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# Transcript of Hearing

**Date:** November 20, 2020

**Case:** Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

23341

Transcript of Hearing  
Conducted on November 20, 2020

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT OF FAIRFAX COUNTY 3 ----- x 4 JOHNNY C. DEPP, II, : 5 Plaintiff, : 6 v. : Case No. 7 AMBER LAURA HEARD, : CL-2019-0002911. 8 Defendant. : 9 ----- x 10 11 HEARING 12 BEFORE THE HONORABLE BRUCE D. WHITE 13 Conducted Virtually 14 Fairfax County, Virginia 15 Friday, November 20, 2020 16 10:32 a.m. 17 18 Job No.: 336300 19 Pages: 1 - 33 20 Reported By: Carla L. Andrews, RPR 21 22</p>	<p>1 A P P E A R A N C E S 2 ON BEHALF OF THE PLAINTIFF: 3 BENJAMIN G. CHEW, ESQUIRE 4 BROWN RUDNICK, LLP 5 601 Thirteenth Street, N.W. 6 Suite 600 7 Washington, D.C. 20005 8 202-536-1700 9 10 ON BEHALF OF THE DEFENDANT: 11 ELAINE CHARLSON BREDEHOFT, ESQUIRE 12 CHARLSON BREDEHOFT COHEN &amp; BROWN, P.C. 13 11260 Roger Bacon Drive 14 Suite 201 15 Reston, Virginia 20190 16 703-318-6800 17 JOSHUA R. TREECE, ESQUIRE 18 WOODS ROGERS, PLC 19 10 South Jefferson Street 20 Suite 1400 21 Roanoke, Virginia 24011 22 540-983-7600</p>
<p>1 Pursuant to Docketing, before Carla L. 2 Andrews, Registered Professional Reporter and Notary 3 Public of the Commonwealth of Virginia. 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 P-R-O-C-E-E-D-I-N-G-S 2 (Reporter sworn.) 3 THE COURT: All right. 4 MS. BREDEHOFT: Thank you, Your Honor. 5 Good morning. Elaine Bredehopt and Joshua Treece on 6 behalf of the defendant Ms. Heard. This is here on 7 our Motion to Compel and for sanctions. Your Honor, 8 I would like to start with the tax returns in this 9 case. Request number 14 asked for all tax returns 10 for Mr. Depp for 2010 through the present. Your 11 Honor granted the request. It included the portions 12 exacting the gross income paper on September 30. 13 That's attachment three. Depp produced the 14 information for his loan documents, according to his 15 opposition, but he did not produce his personal tax 16 returns. 17 When I was taking Mr. Depp's deposition 18 last week, at one point he said, "I will give you 19 those." And I said, "Are you aware the Court had 20 requested you to produce those?" And he said, "No, 21 I am not aware of that." So, obviously, this 22 conveyance was made by someone else. Now --</p>

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<p style="text-align: right;">5</p> <p>1 THE COURT: Ms. Bredehft, you're -- 2 excuse me. You may be facing away from your 3 microphone. I'm not getting the sound the way that 4 I would like to. If you could -- thank you. 5 MS. BREDEHOFT: Let me see if this works. 6 Is that better? 7 THE COURT: That's better, sure. 8 MS. BREDEHOFT: Okay. So the 9 significance of this, Your Honor, is that we have 10 two of Mr. Depp's personal income tax returns. And 11 we have them because we have the old divorce files. 12 And so we have 2013, and we have 2014. He has 13 individual tax returns that are very different from 14 the tax returns of the three loan out companies. 15 And, in fact, just for those two years, he has over 16 65 million in gross income. Those were not included 17 in the tax returns that were produced by the 18 plaintiff in this case, Your Honor. And it is 19 alarming because it shows that there was an 20 intentional effort to hide a significant amount of 21 his income. And it is alarming, Your Honor. And it 22 is intentional. And they clearly violated Your</p>	<p style="text-align: right;">7</p> <p>1 spending patterns, his tendency to blame everyone 2 else for his conduct, having the same witnesses 3 testify each time that are the same witnesses in 4 this case, and violence and abuse towards Ms. Heard. 5 They are in all four of the suits. We have seen a 6 video clip from one of the lawsuits that's on the 7 Internet, Your Honor. That's the only way we have 8 access to it. It has not been produced in this 9 case. 10 And in that, Mr. Depp is explaining how 11 he cut off Ms. -- how Ms. Heard cut off his finger 12 by hurling a vodka bottle across the room. This was 13 part of a three-day Australia ordeal while Mr. Depp 14 was filming Pirates of the Caribbean 5, during which 15 it is alleged in the UK proceedings that Mr. Depp 16 took 8 to 10 Ecstasy pills and committed significant 17 physical violence and abuse of Ms. Heard and trashed 18 the home resulting in between 100 and 150,000 in 19 damages. I asked Mr. Depp in his deposition did you 20 provide an explanation of that injury in these 21 depositions that you gave in these four lawsuits. 22 He said he knows he did in one. He can't recall</p>
<p style="text-align: right;">6</p> <p>1 Honor's order. And I would ask that the Court order 2 them to produce these and for sanctions -- 3 appropriate sanctions as a result of this. And I am 4 happy -- they are labelled confidential, Your Honor. 5 And I didn't want to give the exact amounts or the 6 exact amounts from the loan outs. But they don't 7 even begin to match up in any way or shape. And he 8 clearly has gross income for his personal taxes that 9 are very, very different from his loan out 10 companies. 11 The second part of my Motion to Compel, 12 Your Honor, is for the revised 8th RFP's. Mr. Depp 13 has put his reputation on the line in this case 14 very, very significantly. During the key periods 15 from 2016 to the present, Mr. Depp has filed two 16 lawsuits and two lawsuits have been filed against 17 him. This is in addition to the UK litigation, Your 18 Honor. 19 At the core of these lawsuits, Mr. Depp 20 has placed at issue his conduct, his alcohol and 21 drug use, his destruction of property, his violent 22 behavior, his financial conduct, his erratic</p>	<p style="text-align: right;">8</p> <p>1 whether he did in the others. 2 One of the lawsuits alleges that his 3 bodyguards had to clean drugs off of him and drive 4 vehicles that contained illegal substances and 5 minors. One alleges that Mr. Depp punched him in 6 the face during filming -- this is in 2016 -- and 7 that Mr. Depp reeked of alcohol. There is a 8 significant amount of overlap in the witnesses on 9 Mr. Depp's behalf claiming these things didn't exist 10 for the same ones in this case claiming none of 11 these things exist. So we have asked for the 12 depositions, the sworn interrogatories, and the 13 relevant pleadings. 14 If Mr. Depp and the other witnesses have 15 testified to the events that impact his reputation 16 and damages, his witnesses and conduct, and in any 17 way to the claims and defenses in this litigation, 18 they are not only relevant, but they may lead to the 19 admissibility of that information. 20 Now, Mr. Depp objected to all of the 21 requests and provided no documents. That's been the 22 case in every single solitary document request issue</p>

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<p style="text-align: right;">9</p> <p>1 we have had. They just object and they stop, which 2 requires us then, Your Honor, to have a meet and 3 confer. That's what the rules require. And the 4 purpose of the meet and confer, Your Honor, is so 5 that we can see if we can work out any of these 6 issues and try to prevent having to bring these 7 motions to Your Honor.</p> <p>8 We did exactly that, Your Honor. We set 9 up a meet and confer on September 15. Two of 10 Mr. Depp's counsel were there. They were from 11 California. Mr. Chew was not present for that. 12 Mr. Treece, who is here with me on behalf of 13 Ms. Heard, also appeared on that call. We worked 14 through these requests, Your Honor. And it was an 15 hour-long meet and confer. And Ms. Vasquez, one of 16 the counsel for Mr. Depp, said we needed to narrow 17 these topics. So Mr. Treece volunteered, based on 18 earlier meet and confers, in narrowing. He said 19 let's take the topic areas that we have agreed to 20 earlier. Let's work from those. And he went 21 through them and discussed them in this meet and 22 confer. Ms. Vasquez said during that meet and</p>	<p style="text-align: right;">11</p> <p>1 The Court should not reward these types 2 of tactics. The rules are there for a reason. And 3 the party not following those should not be able to 4 benefit from this conduct. In addition, it is a 5 pattern we are seeing. But on top of it, Your 6 Honor, plaintiff -- and we have this at attachment 7 one, pages 15 to 17 -- had agreed to provide 8 responsive documents to request numbers six and 9 seven. Those are the ones that asked for any 10 documents that reflected the impact and the totality 11 of the four litigations on his reputation and 12 career. And the other request is the impact on the 13 UK Sun litigation, which has now resulted in a 14 129-page decision on November 2, finding that 15 Mr. Depp had committed violence and domestic abuse 16 on Amber Heard on at least 12 occasions, and how 17 these impact on his reputation and career. Yet, to 18 date, we have received no responsive documents from 19 them.</p> <p>20 We ask that the Court not allow Mr. Depp 21 to continue to play these games and to work with us 22 to resolve these so we don't have to be here before</p>
<p style="text-align: right;">10</p> <p>1 confer, "This seemed to be a reasonable narrowing." 2 But she asked us to send the requests with the 3 revised language to them so that they could review 4 it and let us know if there were any further issues. 5 We did that the same day, Your Honor, on September 6 15. Attachment two has the entire email chain, Your 7 Honor.</p> <p>8 On September 15, I sent the entire set of 9 the revised requests to them for the 8th. September 10 23, I had no response. I said, "Can you please 11 respond to the email?" Again, no response. October 12 15, we still have not received a response. Can you 13 please respond? No response. This is a full month, 14 Your Honor, of just ignoring us.</p> <p>15 And it resulted in us having to file this 16 motion. That's not the way this process should 17 work, Your Honor. We have to have the give and 18 take. So for the first time two months after we 19 have the meet and confer, in their opposition they 20 say these are blatantly overbroad; look at this one, 21 how ridiculous. Well, they had two months to talk 22 to us. We invited them to do that.</p>	<p style="text-align: right;">12</p> <p>1 Your Honor. We can work with them on these if they 2 let us. But if they just wait and make us file, 3 then that takes up the Court's time and a lot of our 4 time and we don't get the responsive documents.</p> <p>5 We ask that the Court order full 6 responsive documents by November 30. We also ask 7 the Court again for both of these to award 8 attorneys' fees and costs, although I have to say I 9 am not sure how effective that has been. I wish it 10 would start taking some effect so that we can get 11 these things resolved.</p> <p>12 There is one more issue that I want to 13 raise with my time, Your Honor, because I find it 14 very, very important. It was the Emergency Motion 15 to Quash yesterday in the calendar control. And I 16 would like to address it, because there was no court 17 reporter. It was an emergency motion.</p> <p>18 THE COURT: No, ma'am, we are not doing 19 this. You are not adding other motions that are not 20 on for today. You have tried to do this before, 21 Ms. Bredehoft, to basically capture a hearing. And 22 I am not going to tolerate it. You may finish your</p>

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<p style="text-align: right;">13</p> <p>1 time as to the matters actually docketed. Thank 2 you. 3 MS. BREDEHOFT: Thank you, Your Honor. I 4 will reserve the rest for rebuttal. 5 MR. CHEW: Good morning again, Your 6 Honor. Ben Chew for plaintiff. Your Honor, the 7 Court should deny Ms. Heard's motion in its 8 entirety. And we respectfully submit that Mr. Depp 9 should be awarded the costs of defending this 10 frivolous motion. I will be happy to proceed in the 11 order in which -- 12 THE COURT: Mr. Chew, your volume needs 13 to come up just a little bit, if you don't mind. 14 Thank you. 15 MR. CHEW: Yes, Your Honor. Apologies. 16 First, Your Honor, with respect to the tax 17 documents, as Your Honor may recall, on September 18 18 Your Honor ruled as followed, quote, The documents 19 which show the gross income should be produced. The 20 supporting documents are not to be produced. That's 21 the transcript of the September 18 proceeding at 22 page 35.</p>	<p style="text-align: right;">15</p> <p>1 Second category of documents relating to 2 the other litigation in which Mr. Depp has been 3 involved, as Your Honor has seen, these requests are 4 hopelessly broad and unduly burdensome. Even with 5 Ms. Bredehoff's reported limitations, she still 6 seeks all witness interactions, Mr. Depp's 7 explanations, Mr. Depp's perceptions, any and all 8 photographs, et cetera. 9 Having been involved in all of those 10 cases, Your Honor, I can say that none of those 11 cases has anything to do with Ms. Heard or alleged 12 abuse by Ms. Heard or any other woman, because the 13 only other woman in Mr. Depp's 57 years who ever 14 accused him of abuse was Ms. Heard. 15 The Bloom case involved Mr. Depp's former 16 lawyer, who illegally took 5 percent of his income 17 from a period between 1999 and April 2017. Judge 18 Green in Los Angeles declared that the alleged oral 19 contract was violative of Sections 6147 of the 20 California Business and Professional Code. As a 21 result of that ruling in this case, the firm of 22 Bloom, Hergott was disbanded because he had</p>
<p style="text-align: right;">14</p> <p>1 Mr. Depp timely produced all such 2 documents on September 30. Specifically, Your 3 Honor, Mr. Depp produced the Form 1120-S forms with 4 the federal statements from 2009 through the present 5 for each of Mr. Depp's three earn-out entries from 6 which he receives his salary. That's where he gets 7 all of his income from the three entities -- 8 Infinitum Nihil, LRD Productions, Inc., and 9 Scaramanga, Inc. These 1120-S forms report income 10 gains, losses, deductions, credits, et cetera, for 11 each entity covered by an election to be an S 12 corporation. We redacted only the company's 13 personal identifiers, such as the employer 14 identification number. 15 So, Your Honor, we complied with this 16 back on September 30. They show all of the gross 17 income. And Ms. Bredehoff is free to examine 18 Mr. White, whose company prepared those documents. 19 Mr. Depp -- quoting from his deposition, Mr. Depp is 20 not a tax accountant and was not intimately involved 21 in the production of documents by his manager and 22 accountant. So, Your Honor, that should be denied.</p>	<p style="text-align: right;">16</p> <p>1 perpetrated that scheme on several other people, 2 including Sylvester Stallone. That case involved 3 also one -- approximately one million documents. 4 Mr. Depp and Ms. Heard were only married 5 for 15 months during that 18-year period. The TMG 6 case involved Mr. Depp's former manager prior to Ed 7 White. He was -- Mr. Mandel was the manager from 8 1999 through March of 2016. He breached fiduciary 9 duties and misappropriated tens of millions of 10 dollars. Again, that case involved approximately 11 one million documents, most of which were designated 12 confidential by the defendant, which is the same -- 13 the same is true in the Bloom case. 14 The Rocky Brooks' case is a comically 15 frivolous case involving an incident more than a 16 year after the divorce. The bodyguard's case 17 involved an esoteric dispute as to whether the two 18 gentlemen employees were either employees or 19 independent contractors. So none of this had 20 anything to do with Ms. Heard or her alleged claims 21 of abuse. 22 The Court should deny the motion as to</p>

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<p style="text-align: right;">17</p> <p>1 that category of documents just as Judge Bowick in 2 California has twice denied Ms. Heard's motions to 3 seek documents from TMG. To the extent the Court is 4 inclined to grant any portion of Ms. Heard's motion 5 with respect to that category -- the other 6 litigation -- we would respectfully request that the 7 Court order Ms. Heard to pay Mr. Depp's counsel for 8 their time, which would be substantial, and for the 9 massive costs that would be entailed in reproducing 10 more than two million documents, none of which have 11 anything to do with this case or Ms. Heard and would 12 require Mr. Bloom's counsel and TMG's counsel again 13 to reflight the issues of confidentiality. 14 Finally, Your Honor, as to the last 15 category, these are categories of document requests 16 six through nine, Ms. Bredehoft is frankly mistaken. 17 There is no impasse as to these documents -- 18 document requests. But they are still, despite 19 Mr. Treece's effort, overly broad. I will go 20 through them very quickly. 21 Requests six and seven call for documents 22 sufficient to show the impact of the other</p>	<p style="text-align: right;">19</p> <p>1 Your Honor has already ordered Mr. Depp 2 to produce, and he has produced all documents 3 related to his damages claims. So that's already 4 been done. But this request is overly broad. We 5 are willing to work with them on six, seven, and 6 eight to narrow it to something that makes sense. 7 Finally, request number nine, which calls 8 for any and all insurance company regarding any film 9 that Mr. Depp has ever done or any other project in 10 which he has ever done. Again, Your Honor, this is 11 overly broad. We agree and have agreed to produce 12 any documents relating to any claims made against an 13 insurance company based on any conduct by Mr. Depp, 14 which we haven't found. But this request calls for 15 any and all insurance information regarding any film 16 or other project which is, again, Your Honor, 17 hopelessly overbroad. We would respectfully request 18 that the Court deny Ms. Heard's motion in its 19 entirety and award us the costs of having to defend 20 this. Thank you, Your Honor. 21 MS. BREDEHOFT: Is Your Honor ready for 22 me?</p>
<p style="text-align: right;">18</p> <p>1 litigation on Mr. Depp's career. So that's an 2 extremely vague and ambiguous request. There is no 3 file of documents which, you know, impact litigation 4 on Mr. Depp's career. We have agreed in principle 5 to produce documents, if any, that relate to the 6 impact of the litigation on his career. But it is a 7 very vague request. 8 Request number eight. Mr. Depp testified 9 last week that Disney never wrote or otherwise 10 informed him that it had cut him loose from the 11 Pirates of the Caribbean series only days after 12 Ms. Heard published her op-ed in the Washington 13 Post. Mr. Depp had to read about it in the 14 newspaper. 15 We agreed to produce documents relating 16 to career -- lost career opportunities from Disney, 17 if any. But this request is hopelessly, again, 18 overbroad. It calls for materials relating to any 19 complaints Disney may have had over the period, 20 decisions in timing as to the filming, career 21 decisions, anything related to other litigation, 22 financial compensation.</p>	<p style="text-align: right;">20</p> <p>1 THE COURT: Before you conclude, 2 Mr. Chew, would you address the income tax documents 3 for Mr. Depp's personal income tax returns? 4 MR. CHEW: Yes, Your Honor. All of 5 Mr. Depp's income is passed through the earn-out 6 entities. Those are the three entities -- Infinitum 7 Nihil, LRD Productions, Scaramanga, Inc. And that 8 is from Mr. White, who is both the agent and 9 accountant. So we produced on September 30 all the 10 documents that Your Honor ordered on September 18 11 and all the documents which show the gross income to 12 be produced. And we have done that. So those three 13 earn-out entities capture all of the income because 14 that's how he is paid. He is paid via salary. And, 15 again -- 16 THE COURT: What I think Ms. Bredehoft 17 is saying is that she has now discovered new 18 information, which at least in her mind, indicates 19 that his personal income tax records would show 20 different income from those of the other business 21 entities. 22 MR. CHEW: Your Honor, that's not my</p>

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6 (21 to 24)

<p style="text-align: right;">21</p> <p>1 understanding. But it is something we can go back 2 to Mr. White and ask him about. When we approached 3 him with these the first time, he advised us that 4 all of Mr. Depp's income flows through the earn-out 5 companies for whatever tax or other reason. To the 6 extent the Court orders supplemental production, 7 obviously we will do it, Your Honor. But we fully 8 complied with the Court's order. And that is our 9 good faith understanding that all of the income 10 flows through the earn-out entities. If that's 11 mistaken, we will certainly correct that. But there 12 is no hiding the ball at all. We have no reason to 13 believe that Mr. White, who is a highly respected 14 accountant in Los Angeles and has done a wonderful 15 job with Mr. -- you know, cleaning up to Mr. Depp 16 financial conditions, which was left to shambles by 17 Mr. Mandel, we have no reason to believe that that's 18 inaccurate. 19 THE COURT: All right. Ms. Bredehopt. 20 MS. BREDEHOFT: Your Honor, first of all, 21 Mr. White was a co-defendant with Mr. Depp in the 22 litigation with Mandel companies. So I think that</p>	<p style="text-align: right;">23</p> <p>1 over \$65 million claimed in these two loans in gross 2 income in those two years. And that's before 3 Pirates of the Caribbean. 4 THE COURT: Ms. Bredehopt, let me stop 5 you. I can see from the court reporter's face that 6 she is having the same difficulty I am in hearing 7 you. And I don't know what the problem is. But we 8 need to make sure we can hear you properly. And I 9 don't think that you are going to have an accurate 10 record, based on what you have just said. 11 MS. BREDEHOFT: And I'm sorry, Your 12 Honor. 13 THE COURT: I don't know where your 14 microphone is, but your head is going all over the 15 place. So it can't be pointing at the microphone 16 the entire time. I am pretty sure of that. 17 MS. BREDEHOFT: Let me try this. I see 18 that my face is in a different direction, and I 19 don't know why today. So if I speak here, can you 20 hear me better? 21 THE COURT: Madam Court Reporter, is that 22 better for you?</p>
<p style="text-align: right;">22</p> <p>1 there is not an ability to just rely on their word. 2 Second of all -- sorry about this tube flashing. I 3 don't know what's going on with my technology. But 4 Your Honor, I have the two -- I have 2013 and 2016 5 income tax returns for Mr. Depp. And these are very 6 different numbers. These are the tax returns that 7 were given to us for the three entities. They don't 8 match up at all. They appear to be hiding 9 significant income. 10 And asking Mr. White, Ms. Depp's business 11 manager, who is getting paid by him and has been a 12 co-defendant in the litigation, without being able 13 to have the actual documents to be able to 14 cross-examine and have an opportunity to look at 15 these is not right. And Your Honor ordered 16 Mr. Depp's tax return. Your Honor did not order 17 Mr. Depp's loan out companies. I think it's 18 disingenuous to say that they in good faith complied 19 with this. They did not in good faith comply with 20 this. And they didn't produce this. And if they 21 show the same numbers, then there is no problem, 22 Your Honor. But they don't. The truth is there is</p>	<p style="text-align: right;">24</p> <p>1 THE REPORTER: I will need a little bit 2 more. There's like an echo. I don't know if it's 3 because someone is not muted or not. 4 THE COURT: Well, I can mute myself. And 5 maybe that will help a little bit from one 6 standpoint. 7 MS. BREDEHOFT: My apologies, Your Honor. 8 All right. How is this? All right. So should I 9 repeat some of that, Your Honor? 10 THE COURT: (Your Honor nodding.) 11 MS. BREDEHOFT: Thank you. I appreciate 12 it. My point is that, Your Honor, the -- first of 13 all, Your Honor ordered Mr. Depp to produce his tax 14 returns. That was what was requested on number 14 15 of the request for production. And it was just to 16 show the gross income, which is the first page. And 17 I have two of his tax returns. And the numbers on 18 those do not match the 2013 and 2014 tax returns for 19 the three loan out companies that were produced. I 20 have been able to go in and match them up. They 21 don't match at all. And there is over 65 million in 22 gross income claimed on the personal income tax</p>

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<p style="text-align: right;">25</p> <p>1 returns. There is no -- Mr. White is the person, 2 who is his business manager being paid by Mr. Depp, 3 was also a defendant with Mr. Depp in the litigation 4 with the earlier business managers, was accused of 5 fraud, among other things. And so it is not 6 incumbent upon this court to just accept Mr. White's 7 word if he clearly has an interest here and a 8 potential bias. But how am I supposed to 9 cross-examine him on these to determine whether, in 10 fact, it is true that his loan out companies show 11 that amount. There is no way to do that without 12 having the ones that Your Honor ordered. I think it 13 is very, very clear they have violated this Court's 14 order. And these numbers that don't match up seem 15 to appear to show a significant hiding of income. 16 And at a minimum, the Court ordered him to produce 17 these with the gross income. And they were not 18 produced. 19 With respect to the Motion to Compel, 20 Your Honor, I didn't hear a response from Mr. Chew 21 to why they sat on these for two months and didn't 22 follow the rules that this court has laid out so</p>	<p style="text-align: right;">27</p> <p>1 damages that they are claiming in ours have anything 2 to do -- have not mentioned Ms. Heard, have nothing 3 to do with Ms. Heard, have nothing to do with the 4 claims and defenses in this case, have not used the 5 same witnesses to support Mr. Depp, say nothing 6 about the alcohol and drug abuse and the violence, 7 and the property destruction, then he can file 8 responsive pleadings that say there are no documents 9 responsive to these. But we have information that 10 they do. 11 The second part of that, Your Honor, is 12 Mr. Chew represented that the California court 13 denied our ability to get the pleadings from the 14 Mandel case in California. That's correct on the 15 basis that the Mandel company said it is much easier 16 for Mr. Depp to provide these documents. He has 17 them all electronically. He can just send them. 18 Why burden the third party in this case? That was 19 the basis for that. And the judge said you are 20 right. You can get them from Mr. Depp, which is why 21 we issued the request for production of documents to 22 Mr. Depp.</p>
<p style="text-align: right;">26</p> <p>1 that Your Honor doesn't have to have these motions 2 in front of him. It is clear we mapped them out. 3 It is clear we invited their response for more than 4 a month. They just ignored us and then came in 5 here. 6 Now, Mr. Chew's characterization, Your 7 Honor, of these four lawsuits is very different from 8 what my understanding is. And Mr. Chew also didn't 9 explain if it has nothing to do with Ms. Heard, why 10 Mr. Depp is on the Internet with a partial video 11 clip that we haven't even seen the full video clip 12 explaining how Ms. Heard allegedly cut off his 13 finger by hurdling a vodka bottle at him in 14 Australia. That's clearly super related to this 15 case. He defends in claims that he was sober and 16 that she was the crazy one and that she threw this. 17 And it is a very significant aspect of the three 18 days in Australia where after he cut off his finger, 19 he wrote all over the walls, lamp shades, and 20 mirrors. So there is a number of issues. 21 If Mr. Chew is correct, Your Honor, in 22 that none of those four litigations claim the same</p>	<p style="text-align: right;">28</p> <p>1 With respect to the issues of the six, 2 seven, and eight, Your Honor, as clear as day -- and 3 it is attached to our pleadings here. As clear as 4 day, they say plaintiff will produce non-privileged 5 documents, if any, that reflect any analysis 6 undertaken by plaintiff or his agents of the impact 7 on his career of the other litigation. The same 8 with respect to the next one, which is the UK. No 9 documents have been produced. No responsive 10 pleadings have been produced. 11 On number eight, it is Disney. Mr. Depp 12 didn't testify that there were no documents. He 13 said if people were communicating, it would have 14 been his agents and other people that would have 15 communicated with Disney. Mr. Depp claims that he 16 doesn't read newspapers. So he found this out from 17 his agents. I asked what action he took, then, to 18 see if this was correct, tried to mitigate his 19 damages, tried to do anything. And he didn't know. 20 At a minimum, Your Honor, if there are 21 truly absolutely no communications with Disney and 22 they are claiming that he didn't get Pirates of the</p>



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<p style="text-align: right;">29</p> <p>1 Caribbean 6 because of this op-ed, they need to have 2 a supplemental response that says there are no 3 responsive documents. I think that would be 4 critical. 5       On the insurance, we would be happy for 6 them to produce, you know, any claims made. And we 7 would have been happy to discuss that with them at 8 any time in the last two months. And with respect 9 to the first set, if there was any part of those in 10 the number one through five that they thought they 11 wanted to re-tailor even though those were the same 12 ones that we used in earlier meet and confers, we 13 would have been happy to do it. But by granting or 14 conceding what they are doing now, Your Honor, we 15 encourage this conduct to continue on. And we are 16 going to continue to have these motions because they 17 won't work with us. 18       I would ask Your Honor to grant the 19 Motion to Compel, grant the Motion for Sanctions, 20 and ask them to produce everything by November 30. 21 And I have a proposed order that I submitted to 22 Ms. Davis yesterday.</p>	<p style="text-align: right;">31</p> <p>1 apparently in the hope that they will negotiate 2 something better than what you might have gotten had 3 you sent a reasonable request in the first place. 4 So that's part of the reason that we have this on 5 the Friday docket, not simply because they are not 6 giving you everything that you ask for or they are 7 not negotiating in a fashion you wish for them to 8 negotiate with. So I hope I am clear on that. I am 9 sorry I have to say it. 10       You all will need to send me a new order 11 that reflects my ruling. And I will do a 1:13 on 12 the signatures if you don't have copies of them, 13 okay? 14       MS. BREDEHOFT: Thank you. 15       THE COURT: And that production, 16 Mr. Chew, I don't see for what you are going to 17 produce, you shouldn't have to take very much time 18 to that. So November 30. 19       MR. CHEW: We will do that, Your Honor. 20 We will push hard for that. Thank you, Your Honor. 21       THE COURT: All right. Thank you all. 22       MS. BREDEHOFT: Thank you, Your Honor.</p>
<p style="text-align: right;">30</p> <p>1       THE COURT: All right. Thank you all. 2 The objections to request for production one through 3 five are sustained. I find them to be overly broad, 4 burdensome. As to six and seven, they are sustained 5 on that grounds as well and additionally on the 6 grounds of vagueness. As to six and seven, the 7 request to produce the documents requested in 8 paragraph -- in number eight is granted. The 9 request as to paragraph number nine is denied. The 10 request with regards to the personal income tax 11 returns is granted as to the return pages, not all 12 the supplementary documents that are attached to 13 them. 14       And, Ms. Bredehoff, I am going to make a 15 comment to you. And maybe I shouldn't, but I am 16 going to, anyway. But you risk losing credibility 17 with the Court when you come before the Court and 18 accuse the other side of not following the rules. 19 Yet, you repeatedly have tried to add matters to the 20 argument docket that were not on the docket. That 21 would be a violation of the rules. 22       You also send vastly overbroad requests</p>	<p style="text-align: right;">32</p> <p>1       THE COURT: And this is concluded. 2       MR. CHEW: Thank you, Your Honor. 3       (At 11:05 a.m., the hearing was 4 concluded.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>

Transcript of Hearing  
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1 CERTIFICATE OF SHORTHAND REPORTER - E-NOTARY PUBLIC

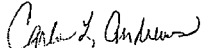
2

3 I, Carla L. Andrews, the officer before  
4 whom the foregoing proceedings were taken, do hereby  
5 certify that the foregoing transcript is a true and  
6 correct record of the proceedings; that said  
7 proceedings were taken by me stenographically and  
8 thereafter reduced to typewriting under my  
9 supervision; that review was not requested; and that  
10 I am neither counsel for, related to, nor employed  
11 by any of the parties to this case and have no  
12 interest, financial or otherwise, in its outcome.

13

14 IN WITNESS WHEREOF, I have hereunto set  
15 my hand and affixed my notarial seal this 23rd day  
16 of November, 2020.

17

18 

19 E-NOTARY PUBLIC IN AND FOR  
20 THE COMMONWEALTH OF VIRGINIA

21

22 My Commission Expires: April 30, 2023