

FILED CIVIL PROCESSING 2022 JUN 10 P 2: 22 CLERK CIRCUIT COURT FAIRFAX. VA

# Planet Depos

# **Transcript of Hearing**

Date: September 18, 2020 Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

23167

1 (1 to 4)

## Transcript of Hearing Conducted on September 18, 2020

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1.	VIRGINIA:	1.	. APPEARANCES .
2	IN THE CIRCUIT COURT OF FAIRFAX COUNTY	2	ON BEHALF OF THE PLAINTIFF:
3		3	BENJAMIN G. CHEW, ESQUIRE
4	JOHNNY C. DEPP, II, :	4	BROWN RUDNICK, LLP
5	Plaintiff, :	5	601 Thirteenth Street, NW
6	v. : Case No. CL-2019-0002911	6	Suite 600
7	AMBER LAURA HEARD, :	7	Washington, DC 20005
8		ļ	•
	Defendant. :	8	(202) 536-1700
9	x	9	
10	·		ON BEHALF OF THE DEFENDANT:
11	HEARING	11	J. BENJAMIN ROTTENBORN, ESQUIRE
12	BEFORE THE HONORABLE BRUCE D. WHITE	12	WOODS ROGERS, PLC
13	Conducted Virtually	13	10 South Jefferson Street
14	Friday, September 18, 2020	14	Suite 1400
15	10:15 a.m. ET	15	Roanoke, VA 24011-1319
16		16	(540) 983-7600
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19		19	,
20	Job No.: 319581	20	
21	Pages: 1 - 38	21	
22	Reported By: Victoria Lynn Wilson, RMR, CRR	22	
	2		4
1	HEARING BEFORE THE HONORABLE BRUCE D. WHITE,	1	APPEARANCES CONTINUED
2	conducted virtually.	2	ON BEHALF OF THE DEFENDANT:
з		3	ELAINE CHARLSON BREDEHOFT, ESQUIRE
4		4	CHARLSON BREDEHOFT COHEN & BROWN, PC
5	·	5	11260 Roger Bacon Drive
6		,	-
1		6	Suite 201
7		6 7	Suite 201 Reston, VA 20190
7 8		7	Reston, VA 20190
7 8 9	Pursuant to docketing before Victoria Lynn	7 8	,
9	Pursuant to docketing, before Victoria Lynn Wilson Registered Marit Panorter Certified	7 8 9	Reston, VA 20190
9 10	Wilson, Registered Merit Reporter, Certified	7 8 9 10	Reston, VA 20190
9 10 11	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11	Reston, VA 20190
9 10 11 12	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11 12	Reston, VA 20190
9 10 11 12 13	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11 12 13	Reston, VA 20190
9 10 11 12 13	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11 12 13 14	Reston, VA 20190
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9 10 11 12 13 14 15 16	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11 12 13 14	Reston, VA 20190
9 10 11 12 13 14 15	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11 12 13 14	Reston, VA 20190
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9 10 11 12 13 14 15 16 17 18	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the	7 8 9 10 11 12 13 14 15 16 17 18	Reston, VA 20190
9 10 11 12 13 14 15 16 17 18 19	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the Commonwealth of Virginia.	7 8 9 10 11 12 13 14 15 16 17 18 19	Reston, VA 20190
9 10 11 12 13 14 15 16 17 18 19 20	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the Commonwealth of Virginia.	7 8 9 10 11 12 13 14 15 16 17 18 19 20	Reston, VA 20190
9 10 11 12 13 14 15 16 17 18 19 20 21	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the Commonwealth of Virginia.	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Reston, VA 20190
9 10 11 12 13 14 15 16 17 18 19 20 21	Wilson, Registered Merit Reporter, Certified Realtime Reporter, E-Notary Public in and for the Commonwealth of Virginia.	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Reston, VA 20190

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1 PROCEEDINGS	1 this case in the press rather than in the 7
2 (The court reporter was sworn.)	2 courtroom, in contravention of your Honor's wishes
3 THE COURT: All right. Apparently there's	3 and admonitions.
4 some matters resolved but many still remaining to	4 We know that he has texted potential
5 be resolved. Is that pretty much it.	5 witnesses, and I'll get to that in a minute. We
6 MR. ROTTENBORN: Yes, your Honor.	6 know that he's threatened them with making their
7 Ben Rottenborn on behalf of Ms. Heard.	7 life harder if they don't sign declarations that
8 With me this morning is Elaine Bredehoft.	8 say that he drafts, that say what he wants them
9 And I think, if there's one thing that	9 to say, using this case's caption, and then
10 Mr. Chew and I can agree on today, it's that the	10 leaking those declarations to the press without
11 parties have met and conferred very extensively	11 producing them, without filing them in this case,
12 over the past month or so about the issues. And	12 but telling the press that they are documents that
13 as your Honor knows, we've submitted some consent	
14 orders to the Court that I think have clarified a	14 And I'll be very clear that the statements
15 number of issues, and that these are just a few	15 I'm making about Mr. Waldman's conduct are not
16 issues that remain outstanding that I'll try to	16 impugning at all to Mr. Chew today. I have no
17 take without repeating the brief, I'll try to	17 basis to believe that Mr. Chew is involved in that
18 take just category by category.	18 at all.
19 THE COURT: All right.	But what he is doing is talking to the
20 MR. ROTTENBORN: I'll start, your Honor,	20 press oh, he's also leaked, on at least two
21 with and I'll try to reserve a minute or two	21 occasions, documents that were stamped
22 for rebuttal.	22 confidential under the protective order in this
6	8
1 I'll start with the requests that are	1 case to the press. We've talked about that at a
2 identified on page 2 of our brief. These are	2 prior hearing where it wasn't quite at issue, and
3 requests 3 and 6 from the fourth RFPs, and	3 your Honor has invited the parties to make a
4 requests 14 and 15 from the fifth RFPs. We've	4 motion, if we like, which we intend to do at the
5 modified these a little bit, as noted on page 2 of	5 appropriate time.
6 our brief.	6 But his communications with these
7 And, generally speaking, these seek	7 third-parties are highly relevant, both to
8 communications by Mr. Depp or by anyone acting on	8 Mr. Depp's case and also to Ms. Heard's
9 his behalf with third-parties regarding the	9 counterclaims. If Mr. Waldman is asking witnesses
10 allegations in this case.	10 to change their testimony, if he's asking them to
11 We don't know, you know, the full scope of	11 change their accounts of what's happened, if he's
12 people who may have talked on Mr. Depp's behalf.	12 making threats against them if they don't testify
13 Primarily, the basis for these requests are	13 the way he wants them to or offering benefits if
14 communications by Mr. Waldman, Mr. Depp's	14 they do, that's going straight to witness
15 out-of-state pro hac vice counsel, who has not	15 credibility and witness bias and potential witness
16 appeared in this courtroom but he's, as your Honor	16 tampering.
17 knows through our counterclaim and through prior	17 If he's violating the protective order by
18 briefings in this case, he's been extensively	18 leaking material, which he has; if he's trying to
19 active on social media.	19 influence the jury pool by orchestrating these
20 We believe he's orchestrated a social	20 public campaigns against Ms. Heard, those are all
21 media campaign designed to smear Ms. Heard, to	21 relevant to this case and to Mr. Depp's claims
22 taint the jury pool, and generally to litigate	22 against Ms. Heard, in particular, and her defenses
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3 (9 to 12)

## Transcript of Hearing Conducted on September 18, 2020

<ul> <li>thereto.</li> <li>thereto.</li> <li>thereto.</li> <li>text that Mr. Waldman sent to a third-party</li> <li>witness in this case that we became aware of and</li> <li>have produced. Her name is Laura Divenere.</li> <li>And in this text, your Honor, he twists</li> <li>the table site of the court rules on it</li> <li>and then the explicitly threatens the witness with</li> <li>and then the explicitly threatens the witness</li> <li>this communications that we're</li> <li>there carl be any argument that those are</li> <li>20 work product. Two is communications with social</li> <li>and then finally is communications with social</li> <li>and then the witnesses the the's reaching out</li> <li>and then finally is communications with weize</li> <li>and then finally is communications with weize</li> <li>and then finally is communications with the parts with</li> <li>and then finally is communications with weizes</li> <li>and the final declarations that hey be come and they the weizes</li> <li>and the final declarations that hey be come and they the social and they the social with weizes</li> <li>and the final declarations that weize</li> <li>a request is made to take a certain angle in this</li> <li>a case, and leaked to the press to be produced.<th></th><th></th></li></ul>		
<ul> <li>2 They're also relevant to our</li> <li>3 counterclaims. And as your Honor knows, simply</li> <li>4 subcause there's a demurre pending to those claims</li> <li>5 isn't a basis to withhold discovery under. Rule</li> <li>4 (1D2, discovery shall continue after a demurre)</li> <li>9 With respect to Mr. Depy's claims, there</li> <li>9 With respect to Mr. Depy's claims, there</li> <li>10 was about a year that passed between when the case</li> <li>10 in conversations that we never tried to stop discovery based</li> <li>11 as case, and we never tried to stop discovery based</li> <li>12 dust was ultimately filed by Ms. Heard in this</li> <li>13 case, and we never tried to stop discovery based</li> <li>14 on that. So that's not a basis to withhold</li> <li>15 discovery either.</li> <li>16 But these communications that we're</li> <li>17 seeking basically fall into three categories. One</li> <li>18 is communications with the press, which ther's</li> <li>10 a request is made to take a certain angle in this</li> <li>22 leaked, or where there's being direction given, or</li> <li>12 a request is made to take a certain angle in this</li> <li>22 cake, or okernem ty produced. Has the declarations. And your Honor has outdered the</li> <li>4 final declarations. And your Honor has outdered the</li> <li>4 final declarations. And your Honor has outdered the</li> <li>4 final declarations and the documents greated to the press. Now, Mr. Depy will claim</li> <li>10 And then finally is communications with</li> <li>11 potemid witnesses, New, Mr. Depy will claim</li> <li>12 at bias communications and the documents generated</li> <li>13 for excised of the press and ley're designed to the press and they're designed to the press and they're designed to the press and they're designed to take at most 'be wanted to a first over since</li> <li>14 blanket work product.</li> <li>15 thes communications and the documents generated</li> <li>16 was the we preceduated to have rest on the they're designed to a mease at the were erafts. We belowe</li></ul>	9 1 thereto.	11 text that Mr. Waldman sent to a third-party
3         counterclaims. And as your Honor knows, simply         3         have produced. Her name is Laura Divenere.           4         And in this text, your Honor, hetwists         And in this text, your Honor, hetwists           5         isn't a basis to withhold discovery under the denurrer         6         4         And in this text, your Honor, hetwists           6         4:1D2, discovery shall continue after a demurrer         7         bas been filed but before the Court rule on it         7         a subpoena if she doesn't speak to him.           9         With respect to Mr. Depp's claims, there         8         Now, we've spoken with this particular           9         witness, who said that Mr. Waldman convinced her         10         a subpoena if she doesn't speak to him.           11 was filed and when the Court rule on the demurrer         12         Now, we've spoken with this particular           12 hard max sutimately filed by Ms. Heard in this         12 cooperate. We also know that 's told at least           13 case, and we never tried to stop discovery base         13 one person that Ms. Heard's sister, who testified           14 on that. So thar's not abasis to withhold         15 ber court, have in the we'ne documents are being           16         But these communications with scolal         13 one person that Ms. Heard's sister, who testified           17         That type of statement that's made to         18 third-pa		
4 because there's a demurrer pending to those claims       4       And in this text, your Honor, he twists         5 int a basis to withhold discovery under. Rule       6       And in this text, your Honor, he twists         6 4:1D2, discovery shall continue after a demurrer       7       has been filed but before the Court rules on it         7       mass filed and when the Court ruled on the demurrer       10 was about a year that passed between when the case         10 was about a year that passed between when the case       10 in conversations that he would pursue perjury         11 was filed and when the Court ruled on the demurrer       12 that was ultimately filed by Ms. Heard in this         12 tas ase, and we never tried to stop discovery based       10 on these communications that we're         17 seeking basically fall into three categories. One       18 is communications with we're         17 seeking basically fall into three categories. One       18 third-parties is not attorney work product. Two is communications with social         21 nedicarations. And your Honor has ordered the       10         10 a request is made to take a certain angle in this         22 ceaked, or where mere's to be produced.       10         10 And then finally is communications with there are detain angle in the         21 and localarations. And your Honor, has ordered the         11 by term any be other evidence that hasn't been         21 and local the finally is communicati		
<ul> <li>5 isn't a basis to withhold discovery under. Rule 6 4:1D2, discovery shall continue after a demurrer 1 has been filed but before the Court rules on it 1 and the explicitly threatens the witness with 7 a subpoenal if she doesn't speak to him.</li> <li>8 unless the Court stays that discovery.</li> <li>9 With respect to Mr. Depp's claims, there 10 was about a year that passed between when the case 11 arease, and we never tried to stop discovery based 14 on that. So that's not a basis to withhold 15 discovery either.</li> <li>16 But these communications with the press, which there's 19 no - there can't be any argument that those are 20 work product. Two is communications with there's 19 no - there can't be any argument that those are 21 elaked, or where there's being direction given, or 22 leaked, or where there's being direction given, or 16 arequest is made to take a certain angle in this 2 case, or documents provided, like the 3 declarations. And your Honor has ordered the 4 final declarations that have been made in the case 5 and leaked to the press to be produced.</li> <li>10 And then finally is communications with theneys the final declarations and the documents generated 16 are designed for the press. Now, Mr. Depp will claim 1 thave been may be declarations with withesses isn't subject to a 14 blanket work product protection, particularly when 15 those communications and the documents generated 16 are designed for the press and hey're designed to 17 litigate outside of this courtoon. That's not 18 attorney work product.</li> <li>19 And if your Honor has in forot of you the 21 apologize for the late notice but we wanted to get</li> <li>20 the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apo</li></ul>		
6       4:1D2, discovery shall continue after a demurer         7       has been filed but before the Court rules on it         8       now, we've spoken with this particular         9       With respect to Mr. Depp's claims, there         10 was about a year that passed between when the case         11 was filed and when the Court ruled on the demurer         12 that was ultimately filed by Ms. Heard in this         13 case, and we never tried to stop discovery based         14 on that. So that's not a basis to withhold         15 discovery either.         16       But these communications that we're         17 seeking basically fall into three categories. One         18 is communications with the press, which there's         19 no - there can't be any argument that those are         20 work product. Two is communications with social         11 a request is made to take a certain angle in this         2 case, or documents provided, like the         3 declarations. And your Honor has ordered the         4 final declarations. And your Honor, has ordered the         10       And then finally is communications with         11 potential witnesses. Now, Mr. Depp will claim         12 that have been make in the case         5 and leaked to the press to be produced.         6 Now, there may be declarations ant the sy et covered      <		
<ul> <li>7 a subpoena if she doesn't speak to him.</li> <li>8 Now, we've spoken with this particular</li> <li>9 With respect to Mr. Depy's claims, there</li> <li>10 was about a year that passed between when the case</li> <li>11 was filed and when the Court ruled on the demurrer</li> <li>12 that was ultimately filed by Ms. Heard in this</li> <li>13 case, and we never tried to stop discovery based</li> <li>14 on that. So that's not a basis to withhold</li> <li>15 discovery either.</li> <li>16 But these communications that we're</li> <li>17 seeking basically fall into three categories. One</li> <li>18 is communications with the press, which there's</li> <li>19 no - there can't be any argument that those are</li> <li>20 work product. Two is communications with there's</li> <li>10 a request is made to take a certain angle in this</li> <li>2 case, or documents provided, like the</li> <li>4 clarations. And your Honor has cordered the</li> <li>4 final declarations that have been made in the case</li> <li>5 and leaked yet; and I don't believe that's yet covered</li> <li>9 by an order.</li> <li>10 And then finally is communications with</li> <li>11 potential witnesses. Now, Mr. Depp will claim</li> <li>12 that this is work product tory your Honor, and the finally is communications with</li> <li>13 communications and the documents generated</li> <li>14 banket work product tory toretion, particularly when</li> <li>14 banket work product.</li> <li>19 And if your Honor has in front of you the</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late notice but we wanted to get</li> <li>21 apologize for the late not</li></ul>		
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<ul> <li>9 With respect to Mr. Depp's claims, there</li> <li>10 was about a year that passed between when the case</li> <li>11 was filed and when the Court ruled on the demurrer</li> <li>12 that was ultimately filed by Ms. Heard in this</li> <li>13 case, and we never tried to stop discovery based</li> <li>14 on that. So that's not a basis to withhold</li> <li>15 discovery either.</li> <li>16 But these communications that we're</li> <li>17 seeking basically fall into three categories. One</li> <li>18 is communications with the press, which there's</li> <li>19 no - there can't be any argument that those are</li> <li>20 work product. Two is communications with social</li> <li>21 arequest is made to take a certain angle in this</li> <li>2 case, or documents provided, like the</li> <li>3 declarations. And your Honor has ordered the</li> <li>4 final declarations that have been made in the cases</li> <li>5 and leaked to the press to be produed.</li> <li>10 And then finally is communications with</li> <li>12 batked yet; and I don't believe that's yet covered</li> <li>9 by an order.</li> <li>10 And then finally is communications with</li> <li>11 batt this is work product protection, particularly when</li> <li>15 those communications and the documents generated</li> <li>16 are designed for the press and they'r edesigned to</li> <li>17 that there were drafts. We believe that we're</li> <li>17 that there were drafts. We believe that we're</li> <li>13 kensen language.</li> <li>14 And if your Honor has in front of you the</li> <li>20 text I sent to your I awo lerk I start light, and I</li> <li>21 apologize for the late notice but we wanted to get</li> </ul>		
10 was about a year that passed between when the case       10 in conversations that he would pursue perjury         11 was filed and when the Court ruled on the demurrer       11 charges potentially againsther if she didn't         12 that was ultimately filed by Ms. Heard in this       13 case, and we never tried to stop discovery based         14 on that. So that's not a basis to withhold       12 cooperate. We also know that he's told at least         13 case, and we never tried to stop discovery based       13 one person that Ms. Heard's sister, who testified         14 on that. So that's not a basis to withhold       15 discovery either.         16 But these communications that we're       15 perjury as soon as she touched down in the United         16 Dat these communications with the press, which there's       15 perjury as soon as she touched down in the United         18 is communications with the press, which there's       17 That type of statement that's made to         18 third-parties is not attorney work product. Two is communications with social       11 a witness bias, to witness credibility.         21 nedia account holders where documents are being       10         1 a request is made to take a certain angle in this       1         2 case, or documents provided, like the       1         3 and leaked to the press to be produced.       1         6 Now, there may be declarations with       1         11 O And then finally is communications with		
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12 that was ultimately filed by Ms. Heard in this         13 case, and we never tried to stop discovery based         14 on that. So that's not a basis to withhold         15 discovery either.         16 But these communications that we're         17 seeking basically fall into three categories. One         18 is communications with the press, which there's         19 no there can't be any argument that those are         20 work product. Two is communication swith social         21 media account holders where documents are being         22 leaked, or where there's being direction given, or         11 a request is made to take a certain angle in this         2 case, or documents provided, like the         3 and leaked to the press to be produced.         6 Now, there may be declarations that have been made in the case         5 and leaked to the press to be produced.         6 Now, there may be declarations out there;         7 there may be other evidence that hasn't been         8 leaked yet, and I don't believe that's yet covered         9 by an order.         10 And then finally is communications with         11 potential witnesses. Now, Mr. Depp will claim         12 that this is work product but, your Honor,         13 communications with witnesses isn't subject to a         14 blanket work product but, your Honor,         12 that this	· ·	
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22 it to the Court as soon as we could, this is a 22 the before the incident that led to the the		

## Transcript of Hearing Conducted on September 18, 2020

13 1 temporary domestic violence restraining order was	15 1 divorce and through her allegations.
2 filed in the Eastern Columbia Building in 2016.	2 And, so, all we want to do, your Honor, is
3 We understand that Mr. Waldman has been involved	3 to get documents that are designed to prove that
4 in collecting surveillance tapes from that	4 Ms. Heard would have been entitled to a lot more.
5 incident, many of which now no longer exist.	5 We're not seeking to relitigate anything. And we
6 So, all of his communications relating to	6 have we have tried our very best and gotten as
7 this, and communications of others it's not	7 much as we possibly can from Ms. Heard's prior
8 limited just to this, but those are primarily what	8 divorce attorneys in this case, so we don't want
9 the basis for these requests are, and we believe	9 to burden Mr. Depp with getting something that we
10 that we're entitled to all of that.	10 can get, but the fact is we've gotten everything
11 Moving on, your Honor, to communications	11 we can and the financial information that we're
12 relating to or I'm sorry financial documents	12 seeking from the fourth RFP number 14, from the
13 relating to damages or to the divorce in this	13 sixth RFPs 1 through 6 and 8 are are directly
14 case, I want to be very clear. We have no	14 relevant to disapproving that theory.
15 interest in relitigating divorce. Ms. Heard has	15 And at the trial, Mr. Depp is going to
16 no interest in relitigating the divorce. But the	16 tell the jury that Ms. Heard had potentially,
17 primary motive that has been offered by Mr. Depp	17 if he chooses to go down this road, that Ms. Heard
18 for Ms. Heard's reporting and seeking of the	18 had an improper profit motive; she was trying to
19 temporary restraining order in California and her	19 profiteer off of this marriage.
20 publishing of the op-ed is that she's looking to	20 The jury is going to have to decide who
21 profit from it, that she has a financial motive in	21 they believe, Mr. Depp or Ms. Heard. And, so, it
22 this. That's included in the declaration that	22 is very relevant to our defense to be able to
1 Mr. Depp filed in this case, and it was just	1 disapprove what we believe will be the proffered
2 offered by Mr. Depp's business manager in the U.K.	2 motive. And we believe it will be the proffered
<ul><li>2 offered by Mr. Depp's business manager in the U.K.</li><li>3 trial over the summer.</li></ul>	2 motive. And we believe it will be the proffered 3 motive by Mr. Depp because he said it in his
3 trial over the summer.	3 motive by Mr. Depp because he said it in his
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<ul> <li>3 trial over the summer.</li> <li>4 We have the right to test that theory</li> <li>5 and and to disapprove it. And the fact is,</li> <li>6 your Honor, the the one of the key ways that</li> <li>7 we can disapprove it is that Ms. Heard took far,</li> <li>8 far less, talking tens of millions of dollars, at</li> <li>9 a minimum, less, in our view, in the divorce than</li> <li>10 she was entitled to.</li> <li>11 California is a no-fault community</li> <li>12 property state. There was no prenup that was</li> <li>13 implicated here, so Ms. Heard would have been</li> <li>14 entitled to half of all of Mr. Depp's income that</li> <li>15 he made during their marriage, but she took far</li> <li>16 less than that.</li> <li>17 And, so, the documents requests that we</li> <li>18 have, these were generated in realtime as the U.K.</li> <li>19 trial was going on, as we were seeing what</li> <li>20 Mr. Depp's theory in that case was, which was to</li> </ul>	<ul> <li>motive by Mr. Depp because he said it in his</li> <li>declaration and it's been used in the U.K. trial,</li> <li>as well.</li> <li>Lastly is the seventh RFPs numbers 6 and</li> <li>7, your Honor. These are seeking documents</li> <li>relating to a meeting with Mr. Depp's business</li> <li>manager in April of 2016, right around the</li> <li>relevant time period.</li> <li>Mr. Depp's primary response is that these</li> <li>might seek privileged communications. Well,</li> <li>that's the purpose of a privilege log, your Honor.</li> <li>Obviously, we're not seeking legitimately</li> <li>privileged communications, but that's not a basis</li> <li>to withhold producing documents that are otherwise</li> <li>relevant.</li> <li>Now, there are some requests, your Honor,</li> <li>the fifth RFP, 1; sixth RFP, 9 and 10; and the</li> <li>sixth RFP, 12, that I believe Mr. Depp has has</li> </ul>

5 (17 to 20)

## Transcript of Hearing Conducted on September 18, 2020

	ptember 18, 2020
17 1 we would would have presented to the Court.	19 1 these motions to you, but we're trying as best we
2 I've got not gotten a response to those, but it	2 can to get documents as quickly as we can, and
3 seems that he will will concede that.	3 this seems to be a recurring theme where there's
	4 just pushback, pushback, pushback, refusal to
And then the only other two, your Honor, are the fourth RFPs 1 and 2. These primarily seek	5 produce, stand claims of privileges and other
	6 bases not the produce, and then we file a motion
	7 and and they agree to produce things.
	8 So, we certainly would like for that
-	
9 produce these.	
10 They said in the U.K. trial, Mr. Depp did,	10 best we can. And I know that the parties have
11 that there were 50 to 51 videos. They say in	11 made progress in in resolving many disputes,
12 their brief they've produced 12. We don't have a	12 but this is just illustrative of some of what
13 record of any other than one partial clip on	13 we're we're running into here.
14 there I think there are a partial clips of one	14 So, with that, I'll save the last minute
15 instance or one recording.	15 or two for rebuttal, unless your Honor has any
16 So maybe there's a disconnect there, but	16 questions.
17 we understand that they they will produce	17 THE COURT: Go ahead, Mr. Chew.
18 these. But the only reason I raise this, your	18 MR. CHEW: Thank you, your Honor. Ben
19 Honor, is because they had initially claimed	19 Chew for Johnny Depp.
20 not just initially, but the self-incrimination	20 First, with respect to the recordings and
21 privilege. They said that because California is a	21 transcripts, Mr. Depp has agreed to produce all of
22 two-party consent state, they weren't going to	22 the remaining recordings and transcripts by no
18 1 produce these and you know, they served	1 later than September 30th.
2 responses on July 23rd claiming these privileges,	2 The initial hesitation was one in good
5 Mr. Depp and Ms. Heard that are recorded could	5 each other. They didn't always do so with the
6 possibly be that.	6 approval of the other.
7 They've held out in the press since the	7 Mr. Rottenborn made an argument during one
8 beginning of this case that they have all these	8 of the meet-and-confers that these tapes are more
9 videos that somehow prove that Ms. Heard is not	9 than three years old, so there is no criminal
10 telling the truth, but they haven't produced these	10 potential issue. So we withdrew that objection
11 videos.	11 because that point was well taken. So that
12 On August 12th, they claim the	12 that matter is off the table.
13 self-incrimination privilege again in a meet and	13 Second, with respect to communications
14 confer. On August 14th, they reiterated that in a	14 from Mr. Depp's Adams Adam Waldman, Mr. Depp's
15 brief to the Court. On August 28th, we met for	15 counsel, I I would harken back to what
16 about two hours, and they stood on their	16 Mr. Rottenborn mentioned, which is if they're
17 self-incrimination privilege, so we filed this	17 going to make false claims against Mr. Waldman,
18 motion, and only in response to this motion do	18 and they are false, they should do so in the form
19 they say, "Okay. Well, we're going to produce the	19 of a motion rather than throwing brickbats at him
20 documents."	20 with no basis whatsoever.
21 So I just raise that because I know your	
	21 The record is that the only the only
22 Honor is fed up with both parties for bringing	<ul> <li>21 The record is that the only the only</li> <li>22 party who has violated your order, which was when</li> </ul>

6 (21 to 24)

# Transcript of Hearing Conducted on September 18, 2020

1         your Honor continued the trial in chambers several         1         In fact, he didn't meet Mr. Depp until           2         months ago, was somebody on Ms. Heard's side         2         October 2016, several months later, and he became           3         lis lawyer shortly thereafter in the context of         4         some improprieties by Mister Mr. Depp's former           5         kind of ad hominem statements should be made         6         some improprieties by Mister Mr. Depp's former           6         should be put to the test of a filing when they         5         lawyer, who has since retired after being fired           7         would be subject to 8.01-271.1, rather than thrown         8         that Mr. Waldman has no firsthand knowledge of           9         But let me clear up some - some very         10         facinating to me that Ms. Heard's counder, it is completely you           13         Your Honor recalls that what this case is         11 about everything except her false testimony.           12         So, your Honor, it is completely you         13 knowl dege.           13         some may one, it is completely you         13 knowl dege.           14         really about is Ms. Heard's counder         16 of the the needs of this case, is improper in light           16 agains ther. Well, the two police officers who         17 focus on the pecople who actually do have firsthand<	Conducted on Se	
2       months ago, was somebody on Ms. Heard's side       2       Corber 2016, several months later, and he became         3       leaked that. That wasn't dome by Mr. Waldman or       3       his lawyer shortly thereafter in the context of         4       anyone else. So, think that - thats those       4       some improprieties by Mister Mr. Depp's former         5       would be put to the test of a filing when they       7       So, your Honor, the cecord is very clear         8       aroune listatements made by Ms. Heard's coursel,       1       from his law firm for that impropriets.         10 clear misstatements made by Ms. Heard's coursel,       10 fascinating to me that Ms. Heard wants to talk         11 perhaps obviously, made in good faith, but       12 bory urbore, the record is very clear         8       that Mr. Waldman has no firsthand knowledge of         9       But let me clear up some some very         10 foclear misstatements made by Ms. Heard's coursel, and this case, is improprint in light         16 fagainst her. Well, the two police officers who         15 and the more requestic abuse, and hab been         20       The woman, Melissa Seins, the officer, had         21 over seven years of experience under her belt,         21 over seven years of experience under her belt,         21 over seven years of experience under her belt,       10 beso, undea hobut the rease. the vould	21 1 your Honor continued the trial in chambers several	In fact, he didn't meet Mr. Depp until
<ul> <li>3 leaked that. That wasn't done by Mr. Waldman or</li> <li>4 aryone else. So, 1 think that that's those</li> <li>5 kind of a hominem statements should be made</li> <li>6 should be put to the test of a filing when they</li> <li>7 would be subject to 8.01-271.1, rather than thrown</li> <li>8 that Mr. Waldman has on or firsthand throw eldge of</li> <li>9 But let me clear up some some very</li> <li>10 clear misstatements should be rut to the test of a filing when they</li> <li>7 wour Honor recalls that what this case is</li> <li>11 about everything except the false testimony.</li> <li>12 bey're mistaken.</li> <li>13 how when they the scene, whose sciens, who an laready</li> <li>14 communications, which have no bearing whatsoever.</li> <li>15 met merits of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, is improper in light</li> <li>16 of the the needs of this case, which we therstown of any struggle in the</li> <li>a problems, no indications of any struggle in the</li> <li>a problems, no indications of any struggle in the</li> <li>a sproblems, no indications of any struggle in the</li> <li>a mat went hereferenced Ms. Divence who textified</li> <li>21 London.</li> <li>22 Mos the the alloged incident and she didn't have any</li> <li>24 marks on her, just as the police officers at</li> <li>36 morefer halloged</li></ul>		
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<ul> <li>9 But let me clear up some - some very</li> <li>10 clear misstatements made by Ms. Heard's counsel, 11 perhaps obviously, made in good faith, but</li> <li>12 theyre mistaken.</li> <li>13 Your Honor recalls that what this case is</li> <li>14 really about is Ms. Heard's claim that on</li> <li>15 May 21st, 2016, Mr. Depp committed violence</li> <li>16 against her. Well, the two police officers who</li> <li>17 came to the scene, whose testimony has already</li> <li>18 been admitted for purposes of this trial and was</li> <li>19 admitted in London, was that it never happened.</li> <li>20 The woman, Melissa Seins, the officer, had</li> <li>21 over seven years of experience under her belt,</li> <li>21 over seven years of experience under her belt,</li> <li>22 100 cases of domestic abuse, and had been</li> <li>22 we could ask we could have asked for</li> <li>22 We could ask we could have asked for</li> <li>22 We could ask we could have asked for</li> <li>24 1 Ms. Kaplan's communications with the press when</li> <li>2 she talked about the reasons that your Honor</li> <li>3 continued the case. We could ask - we could ask - we could ask</li> <li>4 apartment, all of which belies Ms. Heard's</li> <li>5 repeately shifting testimony, She changed her</li> <li>6 testimony, her direct testimony, four times in</li> <li>7 London.</li> <li>8 So, at any rate, the people who actually</li> <li>9 were witnesses, that is the police officers, and</li> <li>10 people like Isaac Barush, who lived in the condos, 11 and to disqualify Mr. Waldman.</li> <li>12 And it does bear noting, your Honor, that</li> <li>13 at the time when Ms. Heard propounded these</li> <li>14 requests, there was no there were no</li> <li>15 counterclaims filed: So, when they when they</li> <li>16 sent us these requests, it was only Mr. Depy's</li> <li>17 claim.</li> <li>18 Moving to the next issue, and this is one</li> <li>19 cases when Mr. Depy mas in - safely in New</li> <li>21 York and unable to testify, Mr. Waldman had not</li> </ul>	-	
10 clear misstatements made by Ms. Heard's counsel, 11 perhaps obviously, made in good faith, but 12 they're mistaken.10 fascinating to me that Ms. Heard wants to talk 11 about everything except her false testimony. 12 So, your Honor, it is completely you 13 know, under Rule 4: 1B1, to go after an attorney's 14 communications, which have no bearing whatsoever 15 May 21 st, 2016, Mr. Depp committed violence 16 against her. Well, the two police officers who 17 came to the scene, whose testimony has already 	_	-
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<ul> <li>6 testimony, her direct testimony, four times in</li> <li>7 London.</li> <li>8 So, at any rate, the people who actually</li> <li>9 were witnesses, that is the police officer, and</li> <li>10 people like Isaac Barush, who lived in the condos,</li> <li>11 and even the referenced Ms. Divenere who testified</li> <li>12 in London that she saw Amber Heard for five days</li> <li>13 after the alleged incident and she didn't have any</li> <li>14 marks on her, just as the police officers</li> <li>15 testified but let's back up with respect to</li> <li>16 Mr. Waldman.</li> <li>17 Not only did Mr. Waldman have no firsthand</li> <li>18 knowledge of that incident or the phony May 27th</li> <li>19 ex parte TRO that Ms. Heard walked into court in</li> <li>20 Los Angeles when Mr. Depp was in safely in New</li> <li>21 York and unable to testify, Mr. Waldman had not</li> <li>6 weeks at the trial. We could do all of that, but</li> <li>7 that would be a waste of our client's money and a</li> <li>8 waste of your time, and completely inappropriate.</li> <li>9 It's a back door attempt to distract</li> <li>10 everyone from the facts that are actually at issue</li> <li>11 and to disqualify Mr. Waldman.</li> <li>12 And it does bear noting, your Honor, that</li> <li>13 at the time when Ms. Heard propounded these</li> <li>14 requests, there was no there were no</li> <li>15 counterclaims filed: So, when they when they</li> <li>16 sent us these requests, it was only Mr. Depp's</li> <li>17 claim.</li> <li>18 Moving to the next issue, and this is one</li> <li>19 that Mr. Depp was very concerned about addressing,</li> <li>20 was your Honor ordered back on August 10th one</li> <li>21 York and unable to testify, Mr. Waldman had not</li> </ul>	4 apartment, all of which belies Ms. Heard's	4 for Ms. Bredehoft's communications when she was
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21 York and unable to testify, Mr. Waldman had not 21 of his two orders ordered Mr. Depp to produce	-	
22 even met Johnny Depp as of May of 2016. 22 documents relating to his damages claim. And		
DI ALEE DEDOG	22 even met Johnny Depp as of May of 2016.	

# Transcript of Hearing Conducted on September 18, 2020

Conducted on Se	-
25	27 1 damages claim which are set forth in the Bates
<ol> <li>those documents were, in fact, due by August 21.</li> <li>Well, one of the primary components of</li> </ol>	1 damages claim which are set forth in the Bates 2 numbers EWC 1 through 52. Those are the detailed
3 Mr. Depp's damages claim, as your Honor is aware,	3 P&L's, earnings statements, and summary of his
4 is that a few days, I think it was four days,	4 income for that period.
5 after Ms. Heard published her false op-ed in The	5 So, they don't need the tax returns. And
<ul><li>6 Washington Post in December 2018, Disney announced</li><li>7 that it was dropping Mr. Depp from The Pirates of</li></ul>	6 the rest of the financial documents sought are 7 irrelevant and overreach and, with the greatest
8 the Caribbean series, which is one of the most	8 respect to Mr. Rottenborn, clearly an attempt to
9 lucrative for Disney and most successful in	9 relitigate a divorce settlement that was
10 history. So the only reason they could have done	10 negotiated by two of the finest divorce firms in
11 that were these false allegations.	11 Los Angeles, and there's no reason for this Court
12 Now, Disney didn't write Mr. Depp a letter	12 to relitigate that divorce.
13 and say, "Gee, we fired you because of what the	13 And if Ms. Heard wanted to show that she
14 woman you were married to for 15 months said," it	14 had no financial motives for falsely accusing
15 just announced it. So, Mr. Depp did not have	15 Mr. Depp of abuse, she could simply produce proof
16 documents within his possession, custody, and	16 of what she's repeatedly claimed, which is that
17 control. But what he did do was that he	17 she gave all \$7 million to the ACLU and to the
18 instructed his his manager and his accountant,	18 Children's Hospital of Los Angeles, but she
19 Edward White of Edward White & Company, a very	19 refuses to do that.
20 respectable accounting firm in Los Angeles, who	20 In fact, she she her motion to quash
21 Mr. Heard has Ms. Heard has properly subpoenaed	21 was preliminarily denied by Judge Bowick in Los
22 and will testify they have compiled, and we	22 Angeles and, yet, still she persists. So, if she
26	28
1 produced yesterday, detailed income statements of	1 was really not financially motivated, then she
2 Mr. Depp's three loan-out companies: Infinitum	2 could simply, with the click of a dial, show us
3 Nihil, LRD, and Scaramanga Brothers.	3 proof that she gave us gave the \$7 million to
4 Specifically, Mr. Depp produced from EWC	4 those charities. She did not, we would
5 all detailed income statements from 2009 through	5 respectfully submit, or she would have produced it
6 2015, and he produced detailed P&L's for those	6 and she wouldn't be fighting it tooth and nail.
7 three entities from 2016 through August 2020.	7 To give your Honor some idea of these
8 Moreover, we produced a summary of the	8 additional documents they seek, all documents
9 gross receipts for all of Mr. Depp's projects for	9 relating to taxes paid and liabilities, that is a
10 over a decade, spanning the period from 2009 to	10 level of detail I cannot describe the millions
11 2020.	11 of documents that go into to all of those
12 And, again, your Honor, the reason that	12 financial records, and it would be
13 this took so long was that Mr. Depp Mr. White	13 catastrophically expensive and a waste of time,
14 and his staff had to compile this information	14 everybody's time, to go through that.
15 which did not exist in Mr. Depp's custody.	15 Mr. Rottenborn also mentions that they
16 So, getting to the other documents, they	16 want Ms. Heard's final declaration of discharge
17 say they want the tax returns from 2009 and 2010.	17 from the divorce. Well, Ms. Heard has those
18 We respectfully submit that that doesn't overcome	18 documents in her possession. We didn't represent
19 the qualified privilege. Number one, his tax	19 Mr. Depp in the divorce. We don't have those
20 returns for that period of time are not relevant.	20 documents.
21 And even if they were, Mr. Depp has now provided	21 None of this the bottom line is, other
22 more than sufficient alternatives relating to his	22 than the financial documents that your Honor
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8 (29 to 32)

## Transcript of Hearing Conducted on September 18, 2020

	T come c c c c c c c c c c c c c c c c c c c
29 1 ordered and have now been produced, which	MR. ROTTENBORN: Your Honor, if I may
2 Ms. Bredehoft or Mr. Rottenborn can test when they	2 THE COURT: Mr. Rottenborn, I think you've
3 depose Mr. White, these other requests are	3 got one minute left.
4 completely an overreach and irrelevant.	4 MR. ROTTENBORN: Thank you, your Honor.
5 And after they depose we have now a lot	5 Just briefly, if Mr. Waldman, and we
6 of time before trial, eight months before trial.	6 believe he has, if he's been communicating with
7 If they depose Mr. White, which they will do, and	7 with Officers Haddon and Seins, if he's been
8 they find that that they need more financial	8 communicating with the Eastern Columbia
9 documents, that, your Honor, would seem to be the	9 Building and when I say, "has been," I mean
10 time to consider doing that.	10 from the time he got involved in 2016. If he has
11 And I'm just checking my list now to make	11 communicated with these witnesses that they are
12 sure that I've covered the other issues.	12 going to hold up at trial in a way that he's
13 Yes, Mr. Rottenborn mentioned documents	13 communicated with Ms. Divenere, those
14 relating to an April 21, 2016, meeting that	14 communications are highly, highly relevant to
15 Mr. Depp had with Mr. White relating to his	15 witness credibility, witness bias, among many
16 financial conditions.	16 other things.
17 Again, your Honor, that goes far beyond	17 And, so, to say that we're trying to take
18 the scope of this case, which is centered on	18 focus away from the facts at issue, no; these go
19 whether Mr. Depp hit Ms Ms. Heard on May 21,	19 right to the heart of the facts at issue in this
20 2016, which he did not, and whether she's lying	20 case.
21 about it, which she did.	21 I'll reiterate just briefly, your Honor,
22 What Mr. Depp discussed with Mr. White on	22 no one from our side leaked anything to the press
. 30	32
1 April 21, 2016, and all documents related to that,	1 after your Honor's continuance ruling. We've been
2 go way beyond the scope. Again, Ms. Bredehoft or	2 over this. It just simply never happened.
3 Mr. Rottenborn can ask Mr. White about that at his	3 Mr. Chew persists in accusing us of that at every
4 deposition, but this goes way beyond the scope of	4 hearing, but it did not happen.
5 what this case is really about.	5 On the financial statements, your Honor,
6 And I get it. I get it why they're asking	6 we got this information yesterday afternoon that
7 for stuff that has nothing to do with anything,	7 apparently is work product that Mr. White
8 but it goes way beyond.	8 generated. We're entitled to test that work
9 And with respect to filing motions, we	9 product with the underlying documents, including
10 haven't filed any repetitive motions. All the	10 tax returns, that were relied on.
11 motions are coming from their side. And we we	11 Mr. Chew says that this is a tangential
12 want to address that with the Court at calendar	12 issue to the case, but that begs the question why
13 control in the near future to propose a protocol	13 did they offer this testimony from Mr. White in
14 by which we can only bother you once or twice a	14 the U.K. trial, in which Mr. White wrote a witness
15 month and that we rotate that so that your Honor	15 statement saying that Ms. Heard got a windfall in
16 doesn't have to deal with this every Friday	16 getting \$7 million from Mr. Depp when, in reality,
17 motions day and that we don't have to deal with	17 she should have owed over \$6 million because of
18 these repetitive motions.	18 some kind of tax accounting or something like 19 that.
19 I believe it would help focus the parties'	
20 attention, make them more diligent in resolving 21 these matters.	20 They put that at issue. They put the
· ·	21 finances in issue in Mr. Depp's declaration, and
22 Thank you, your Honor.	22 that's why we want it, to disapprove their theory
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9 (33 to 36)

### Transcript of Hearing Conducted on September 18, 2020

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Γ	33	35
	of motive.	1 be required to provide all this information is
12		2 denied. Mr. Waldman is still currently counsel
1		3 for a party in the case.
4	·	4 As to the documents that I guess I've got
	5 I'm sure you all realize, but I'll mention	5 sort of categorized here as fourth RFP 14; sixth
- 10	5 it anyway, this case isn't going to be tried the	6 RFPs 1 through 6 and 8; and seventh RFPs 1, 3, 5,
ľ	7 way the one in England was tried. Declarations	7 and 7, those are, basically, the information
8	3 are not just going to be filed and taken for that.	8 related to the divorce case. Request is denied as
9	You have to lay foundation for things, such as	9 to those documents. It is denied under the
	10 even someone's belief as a motive that someone	10 doctrine of it's enough is enough. You all have
	11 might have to do something. We're going to need	11 been through the divorce already. We're not going
	12 to have some factual basis to back up that	12 to retry that divorce in this case, and that's
	13 allegation before anyone needs to be concerned	13 what I deem this to be aimed at.
	14 with rebutting those type of thoughts that people	14 The fourth RFP 1 and 2, that is to be
	15 have.	15 produced by September 30th.
	As to Mr. Waldman, my problem with this is	16 As to the tax documents, it's granted in
	17 that if the conduct is as bad as it's claimed to	17 part and denied in part. The documents which show
	18 be, it's hard for me to imagine why someone would	18 the gross income are to be produced. The
	19 not have already filed a motion to have the	19 supporting documents are not to be produced. You
·	20 attorney disqualified or filed a bar complaint	20 all have got a lot of information on income, and
	21 against the attorney for tampering with witnesses	21 this is just one more area where I envision a
Ŀ	22 in an unlawful or improper way. I don't	22 rehashing of previous other issues.
		ZZ renashing of previous other issues.
	34	36
	1 understand that.	1 Your question is what's the amount of
-	34 1 understand that. 2 I'm told today that that's going to come	36 1 Your question is what's the amount of 2 income, and you can get that from the those
-	34 1 understand that. 2 I'm told today that that's going to come 3 at some time. So I can only guess that there is	36 1 Your question is what's the amount of 2 income, and you can get that from the those 3 parts of the tax return is limited there's very
	<ul> <li>34</li> <li>1 understand that.</li> <li>2 I'm told today that that's going to come</li> <li>3 at some time. So I can only guess that there is</li> <li>4 some strategic reason that it has not been filed</li> </ul>	<ul> <li>Your question is what's the amount of</li> <li>income, and you can get that from the those</li> <li>parts of the tax return is limited there's very</li> <li>limited parts that would show the income.</li> </ul>
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	<ul> <li>34</li> <li>1 understand that.</li> <li>2 I'm told today that that's going to come</li> <li>3 at some time. So I can only guess that there is</li> <li>4 some strategic reason that it has not been filed</li> </ul>	<ul> <li>Your question is what's the amount of</li> <li>income, and you can get that from the those</li> <li>parts of the tax return is limited there's very</li> <li>limited parts that would show the income.</li> <li>As to the meeting with Mr. White, the</li> <li>business manager, and is this the April meeting?</li> </ul>
	<ul> <li>understand that.</li> <li>I'm told today that that's going to come</li> <li>at some time. So I can only guess that there is</li> <li>some strategic reason that it has not been filed</li> <li>and that it's going to be filed at some strategic</li> <li>time in the future. That doesn't seem quite right</li> <li>to me.</li> </ul>	<ul> <li>Your question is what's the amount of</li> <li>income, and you can get that from the those</li> <li>parts of the tax return is limited there's very</li> <li>limited parts that would show the income.</li> <li>As to the meeting with Mr. White, the</li> <li>business manager, and is this the April meeting?</li> <li>I'm not sure how that that is really related to</li> </ul>
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10 (37 to 40)

#### Transcript of Hearing Conducted on September 18, 2020

37	
1 proposed order to chambers on Monday?	
2 THE COURT: That will be fine.	
3 MR. CHEW: Thank you, your Honor.	
4 MR. ROTTENBORN: One brief question: With	· ·
5 respect to the kind of financial documents that	
6 your Honor discussed, in the seventh RFP numbers	
7 1, 3, and 5, Mr. Depp said in his brief on page	
8 four that they do intend to produce those	
9 documents.	
10 THE COURT: Well, if they've said that	
11 they intend to produce it, then we'll say that	
12 we'll rely upon what people say.	
13 MR. ROTTENBORN: Okay.	
14 MR. CHEW: We certainly we certainly	
15 will do everything we said, your Honor.	
16 MR. ROTTENBORN: Thank you, your Honor.	
17 THE COURT: Okay. That's it for today	
18 then. Thank you all.	
19 MR. ROTTENBORN: Thank you.	
20 (Off the record at 10:50 a.m. ET.)	
21	
22	
38	
1 CERTIFICATE OF SHORTHAND REPORTER-E-NOTARY PUBLIC	
2 I, Victoria Lynn Wilson, the officer	
3 before whom the foregoing proceedings were taken,	
4 do hereby certify that the foregoing transcript is	
5 a true and correct record of the proceedings; that	
6 said proceedings were taken by me stenographically	
7 and thereafter reduced to typewriting under my	
8 direction; and that I am neither counsel for,	
9 related to, nor employed by any of the parties to	
10 this case and have no interest, financial or	
11 otherwise, in its outcome.	
12 IN WITNESS WHEREOF, I have hereunto set my	
13 hand and affixed my notarial seal this 18th day of	
<ul><li>14 September 2020.</li><li>15 My commission expires May 31, 2023.</li></ul>	
18 Historia dyn Hilson	· · · · · · · · · · · · · · · · · · ·
19 VICTORIA LYNN WILSON	
20 E-NOTARY PUBLIC IN AND FOR	
21 THE COMMONWEALTH OF VIRGINIA	
22	