAN HELP YOU  
6 OUT IN TERMS OF MY TENTATIVE, ANY FINDINGS I MAKE. SO  
7 I'LL BE RULING ON ALL OF THE OBJECTIONS AND EVERYTHING  
8 IN MY RULING, BUT I'M GOING TO FIND -- I'M GOING TO  
9 REJECT ANY ARGUMENTS WITH RESPECT TO SERVICE OR THERE  
10 WAS SOME PREJUDICE TO MS. HEARD ON THIS ISSUE.

11 SO I'M INCLINED TO DENY THE MOTION. YOU KNOW,  
12 AGAIN, SIMILAR TO THE CHILDREN'S HOSPITAL ARGUMENTS, YOU  
13 KNOW, THERE'S BEEN NO SHOWING THAT THE VIRGINIA COURT  
14 HAS STATED THAT ANY EVIDENCE PRODUCED THROUGH MS. HOWELL  
15 WOULD BE INADMISSIBLE. AGAIN, THE ISSUES OF  
16 INADMISSIBILITY ARE NOT MATTERS FOR THIS COURT, BUT I'M  
17 FINDING RELEVANCY. AND I THINK, AS I DISCUSSED AT THE  
18 IDC, THE FACT THAT -- AND AS ARGUED BY MR. DEPP'S  
19 COUNSEL, YOU KNOW, THERE'S BEEN AT SOME POINT A DESIRE  
20 BY MS. HEARD TO DEPOSE MS. HOWELL. I'M INCLINED TO DENY  
21 THE MOTION.

22 SO I'LL GIVE YOU A COUPLE OF MINUTES, MR.  
23 COGGER, AND THEN I'M GOING TO HEAR ARGUMENT ON  
24 SANCTIONS, BUT I'M GOING TO DENY THIS MOTION.

25 ANY FINAL THOUGHTS, MR. COGGER?

26 MR. COGGER: YES, YOUR HONOR.

27 WE CAN -- IF THE COURT WOULD LIKE, WE CAN  
28 SUBMIT A DECLARATION FROM VIRGINIA COUNSEL.

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1 THE COURT: TOO LATE. LOOK, EVERYBODY, NO.  
2 NO MORE BRIEFING. THIS WAS YOUR MOTION. I'M NOT HAVING  
3 MORE BRIEFING ON THIS. THIS WAS YOUR MOTION, YOUR TIME  
4 TO DO IT. WE HAD AN IDC ABOUT THIS. WE'VE TALKED ABOUT  
5 THESE ISSUES AT LENGTH, BOTH FOR CHILDREN'S HOSPITAL AND  
6 MS. HOWELL. WE'VE TALKED ABOUT THIS AND TALKED ABOUT  
7 THIS. THERE'S BEEN ENDLESS MEET AND CONFER IN THESE  
8 EXHIBITS YOU ALL HAVE GIVEN ME, AND I'M NOT HAVING MORE  
9 BRIEFING, NO MORE BRIEFING. THIS IS IT. I'M MAKING A  
10 RULING. DENIED.

11 MR. COGGER: YOUR HONOR, THE OTHER ISSUE IS  
12 THAT THEY HAVE NEVER IDENTIFIED THAT THEY HAVE SERVED  
13 THE WITNESS.

14 THE COURT: OKAY. SO, MR. PRECIADO, I'LL  
15 ORDER YOU TO SERVE THE WITNESS.

16 MR. PRECIADO: YES, YOUR HONOR.

17 MR. COGGER: YOUR HONOR, THAT WOULD BE FOR THE  
18 AUGUST 21 DEPOSITION?

19 THE COURT: YOU ALL CAN -- I'M SORRY. WHAT'S  
20 THE QUESTION, MR. COGGER?

21 MR. COGGER: THE DEPOSITION SUBPOENA IS FOR A  
22 DEPOSITION THAT WAS SCHEDULED TO TAKE PLACE ON  
23 AUGUST 21.

24 THE COURT: SO, MR. PRECIADO, DO YOU WANT TO  
25 JUST PICK A NEW DATE AND SERVE IT AND PUT IT IN THAT  
26 SUBPOENA AGAIN?

27 HOW DO YOU PROPOSE WE DEAL WITH THIS, OR DOES  
28 THE COURT ISSUE AN ORDER THAT JUST SAYS WE'LL PICK A

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1 DATE. I DON'T KNOW.

2 WHAT DO YOU WANT ME TO DO?

3 MR. PRECIADO: WE'RE HAPPY TO PICK A NEW DATE,  
4 YOUR HONOR.

5 THE COURT: AND THEN YOU'RE GOING TO PICK A  
6 DATE AND ISSUE A NEW SUBPOENA, OR WHAT ARE YOU GOING TO  
7 DO?

8 MR. PRECIADO: NO. WELL, IN FACT, IT HAS BEEN  
9 SERVED, SO ALL WE WOULD HAVE TO -- I WOULD REQUEST THAT  
10 THE COURT JUST DENY THE MOTION TO QUASH, AND THEN I CAN  
11 CONFER WITH MS. HOWELL'S COUNSEL AS TO HER AVAILABILITY,  
12 BUT THE SUBPOENA SHOULD STAND.

13 THE COURT: OKAY.

14 MR. COGGER: YOUR HONOR, I'M NOT SURE I  
15 UNDERSTAND WHAT THE SUBPOENA SHOULD STAND WOULD MEAN.  
16 THE SUBPOENA HAS ALREADY TAKEN PLACE, AND THEY HAVE NOT  
17 FILED, AS PART OF THEIR OPPOSITION, ANY PROOF OF  
18 SERVICE.

19 THE COURT: BUT, MR. COGGER, IF YOU FILE A  
20 MOTION TO QUASH, THEN THE DEPOSITION CAN'T GO FORWARD ON  
21 AUGUST 21; RIGHT, MR. PRECIADO?

22 AND THAT'S WHY WE'RE ALL HERE TODAY.

23 MR. PRECIADO: THAT'S RIGHT.

24 THE COURT: AND THE DEPOSITION DIDN'T GO  
25 FORWARD BECAUSE THIS MOTION WAS FILED, AND I WOULD BE  
26 EXTREMELY UPSET, AT LEAST FROM MY END, IF THE DEPOSITION  
27 HAD BEEN ATTEMPTED TO GO FORWARD BEFORE THIS HEARING.

28 MR. PRECIADO: YES, YOUR HONOR. I REALLY

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1 DON'T UNDERSTAND MR. COGGER'S POINT.

2 IN EVERY CASE OF A MOTION TO QUASH, IT'S  
3 LIKELY THAT THE HEARING ON THE MOTION IS GOING TO BE  
4 AFTER THE RETURN DATE ON THE SUBPOENA. THIS HAPPENS AT  
5 ALMOST EVERY MOTION. I DON'T UNDERSTAND WHAT THE ISSUE  
6 IS. THE MOTION TO QUASH SHOULD BE DENIED.

7 THE COURT: THE MOTION TO QUASH IS DENIED.

8 MR. PRECIADO WILL SELECT A NEW DATE AND GIVE  
9 NOTICE TO EVERYBODY AND NOTIFY THE WITNESS ABOUT IT.

10 SO I'M INCLINED TO GRANT SANCTIONS BECAUSE I'M  
11 NOT FINDING SUBSTANTIAL JUSTIFICATION FOR MOVING FORWARD  
12 WITH THESE MOTIONS. WE'VE TALKED ABOUT MANY OF THE  
13 ISSUES AT THE IDC. I DON'T SEE THAT MUCH CHANGED FROM  
14 THE POSITIONS OF MS. HEARD ON THIS, BUT I REALLY --  
15 ESPECIALLY WITH MS. HOWELL, YOU AT ONE POINT WANTING TO  
16 DEPOSE HERSELF, I FIND IT INTERESTING THAT NOW  
17 MR. DEPP'S COUNSEL SHOULDN'T, AND I JUST DON'T AGREE  
18 WITH THE ARGUMENT REGARDING SERVICE, AND, AS I SAID AT  
19 THE IDC, I'M INCLINED TO GRANT SANCTIONS.

20 SO, MR. COGGER, UNFORTUNATELY, AGAIN, I HAVE  
21 ANOTHER MATTER THAT'S BEEN WAITING NOW AN HOUR AND A  
22 HALF. SO JUST YOUR FINAL THOUGHTS ON SANCTIONS AS TO  
23 STARTING WITH CHILDREN'S HOSPITAL AND THEN THE NEXT  
24 ARGUMENT AS TO HOWELL.

25 MR. COGGER: YOUR HONOR, AS TO CHILDREN'S  
26 HOSPITAL, MS. HEARD IS ENTITLED TO SEEK PROTECTION OF  
27 BOTH HER PRIVATE RECORDS AND PRIVILEGE RECORDS, AND,  
28 YOUR HONOR --

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1 THE COURT: OKAY.

2 MR. COGGER: CAN I CONTINUE?

3 THE COURT: BUT, OKAY. SO THAT'S FINE.

4 BUT AS PART OF THE DENIAL OF THIS MOTION,  
5 CAN'T THE COURT STILL IMPOSE MONETARY SANCTIONS?

6 MR. COGGER: I DON'T BELIEVE IT'S APPROPRIATE  
7 HERE, YOUR HONOR.

8 THE COURT: OKAY. AND WHY?

9 MR. COGGER: BECAUSE, YOUR HONOR, THE POINT OF  
10 THIS MOTION WAS THAT MS. HEARD HAS A GOOD FAITH BELIEF,  
11 AS HER COUNSEL DOES, IN THIS MATTER THAT THE MATERIALS  
12 SOUGHT IN REGARDS TO CHARITABLE DONATIONS ARE IRRELEVANT  
13 AND SEEK INFORMATION THAT'S PRIVATE INFORMATION, THAT'S  
14 NOT EVEN CALCULATED TO LEAD --

15 THE COURT: SHE DIDN'T THINK -- SHE DIDN'T  
16 THINK IT WAS THAT PRIVATE WHEN SHE ANNOUNCED IT TO THE  
17 WORLD IN THE MEDIA.

18 MR. COGGER: YOUR HONOR.

19 THE COURT: IT WOULD BE ONE THING IF SHE  
20 SECRETLY OR ANONYMOUSLY DONATED MONIES TO CHILDREN'S  
21 HOSPITAL, BUT SHE ANNOUNCED IT TO THE WORLD. SO I DON'T  
22 AGREE WITH THE PRIVACY ISSUES.

23 SO I WILL CONSIDER YOUR THOUGHTS ABOUT SHE  
24 STILL FELT THE NEED TO PROTECT HER PRIVACY RIGHTS WITH  
25 RESPECT TO THESE DONATIONS WITH RESPECT TO SANCTIONS.

26 WHAT ARE YOUR ARGUMENTS ON THE HOWELL MOTION  
27 FOR REQUEST FOR SANCTIONS?

28 MR. COGGER: WELL, YOUR HONOR, BEFORE WE MOVE

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1 ON TO THE HOWELL --

2 THE COURT: NO. LOOK, MR. COGGER, I HAVE TO  
3 MOVE ON TO THIS NEXT MATTER. THESE PARTIES HAVE BEEN  
4 WAITING AN HOUR AND A HALF TO BE HEARD ON THIS CASE I  
5 HAVE BEHIND YOU, AND I HAVE TO GET TO IT.

6 SO I'VE READ YOUR PAPERS ON THE SANCTIONS, AND  
7 IT SHOULD BE DENIED. I'M JUST GIVING YOU A FEW MINUTES  
8 TO JUST HIGHLIGHT WHAT YOU WANT ME TO CONSIDER AS TO WHY  
9 I SHOULDN'T, AND THEN I HAVE TO GIVE A FEW MINUTES TO  
10 MR. PRECIADO, AND THEN I NEED TO WRAP THINGS UP HERE.

11 MR. COGGER: AND, YOUR HONOR, I'M TRYING TO DO  
12 THAT, BUT I'M NOT BEING ALLOWED TO GIVE MY ARGUMENT  
13 HERE.

14 THE COURT: WELL, I'VE BEEN ASKING YOU  
15 QUESTIONS. SO, I MEAN, THAT'S WHAT ORAL ARGUMENT IS.  
16 SOMETIMES THE COURT IS GOING TO INTERRUPT YOU BECAUSE I  
17 HAVE QUESTIONS ABOUT WHAT YOU'RE SAYING. YOU JUST SAID  
18 SHE HAS A PRIVACY INTEREST, BUT, YET, SHE DIDN'T MAKE IT  
19 PRIVATE WHEN SHE ANNOUNCED TO VARIOUS MEDIA OUTLETS WHAT  
20 SHE'S DOING WITH RESPECT TO HER ABUSE, ALLEGED ABUSE,  
21 AND DIVORCE FROM MR. DEPP.

22 MR. COGGER: BUT THOSE AREN'T AT ISSUE IN THIS  
23 CASE, YOUR HONOR.

24 THE COURT: OKAY. I'LL GIVE YOU TWO MINUTES,  
25 AND YOU CAN DO WHATEVER YOU WANT, MR. COGGER, AND I'M  
26 NOT GOING TO ASK YOU ANYMORE QUESTIONS. GO AHEAD.

27 MR. COGGER: THANK YOU, YOUR HONOR.

28 IN REGARD TO THE CHILDREN'S HOSPITAL MATTER,

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1 MS. HEARD WAS NOT TRYING TO DO ANYTHING TO OBSTRUCT THE  
2 COURT. THE PARTIES HAVE BEEN GOING THROUGH THIS ISSUE  
3 IN THE VIRGINIA MATTER WHERE THE TRIAL IS VENUED, AND  
4 THEY HAVE BEEN DISPUTING THE RELEVANCE OF THOSE ISSUES.  
5 AND IF COUNSEL WANTED TO HAVE THOSE MATTERS ADMITTED TO  
6 TRIAL, WHICH JUDGE WHITE HAS ALREADY INDICATED THAT HE  
7 FINDS TROUBLING, THEN THEY COULD HAVE DONE THAT. BUT  
8 INSTEAD WHAT THEY'VE DONE IS THEY'VE RAISED ISSUES ABOUT  
9 DIVORCE, ABOUT SETTLEMENT, ALL OF WHICH OCCURRED BEFORE  
10 THE ALLEGED DEFAMATORY STATEMENTS THAT ARE AT ISSUE IN  
11 THIS LITIGATION, AND NOW THEY'RE TRYING TO GET ALL OF  
12 THAT INFORMATION.

13 SO ESSENTIALLY, AS I UNDERSTAND THE COURT,  
14 EVERY PUBLIC STATEMENT THAT THE PARTIES HAVE MADE, THE  
15 ADVERSE PARTY CAN NOW DO SOME DISCOVERY INTO TO  
16 ASCERTAIN THE TRUTH OR ACCURACY OF THAT. AND BASED ON  
17 THAT, I DON'T THINK THAT'S APPROPRIATE IN THIS MATTER.

18 THE COURT: AND THAT'S NOT WHAT I SAID,  
19 MR. COGGER. I DIDN'T SAY -- I HAVEN'T MADE THAT  
20 STATEMENT TO YOU. I DID NOT SAY THAT. WHAT I SAID --  
21 AND I'M NOT GOING TO REPEAT WHAT I SAID, BUT THAT IS NOT  
22 WHAT THE COURT SAID. I CLARIFIED WHY THIS PARTICULAR  
23 STATEMENT, I FELT, WAS RELEVANT FOR PURPOSES OF  
24 DISCOVERY. LET'S NOT MISREPRESENT WHAT THE COURT SAID.  
25 I DIDN'T SAY THAT EVERY PUBLIC STATEMENT IS GOING TO BE  
26 RELEVANT AND ADMISSIBLE. THAT'S NOT WHAT I SAID.

27 MR. COGGER: WELL, YOUR HONOR, I GUESS THE  
28 INQUIRY WOULD BE HOW IS THIS RELEVANT.

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1 THE COURT: I ALREADY TOLD YOU HOW IT WAS  
2 RELEVANT. SO I WOULD SAY JUST REVIEW THE COURT  
3 REPORTER'S RECORD ABOUT THAT. I'VE SAID IT NUMEROUS  
4 TIMES, AND I JUST SAID IT A MINUTE AGO.

5 SO, MR. COGGER, FINAL THOUGHTS ON THE HOWELL  
6 SANCTIONS, AND I THEN I NEED TO MOVE THIS OVER TO MR.  
7 PRECIADO. THANK YOU.

8 MR. COGGER: YES, YOUR HONOR.

9 YOUR HONOR, COUNSEL FOR MS. HEARD WAS NOT  
10 SERVED WITH THE DEPOSITION SUBPOENA, AND WE HAVE BEEN  
11 PROVIDED NO INFORMATION, AND NEITHER HAS THE COURT, THAT  
12 THE WITNESS WAS SERVED IN THIS MATTER AS WELL.

13 THE REASON THAT DISCOVERY WAS INITIATED FOR  
14 MS. HOWELL AFTER THIS OCCURRED WAS BECAUSE THIS WAS  
15 FOUND OUT BY VIRGINIA COUNSEL THAT THE SUBPOENA HAD BEEN  
16 ISSUED WITHOUT ANY NOTIFICATION OR SERVICE PROVIDED TO  
17 THE VIRGINIA COUNSEL, AND THEN --

18 THE COURT: BUT HOW CAN MR. MARIAM DECLARE  
19 WHAT SOMEBODY ELSE DID OR DIDN'T GET?

20 I AGREE WITH MR. PRECIADO THAT MR. MARIAM  
21 CAN'T STATE WHAT HAPPENED WITH COUNSEL IN VIRGINIA.  
22 THAT'S HEARSAY.

23 MR. COGGER: WE'RE COCOUNSEL, YOUR HONOR.

24 THE COURT: YEAH. BUT WHY DIDN'T COCOUNSEL  
25 GIVE A DECLARATION AND SAY MY FIRM IS ON THE PROOF OF  
26 SERVICE, AND WE WEREN'T SERVED?

27 MR. COGGER: BECAUSE WE'RE OFFICERS OF THE  
28 COURT, YOUR HONOR. WE DIDN'T THINK THAT WE WOULD HAVE



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1 TO DO MULTIPLE DECLARATIONS. IN ADDITION, WE ARE -- WE  
2 ARE COUNSEL OF RECORD IN THIS MATTER, AND WE HAVE BEEN  
3 COUNSEL OF RECORD FOR OVER 30 DAYS BEFORE THIS  
4 DEPOSITION SUBPOENA WAS ISSUED, AND, AGAIN, THEY'VE  
5 NEVER SERVED US.

6 THE COURT: WHAT ABOUT THE E-MAIL SERVICE?

7 MR. COGGER: IT WAS NEVER UPON US, AND THAT'S  
8 NOT SUFFICIENT. TO JUST GIVE IT TO SOMEONE ELSE AND  
9 SAY, HEY, I GAVE IT TO YOU IS NOT ADEQUATE SERVICE.

10 THE POINT OF THE DEPOSITION SUBPOENA IS TO  
11 INDICATE THESE ARE THE PARTIES THAT ARE BEING SERVED,  
12 AND THE CALIFORNIA SUBPOENA, WHICH IS PART OF BOTH THE  
13 CHILDREN'S HOSPITAL AND THE MS. HOWELL SUBPOENA, BOTH  
14 AFFIRMED THAT THOSE ENTITIES WERE SERVED, AND THEY WERE  
15 NOT --

16 THE COURT: OKAY.

17 MR. COGGER: -- AND THERE'S NO EVIDENCE TO THE  
18 CONTRARY.

19 THE COURT: MR. PRECIADO, FINAL THOUGHTS ON  
20 SANCTIONS, PLEASE.

21 MR. PRECIADO: SURE. I'LL MAKE IT QUICK.

22 MR. COGGER, DOESN'T HAVE THE BENEFIT OF HAVING  
23 ATTENDED THE IDC IN THIS CASE. IF THE COURT RECALLS,  
24 THAT WAS A VERY LONG IDC. BOTH SIDES WERE GIVEN AS MUCH  
25 ARGUMENT AS THEY WANTED AND NEEDED. THE COURT  
26 ACCOMMODATED THAT. IT WAS VERY CLEAR IN THE NOTICE OF  
27 RULING -- NOT IN THE NOTICE OF RULING BUT THE NOTICE AS  
28 TO THE RESULT OF THE IDC THAT THE COURT WAS NOT GOING TO

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1 GRANT THESE MOTIONS BASED ON THE ARGUMENTS THAT WERE  
2 MADE. THE ARGUMENTS HAVE NOT CHANGED. NOTHING HAS  
3 CHANGED. THE ONLY THING THAT HAS CHANGED IS THAT WE HAD  
4 TO INCUR FEES UNNECESSARILY ON WHAT THE COURT HAS -- ON  
5 ARGUMENTS THE COURT HAS PREVIOUSLY REJECTED AND HAS  
6 REJECTED AGAIN.

7 IF THE IDC PROCESS IS GOING TO HAVE ANY  
8 INTEGRITY, IT SEEMS TO ME THAT IF A MOTION IS FILED IN  
9 OPPOSITION TO THE RECOMMENDATIONS OF THE JUDGE AT THE  
10 IDC, THAT SANCTIONS SHOULD BE AWARDED WHERE THEY LOSE ON  
11 THE VERY SAME ARGUMENTS.

12 IF NOT SANCTIONED IN THIS CIRCUMSTANCE, I  
13 DON'T SEE WHEN SANCTIONS WOULD EVER BE JUSTIFIED. THIS  
14 IS THE MOST JUSTIFIABLE SANCTIONS SCENARIO THAT I CAN  
15 THINK OF.

16 AGAIN, THERE'S NOTHING NEW HERE EXCEPT  
17 REQUIRING US TO INCUR THESE EXTRA FEES AND MAKING THE  
18 SAME ARGUMENTS THAT WERE REJECTED BY THE COURT IN THE  
19 IDC.

20 THE COURT: OKAY.

21 MR. COGGER: YOUR HONOR, CAN I BE HEARD ON ONE  
22 LAST ISSUE?

23 THE COURT: NO. I'M SORRY, EVERYBODY. THAT'S  
24 IT.

25 SO THIS IS WHAT I'M GOING TO DO. I'M GOING TO  
26 CONSIDER MY FINAL THOUGHTS ON SANCTIONS, AND I WILL  
27 ISSUE MY FINAL RULING TODAY. BUT JUST -- AND REALLY  
28 IT'S JUST THE AMOUNT OF SANCTIONS, BUT I AM GOING TO BE

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1 GRANTING MONETARY SANCTIONS, AND I WILL EXPLAIN FULLY  
2 AND THOROUGHLY WHY, BUT I WILL ISSUE THE FINAL RULING ON  
3 THE AMOUNT OF SANCTIONS IN MY WRITTEN RULING.

4 SO WE'LL HAVE AS PART OF THE NOTICE OF RULING  
5 -- WELL, MR. PRECIADO, LET ME ASK YOU THIS. HOW DO YOU  
6 THINK THE COURT SHOULD PROCEED WITH RESPECT TO THESE  
7 ORDERS AND RULINGS?

8 DO YOU WANT TO BE THE ONE WHO PREPARES THE  
9 PROPOSED ORDER?

10 MR. PRECIADO: YEAH. I THINK IT'S APPROPRIATE  
11 FOR US TO PREPARE THE PROPOSED ORDER SINCE ON BOTH  
12 MOTIONS, WE'RE THE PREVAILING PARTY; AND WITH RESPECT TO  
13 THE SANCTIONS, WE'RE GOING TO BE THE PREVAILING PARTY.

14 BUT I'M HAPPY TO SHARE IT, OF COURSE, AND  
15 FOLLOW THE MEET AND CONFER PROCESS WITH RESPECT TO ANY  
16 ORDER WE PROPOSE.

17 THE COURT: SO I'LL FILE MY RULINGS BY THIS  
18 AFTERNOON OR THIS EVENING. HOPEFULLY THEY'LL BE  
19 AVAILABLE TO YOU TOMORROW, AND YOU CAN FOLLOW THE  
20 POSITION OF THE COURT WITH RESPECT TO SANCTIONS AND  
21 INCLUDE THOSE IN THE PROPOSED ORDER, MR. PRECIADO.

22 MR. PRECIADO: THANK YOU.

23 THE COURT: SO, I'M SORRY, EVERYONE. WE'RE  
24 GOING TO HAVE TO CONCLUDE. YOU KNOW, WE'VE BEEN ON THE  
25 PHONE NOW FOR ALMOST AN HOUR AND 15 MINUTES. SO  
26 UNFORTUNATELY I HAVE TO GET TO THIS NEXT MATTER, BUT  
27 THANK YOU VERY MUCH.

28 AND I HAVE ONE LAST QUESTION. SO IT LOOKS

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1 LIKE SOMEONE HAS PUT A PITCHESS MOTION ON CALENDAR.

2 WHOSE MOTION IS THAT?

3 MR. COGGER: THAT'S OURS, YOUR HONOR, JOHN  
4 COGGER.

5 THE COURT: WHAT IS THAT ALL ABOUT?

6 MR. COGGER: YOUR HONOR, WE SERVED A SUBPOENA  
7 ON THE LOS ANGELES POLICE DEPARTMENT, AND THEIR COUNSEL  
8 ADVISED US THAT THEY COULD NOT PROVIDE THE MATERIALS  
9 ABSENT A PITCHESS MOTION.

10 THE COURT: CAN YOU JUST GIVE ME THE GIST OF  
11 WHAT YOU'RE ASKING FOR AND HOW THIS IS RELATED TO THE  
12 VIRGINIA ACTION.

13 MR. COGGER: WELL, YOUR HONOR, IT INVOLVES THE  
14 BODY CAM FOOTAGE FROM THE OFFICERS WHO INVESTIGATED THE  
15 DOMESTIC VIOLENCE POLICE CALLS WHILE THE PARTIES WERE  
16 MARRIED.

17 THE COURT: SO IT'S NOT ASKING FOR PERSONNEL  
18 RECORDS; IT'S ASKING FOR BODY CAM PHOTOS AND FOOTAGE?

19 MR. COGGER: IT IS ADDITIONALLY ASKING FOR  
20 PERSONNEL RECORDS IN REGARDS TO ANY DISCIPLINE OR  
21 COMMENTS BY SUPERVISORS RELATING TO THE USE OF BODY  
22 CAMS.

23 THE COURT: SO, NUMBER ONE, YOU'RE ASKING ME  
24 TO ISSUE AN ORDER ALLOWING THE POLICE DEPARTMENT TO  
25 PROVIDE YOU WITH BODY CAM FOOTAGE, AND, NUMBER TWO, YOU  
26 WANT DISCIPLINARY RECORDS OF OFFICERS REGARDING THE USE  
27 OF BODY CAM FOOTAGE?

28 MR. COGGER: YES, YOUR HONOR.

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1 SO, FOR INSTANCE, IF THE OFFICERS AT ISSUE HAD  
2 BEEN DISCIPLINED OR IN ANY FASHION IN REGARDS TO THEIR  
3 USE OR LACK OF USE OF BODY CAM FOOTAGE OR RECORDING,  
4 WE'VE INQUIRED ABOUT THOSE ISSUES.

5 THE COURT: OKAY. AND YOU'VE MET AND  
6 CONFERRED WITH COUNSEL FOR THE POLICE DEPARTMENT ON  
7 THESE REQUESTS OR NO?

8 MR. COGGER: YES, YOUR HONOR.

9 THEY SPECIFICALLY ADVISED US TO FILE THE  
10 MOTION, THAT THEY COULDN'T DO IT VOLUNTARILY.

11 THE COURT: WELL, HAVE YOU FILED THIS TYPE OF  
12 PITCHESS MOTION BEFORE, MR. COGGER?

13 MR. COGGER: NOT IN LOS ANGELES, NO, YOUR  
14 HONOR.

15 THE COURT: YOU HAVE IN OTHER STATES?

16 MR. COGGER: NOT IN OTHER STATES, YOUR HONOR,  
17 NO.

18 THE COURT: SO YOU'VE NEVER FILED A PITCHESS  
19 MOTION FOR THIS TYPE OF INFORMATION FROM THE L.A. POLICE  
20 DEPARTMENT?

21 MR. COGGER: THAT'S CORRECT, YOUR HONOR.

22 THE COURT: OKAY. WELL, YOU KNOW, I HAVEN'T  
23 LOOKED AT IT, BUT I SUGGEST YOU DO SOME RESEARCH ON  
24 THAT. YOU KNOW, I HAVE SOME QUESTION MARKS IN MY MIND  
25 ABOUT WHAT YOU'RE ASKING ME TO DO ESPECIALLY WITH  
26 RESPECT TO PERSONNEL RECORDS. THERE'S A HIGH STANDARD  
27 THERE. SO I SUGGEST YOU THOROUGHLY RESEARCH THAT ISSUE  
28 AND HAVE A GOOD BASIS FOR ASKING THE COURT TO DO THAT

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1 BECAUSE THERE'S A LOT GOING ON THERE.

2 AND THEN --

3 MR. COGGER: WELL, YOUR HONOR, WOULD YOU LIKE  
4 ME TO --

5 THE COURT: I DON'T WANT --

6 MR. COGGER: -- LAPD ABOUT AN IDC?

7 THE COURT: NO. BECAUSE THEY'RE RIGHT. I  
8 CAN'T -- I THINK YOU SHOULD TALK TO THEM ABOUT THE  
9 VALIDITY OF YOUR REQUEST, YOU KNOW, IN TERMS OF  
10 ESPECIALLY THE PERSONNEL RECORDS. YOU KNOW, IT'S NOT AS  
11 IF THERE'S AN ACTION INVOLVING ALLEGATIONS AGAINST THE  
12 POLICE DEPARTMENT. SO TO THEN DELVE INTO POLICE OFFICER  
13 PERSONNEL RECORDS, YOU'RE GOING TO HAVE TO GIVE ME SOME  
14 CASE AUTHORITY FOR THAT.

15 MR. COGGER: UNDERSTOOD.

16 THE COURT: I WOULD SUGGEST SOME MEET AND  
17 CONFER EFFORTS WITH LAPD COUNSEL ABOUT WHETHER THEY'RE  
18 GOING TO BE OPPOSING THE MOTION AND MAYBE GET THEIR  
19 THOUGHTS ON IT. I HAVE SOME BIG QUESTION MARKS ON THAT.  
20 AND THEN WHO RESERVED A MOTION FOR  
21 FEBRUARY 11?

22 MR. COGGER: I'M NOT SURE, YOUR HONOR.

23 THE COURT: SO A HEARING ON MOTION TO COMPEL  
24 SUBPOENA RESERVED ON OUR CALENDAR FOR FEBRUARY 11, WHO  
25 RAISED THAT?

26 MR. COGGER: THAT MIGHT BE US, YOUR HONOR, IN  
27 REGARDS TO THE DISNEY PETITION WHICH WE ALREADY HAD AN  
28 IDC ON, AND WE'RE MEETING AND CONFERRING WITH THEM

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1 ALSO --

2 THE COURT: OKAY.

3 MR. COGGER: -- AND, YOUR HONOR --

4 THE COURT: IF YOU DON'T NEED THAT MOTION, WE  
5 DO REQUEST THAT YOU WITHDRAW IT BECAUSE, YOU KNOW, WE  
6 HAVE A LOT OF OTHER PEOPLE WHO ARE SEEKING HEARING  
7 DATES.

8 MR. COGGER: ABSOLUTELY, YOUR HONOR. AND IF  
9 WE RESOLVE THAT ISSUE, WE WILL ADVISE THE COURT CLERK  
10 IMMEDIATELY.

11 THE COURT: I THINK YOU CAN CANCEL THE  
12 RESERVATION YOURSELF WITHOUT HAVING TO CALL.

13 MR. COGGER: UNDERSTOOD, YOUR HONOR.

14 AND THE LAST THING IS THAT I KNOW WE HAD MOVED  
15 OUR IDC ON THE TWITTER SUBPOENA TO TODAY AS WELL.

16 THE COURT: SO IS TWITTER COUNSEL ON THE PHONE  
17 RIGHT NOW?

18 MR. COGGER: NO, YOUR HONOR. THE IDC WAS JUST  
19 BETWEEN OURSELVES AND MR. DEPP'S COUNSEL.

20 THE MAIN POINT OF CONTENTION WAS THE INQUIRY  
21 INTO MR. WALDMAN (PHONETIC SPELLING) WHO WAS COUNSEL OF  
22 RECORD FOR MR. DEPP, BUT HIS PRO HAC VICE STATUS WAS  
23 REVOKED LAST WEEK AFTER AN IDC.

24 MR. PRECIADO: YOUR HONOR, I CAN CUT THIS  
25 SHORT. WE NO LONGER WILL BE CONTESTING THAT SUBPOENA  
26 BASED ON RECENT EVENTS IN VIRGINIA. SO WE'RE HAPPY TO  
27 TAKE THIS IDC OFF CALENDAR.

28 THE COURT: OKAY. THE MINUTE ORDER WILL SO

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1 REFLECT, MR. COGGER.

2 MR. COGGER: THANK YOU, YOUR HONOR.

3 THE COURT: OKAY. THANK YOU. HAVE A GOOD  
4 DAY, EVERYBODY.

5 MR. PRECIADO: THANK YOU, YOUR HONOR.

6 MR. COGGER: THANK YOU.

7 (WHEREUPON PROCEEDINGS CONCLUDED AT 11:35  
8 A.M.)

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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF LOS ANGELES  
3 DEPARTMENT 19 HON. STEPHANIE BOWICK, JUDGE  
4 AMBER LAURA HEARD, )  
5 PETITIONER )  
6 VS. ) NO. 19STCP04763  
7 THE MANDEL COMPANY, INC., D/B/A ) REPORTER'S  
8 THE MANAGEMENT GROUP, A ) CERTIFICATE  
9 CALIFORNIA CORPORATION, )  
10 RESPONDENTS. )  
11 \_\_\_\_\_ )  
12 JOHN C. DEPP, II, )  
13 PLAINTIFF/PETITIONER, )  
14 VS. )  
15 AMBER LAURA HEARD, )  
16 DEFENDANT/RESPONDENT. )  
17 \_\_\_\_\_ )

18 I, ALICIA RENEE DESMOND, OFFICIAL REPORTER PRO  
19 TEMPORE OF THE SUPERIOR COURT OF THE STATE OF  
20 CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY  
21 CERTIFY THAT THE FOREGOING PAGES, 1 THROUGH 47, COMPRISE  
22 A FULL, TRUE AND CORRECT TRANSCRIPT TO THE BEST OF MY  
23 ABILITIES OF THE REMOTE PROCEEDINGS TAKEN IN THE ABOVE  
24 ENTITLED CAUSE ON OCTOBER 29, 2020.

25 DATED THIS 29TH OF OCTOBER, 2020.

26   
ALICIA RENEE DESMOND, CSR 13037  
27 OFFICIAL REPORTER PRO TEMPORE  
28

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