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Transcript of Hearing

Date: December 18, 2020

Case: Depp, II -v- Heard

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V I R G I N I A:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

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JOHNNY C. DEPP, II, :

Plaintiff, :

v. : Case No. CL-2019-0002911

AMBER LAURA HEARD, :

Defendant. :

- - - - -x

HEARING

BEFORE THE HONORABLE BRUCE D. WHITE

Conducted Virtually

Friday, December 18, 2020

11:29 a.m. ET

Job No.: 342428

Pages: 1 - 32

Reported By: Victoria Lynn Wilson, RMR, CRR

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HEARING BEFORE THE HONORABLE BRUCE D. WHITE,
conducted virtually.

Pursuant to docketing, before Victoria Lynn
Wilson, Registered Merit Reporter, Certified
Realtime Reporter, E-Notary Public in and for the
Commonwealth of Virginia.

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A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF:

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P R O C E E D I N G S

THE COURT: Good morning to everybody.

(The court reporter was sworn.)

THE COURT: Thank you.

MR. CHEW: Thanks very much, your Honor.

Good morning, your Honor. May it please the Court. Ben Chew and Andrew Crawford for Plaintiff Johnny Depp.

As the Court is aware, we're here on Mr. Depp's motion to compel. First, the Court should grant the motion to compel as to request for production number 7 of the second RFPs which call for Ms. Heard's arrest records. This request is reasonably calculated to lead to the discovery of admissible evidence because they are crucial to key allegations in Mr. Depp's complaint, for example, paragraph 6, quote, "Ms. Heard knew the truth was that she violently abused Mr. Depp, just as she violently abused her prior domestic partner, which led to her arrest and booking for domestic violence, as well as a night in jail and a mug shot, unquote." See also paragraph 15 at

1 paragraphs 24 through 31.

2 Moreover, as your Honor is aware,
3 Ms. Heard has filed a counterclaim for defamation,
4 and when she successfully moved this Court for
5 Mr. Depp's arrest records, she wrote in her brief
6 on September 27th, 2020, quote, "In a defamation
7 case, prior acts that bear on a plaintiff's
8 character and modus operandi are relevant,"
9 unquote.

10 Whether these arrest records are
11 admissible is, obviously, a different issue, but
12 they certainly are discoverable, and we would ask
13 that those records be produced on or before the
14 January 4th, 2021.

15 Second, your Honor, the Court should
16 compel Ms. Heard to produce also by January 4th
17 all documents responsive to request 23 of
18 Mr. Depp's second RFPs and requests 50 and 51 of
19 his third RFPs. These requests call for all of
20 Ms. Heard's communications with The Sun tabloid.

21 Contrary to Ms. Heard's assertions, there
22 is no privilege between her and The Sun because

1 there is no and was no attorney-client
2 relationship.

3 Per the Eastern District of Virginia's
4 decision in *In Re Zetia*, the Common Interest
5 Doctrine, quote, "applies when two or more parties
6 consult or retain an attorney concerning a legal
7 matter in which they share a common interest,"
8 unquote. And even then, that doctrine protects
9 only those communications, quote, "which relate to
10 the giving or receiving of legal advice," unquote.

11 Here, there was no attorney-client
12 relationship between Ms. Heard and The Sun's
13 counsel, and no legal advice was provided to
14 Ms. Heard by The Sun's counsel. It was
15 Ms. Bredehoft who -- who attended the entire
16 London trial and who advised Ms. Heard during
17 those proceedings, not The Sun's counsel.

18 Further, your Honor, Ms. Heard had no
19 direct financial stake or liability in the London
20 case. The Fourth Circuit ruled in the *U.S. versus*
21 *Aramony*, 88 F.3rd 1391, "that mere concern about
22 negative publicity," which is what Ms. Heard may

1 have faced in London, "is not sufficient to
2 constitute a legal matter that might otherwise
3 qualify under the Common Interest Doctrine."
4 Therefore, your Honor, we would ask that those
5 documents be compelled and produced by
6 January 4th.

7 Third, your Honor, the Court should compel
8 responses to document requests 42, 43, and 52 of
9 Mr. Depp's third RFPs which call for defendant's
10 communications with third-parties, including
11 Ms. Heard's current girlfriend, Bianca Butti,
12 regarding the Depp-Heard relationship. Such
13 communications are reasonably calculated to lead
14 to the discovery of admissible evidence. We're
15 not asking for all the communications, just the
16 communications relating to the Heard-Depp
17 relationship.

18 Contrary to Ms. Heard's assertions, her
19 communications with Ms. Butti are not protected
20 from discovery by the marital privilege because
21 Ms. Heard and Ms. Butti are not and never have
22 been married. Section 8.01-398 of the Code of

1 Virginia states, quote, "A person has a privilege
2 to refuse to disclose," ellipsis, "any
3 confidential communications between his spouse and
4 him during their marriage," unquote.

5 (Indecipherable) disputed that there was
6 no marriage between Ms. Butti and Ms. Heard and,
7 therefore, Ms. Heard's communications with
8 Ms. Butti and other third-parties regarding the
9 Heard-Depp relationship are not privileged --
10 privileged or otherwise protected.

11 Fourth, your Honor, the Court should grant
12 Mr. Depp's motion to compel as to RFPs 44 through
13 47 of his third request for production which call
14 for documents relating to Ms. Heard's sworn
15 contention that, quote, "Money played no role in
16 her alleged allegations of abuse against
17 Mr. Depp," unquote.

18 Included among these materials that we
19 seek are any and all documents relating -- related
20 to Ms. Heard's oft repeated, utterly false claim
21 that she donated all \$7 million of the divorce
22 settlement with Mr. Depp to the Children's

1 Hospital of Los Angeles and the ACLU, and all
2 documents relating to the mysterious anonymous
3 donations of \$500,000 in 2017 and \$250,000 in
4 2018, quote, "in honor of Amber Heard," unquote,
5 and all communications between Ms. Heard and that
6 anonymous donor.

7 Your Honor has read Exhibits 4 through 7
8 are the myriad press reports where Ms. --
9 Ms. Heard boasted about giving all of the
10 \$7 million to those two charities. And in the
11 video we submitted yesterday, Ms. Heard stated to
12 a broad television audience in Europe, quote,
13 "\$7 million in total was donated to -- I split it
14 between the ACLU and the CHLA," ellipsis, "I
15 wanted nothing."

16 So Ms. Bredehoft is mistaken when she said
17 the other day at calendar control that Ms. Heard
18 had merely made a pledge that she intended to
19 honor in the future. That's a lie. She said she
20 had donated that money, and that's material. And
21 she said it under oath, your Honor. She committed
22 perjury in London when she said in her third

1 witness statement, dated February 26th, 2020,
2 submitted to the High Court of Justice in London
3 and on which Sir Justice Nicol relied in his
4 opinion, quote, "I remained financially
5 independent from him," meaning Mr. Depp, "for the
6 whole time we were together, and the entire amount
7 of my divorce settlement was donated to charity,"
8 unquote. That was her sworn testimony before the
9 Court.

10 Your Honor, after committing perjury,
11 Ms. Heard has, in the last several months, taken
12 Herculean steps to hide her perjury. She filed a
13 motion to quash our subpoena to the CHLA in Los
14 Angeles, which Judge Bowick denied, sanctioning
15 Ms. Heard and her counsel. And then she took a
16 writ of appeal to the Court of Appeals in
17 California, which the Court denied last Friday.
18 She's clearly trying to run out the clock and run
19 out -- run out the clock in London and run out the
20 clock here.

21 Because Mr. Depp's appeal is due on
22 Monday, December 21, three days from now, we

1 respectfully request that as to this request only,
2 Ms. Heard be ordered to produce all responsive
3 documents to RFPs 43 through 47, including what
4 I've described today, by no later than noon
5 Eastern Standard Time this Monday, December 21,
6 and/or to certify by sworn declaration by noon
7 Monday that she failed to honor her charitable
8 pledges to the CHLA or the ACLU.

9 She should not be rewarded for committing
10 perjury and engaging in -- in dilatory tactics
11 which spent -- Mr. Depp has spent thousands of
12 dollars chasing down the CHLA and the ACLU. And,
13 your Honor, she can put a stop to that or the
14 Court can put a stop to that by ordering her to do
15 the right thing by noon on Monday.

16 Fifth and finally, your Honor, plaintiff
17 requests that the Court order Ms. Heard to
18 supplement her responses to plaintiff's second set
19 of interrogatories, numbers 1, 7, 8, and 9, on or
20 before January 4th, 2021. There is no exigency
21 there, but as your Honor has seen, she merely
22 needs to identify the witnesses and contact

1 information, tell us under oath the romantic
2 partners for the past ten years, any separation
3 agreement she's had with those romantic partners,
4 male or female, and document information relating
5 to allegations of physical violence, abuse, and
6 destruction of property by her, as in the instance
7 where she was arrested for assaulting Tasya Van
8 Ree.

9 And, your Honor, I would respectfully
10 reserve a minute or two for rebuttal. Thank you,
11 your Honor.

12 THE COURT: All right. Thank you.

13 Mr. Rottenborn, go ahead.

14 MR. ROTTENBORN: Good morning, Judge
15 White. Ben Rottenborn here on behalf of Defendant
16 Amber Heard.

17 I'll take the issues in the same order
18 that Mr. Chew did.

19 With respect to the arrest record sought
20 in the second RFP number 7, your Honor, we
21 acknowledge that the scope of discovery in
22 Virginia is, of course, broader than the scope of

1 admissibility, but there is no scenario in which
2 arrest records are possibly admissible, only
3 convictions, and even then, only the fact of
4 convictions, not the underlying circumstances, in
5 most cases.

6 And in this case, the claim is whether or
7 not -- Mr. Depp's claim is whether or not Mr. Depp
8 abused Ms. Heard. So Ms. Heard's arrest records
9 have no relevance whatsoever to that,
10 notwithstanding the fact that Mr. Depp chose to
11 lard up his complaint with allegations of that
12 type.

13 The counterclaim that we've asserted is
14 about Mr. Depp's and his agent's statement that
15 Ms. Heard was a hoax artist or a perjurer or a
16 liar for telling the truth that she was abused and
17 then about those efforts to harm her through an
18 online smear campaign. So neither of the claim
19 nor the counterclaim have anything to do with
20 Ms. Heard's conduct or past arrests, and this is
21 just a -- Mr. Depp is attempting to turn this into
22 a side show.

1 And I want to be very clear because this
2 is kind of a theme through most of these today, is
3 that Mr. Depp and Ms. Heard are not similarly
4 situated here. And what they have tried to do is
5 turn some of our requests to them back on
6 Ms. Heard, some of the requests that your Honor
7 has denied motions on, and we understand that and
8 respect that, but they are not similarly situated
9 here. What's on trial here is Mr. Depp's conduct
10 toward Ms. Heard. So none of those things involve
11 whether Ms. Heard was ever arrested, not even
12 remotely.

13 The second category of information is --
14 that they seek are in second RFP 23, third RFP 50
15 and 51, are extremely overbroad requests relating
16 to every communication and document relating to
17 anything that Ms. Heard's side may have had with
18 The Sun or NGN, the Sun's parent company in
19 London.

20 And, first of all, your Honor, these
21 couldn't be broader. Not only do they encompass
22 lots of totally irrelevant things like travel

1 plans, communications regarding Ms. Heard's COVID
2 quarantine protocols when she was in London for
3 two weeks before the trial, logistics for her
4 testimony. All of those things are swept up in
5 these requests. But the communications do fall
6 squarely within the common interest privilege, any
7 of the substantive communications that they're
8 talking about, your Honor.

9 What they neglect -- this isn't about
10 Ms. Heard trying to protect herself from negative
11 publicity in London. Your Honor, Ms. Heard --
12 Mr. Depp chose to sue both The Sun, and its parent
13 company NGN, and Ms. Heard for the exact same
14 underlying facts, which is whether or not he
15 abused her.

16 Both of these cases have been pending at
17 the exact same time. Ms. Heard has been
18 represented by counsel. And both Ms. Heard and
19 The Sun and their counsel have a common interest
20 in assisting in the defense of these two cases
21 because there is an identity of the factual issues
22 here.

1 And as your Honor has seen, there's been
2 an imbalance of what's been produced in both cases
3 by Mr. Depp. And, so, communications between
4 Ms. Heard and The Sun, whether through counsel or
5 directly at the direction of counsel, which would
6 be underlying work product and/or underlying
7 attorney-client privilege, which, obviously, you
8 need one of those two things or another privilege
9 in order to then assert the common interests
10 privilege, but any of the substantive
11 communications are covered by those two things.

12 And, you know, again, Mr. Depp is focussed
13 on the fact that Ms. Heard was just a witness in
14 the U.K. case, but he cites no law, and we've been
15 able to find none, that says when there's two
16 cases that are based -- brought by the same person
17 based on the same underlying factual predicate,
18 that the common interest privilege somehow doesn't
19 apply.

20 With respect to the third category, your
21 Honor, these are communications -- the third RFP
22 42, 43, and 52, these are communications not only

1 with Ms. Heard -- between Ms. Heard and her
2 current girlfriend, Bianca Butti, but
3 communications -- the third RFP 43 says, "all
4 communications between you and any other person
5 that refer or relate to your relationship with
6 Mr. Depp," and then there's some "including,
7 without limitation" language.

8 Third RFP 52 says, "all communications
9 that refer, reflect, or relate to your
10 relationship with Mr. Depp."

11 As -- as they've argued numerous times in
12 response to requests of ours, some of which your
13 Honor has found to be overbroad, the relationship
14 covers a multi-year span. There's no time
15 limitation on here. There's no subject matter
16 limitation. It's, basically, saying, "Anything
17 that possibly relates to your relationship we need
18 over a multi-year time period," and that's just
19 precisely the type of overbroad request that the
20 Court has denied as recently as the November 20th
21 hearing on our motion to compel. They would
22 capture documents that have absolutely nothing to

1 do with this case, which is about whether or not
2 Mr. Depp abused Ms. Heard.

3 The next category of documents, your
4 Honor, relates to this pledge to donate money from
5 the divorce settlement to -- to two organizations.
6 You know, your Honor, this is -- your Honor's
7 already remarked that we're not relitigating the
8 divorce here.

9 What they're trying to do is to take out-
10 of-court statements that Ms. Heard has allegedly
11 made in these press articles that they attach as
12 exhibits and to test the veracity of those
13 statements in a case that revolves around whether
14 or not Mr. Depp abused Ms. Heard. And Mr. Depp
15 says he wants to test the truth of those
16 statements -- they're very bare in their
17 motivations here, your Honor -- but that is not
18 relevant.

19 Setting aside the fact that it's
20 commonplace to give multi-year gifts through
21 pledges, it's not even remotely relevant to try to
22 test the veracity of those statements that

1 Ms. Heard had -- had made in public that have
2 nothing to do with this case.

3 The Court's repeatedly remarked it does
4 not want this trial to be a side show, but that's
5 exactly what Mr. Depp wants to do here. He wants
6 to try to test the issue of whether these out-of-
7 court statements that do not form the basis of the
8 defamation claim are true or false, and that's
9 just far beyond the scope of this -- of this case.

10 This is a prime example of wanting to try
11 to bring in and retry this divorce on unrelated
12 issues. It's these allegations of what
13 Mr. Heard -- Mr. Depp says in his brief he wants
14 to contend. He wants to rebut these. They're
15 found nowhere in his complaint.

16 He's just simply trying to take discovery
17 on irrelevant and unrelated matters because he's
18 come up with this new theory that he wants to
19 impeach Ms. Heard's credibility by showing that
20 unrelated out-of-court statements were not true.

21 But in the exhibit that I submitted
22 yesterday, your Honor, which is CHLA document

1 number 2, Mr. Depp -- his own accountant sent
2 letters acknowledging that these gifts were to be
3 fulfilled over a multi-year period in installments
4 to honor the full amount Ms. Heard's pledged gift.
5 So they've know for years, by their own admission,
6 that this gift would be paid in installments,
7 which is the way that large donations are
8 typically made.

9 As I understand it, a significant portion
10 of those pledges have been fulfilled, and to the
11 extent they haven't been fully fulfilled, there's
12 a multi-year process through which Ms. Heard can
13 fulfill them, and she certainly intends to do
14 that, but when you're sued for defamation based on
15 an article that appears in the Washington Post,
16 Ms. Heard spent a significant amount of money on
17 this defense, and -- and what they're trying to do
18 is criticize Ms. Heard for giving a significant
19 amount to charity and pledging a significant
20 amount to charity, but taking a pledge that's
21 going to take some time to pay off, which she
22 certainly intends to do.

1 But this lawsuit, which Mr. Depp has
2 brought, should not be, you know, to the extent
3 that that has -- that that has impacted the speed
4 with which a pledge can be fulfilled, should not
5 be -- when Mr. Depp is the architect of that
6 inability to complete a pledge earlier and it's on
7 a totally unrelated issue, it should not be
8 compelled and certainly at all here, and which is
9 they're trying to make this about this side show
10 about what -- what was done with these pledges,
11 which is so far afield from this case, your Honor.

12 The last category of documents is these
13 interrogatories 7, 8, and 9, which is information
14 about witness -- or romantic partners and
15 agreements with romantic partners. Again, none of
16 these are relevant. The parties are differently
17 situated.

18 The fact that Ms. Heard has filed a
19 counterclaim for defamation against Mr. Depp has
20 nothing to do with Ms. Heard's conduct towards
21 Mr. Depp. It has to do with Mr. Depp calling her
22 a liar or saying that she was abused by him. So

1 not only has -- have Ms. Heard's discovery
2 response -- discovery requests been limited in
3 this regard, I mean they're seeking documents
4 going back 15 years here, your Honor, but the
5 parties are totally differently situated.

6 It's Mr. Depp's conduct that's at issue in
7 this case. It's not Ms. Heard's. And on that
8 basis, we ask that the Court deny all of these
9 requests.

10 And the last category, I believe
11 interrogatory 1 they sought for witness
12 information, and which my understanding is that
13 we've already supplemented that, so I'm not sure
14 if Mr. Chew mentioned that, but I don't believe
15 that that's -- I believe that issue is mooted.

16 So for all those reasons, your Honor, we'd
17 ask that the Court deny Mr. Depp's motion to
18 compel in its entirety. Thank you.

19 THE COURT: All right. Mister --

20 MR. CHEW: Thank you, your Honor. Very
21 briefly, your Honor, taking the points in order
22 again, Ms. Heard's violence is very much at issue

1 in the complaint, cited paragraphs 6, 15, 24
2 through 31.

3 Mr. Rottenborn -- Mr. Rottenborn overlooks
4 the fact that count two of Ms. Heard's
5 counterclaims are eight alleged statements --
6 allegedly defamatory statements, and he wrote --
7 or his counsel -- co-counsel wrote in a brief as
8 recently as September, quote, "In a defamation
9 case, prior acts that bear on a plaintiff's
10 character and modus operandi are relevant."

11 So what's -- clearly, your Honor, we're
12 entitled to that the same way they were entitled
13 to Mr. Depp's records.

14 With respect to the common interest
15 doctrine, clearly the legal criteria do not apply.
16 There's been no proffer that any legal advice was
17 proffered by The Sun's counsel to Ms. Heard, which
18 is a prerequisite under the In Re Zetia case. And
19 we do have authority, the U.S. versus Aramony
20 case, that said where there -- where, as here,
21 there was no potential liability for Ms. Heard in
22 London, that case has no legal impact on this case

1 at all.

2 As Mr. Rottenborn is aware, there was no
3 jeopardy at all for Ms. Heard in that case. It
4 was her own preference to do that. There's no
5 common interest doctrine applicable there.

6 And, finally, your Honor, I mean she
7 thought that the charitable donations was relevant
8 enough that she put it in her testimony in London.
9 Nobody put that in her testimony. She chose to
10 put in the testimony, quote, "I remained -- the
11 entire amount of my divorce settlement was donated
12 to charity."

13 That was a material lie that she chose was
14 material. The whole point -- the whole allegation
15 of abuse was an extortion attempt, a successful
16 one. And when she was asked about it, "Why would
17 you take money from an abuser," she had to make up
18 another lie to appeal to the Me Too movement, "Oh,
19 I didn't take money from the abuser."

20 Of course, that's how she got the money in
21 the first place, is making the false allegation of
22 abuse, so she had to make up another lie, which is

1 a problem with lying, and she had to say that, "I
2 gave it away to other victims like me,
3 \$7 million." That's a lie. And the Court in Los
4 Angeles, Judge Bowick, was incensed by that. I
5 think this case -- Court should be incensed by
6 that.

7 She can still make her argument that
8 she -- that somehow, "I donated to charity," you
9 know, didn't mean what it said. She's able to
10 make that argument, but she should be compelled to
11 produce those documents by noon Monday or just to
12 certify that she didn't do it, she didn't honor
13 her pledges. And, your Honor, that's only fair,
14 your Honor.

15 Thank you, your Honor.

16 THE COURT: All right. Thank you both.

17 With regards to the first category, second
18 request for production number 7 as to the arrest
19 records, that motion to compel is granted. I
20 understand that it may or may not be admissible.
21 Whether it leads to something or not is such that
22 it's appropriate that it be discovered.

1 Second category, that is second RFP number
2 23 and the third RFPs 50 and 51, the motion to
3 compel there is denied. I find that is overbroad.

4 And as to number three, the third RFP, I
5 think it's number 42, 43, and 52, that is also
6 overruled as being overbroad -- I'm sorry -- and
7 not compelled. Denied.

8 As to number four, which is RFP 44, 45,
9 46, and 47, I agree we're not going to relitigate
10 the divorce, but the issue of the \$7 million
11 donation or pledge or whatever it actually is, I
12 think that is now subject to discovery, so the
13 motion is granted as to that. It's denied as to
14 how she spent her money and those type of things,
15 but as to that specific donation, that's
16 compelled.

17 With regards to the fifth category, second
18 interrogatory number 1, 7, 8, and 9,
19 supplementation is required by the Rules of Court.
20 The Court doesn't generally set a date for that
21 supplementation because the Rules of Court compel
22 the parties to do it. So that's denied as to

1 setting a specific time.

2 With regards to the time for these things
3 to be compelled, Mr. Rottenborn, do you want to
4 address the time? I know that -- I don't think
5 you addressed that earlier.

6 MR. ROTTENBORN: Yes, your Honor. And
7 just so I understand, as I'm answering that,
8 interrogatories 1, 7, 8, and 9, you're -- you're
9 saying we have to supplement, but for all of them?
10 Is that -- or --

11 THE COURT: The Rules of Court require you
12 to supplement them, but you don't need a motion
13 for that to be the case. Everybody is required to
14 do that anyway, so I don't need to set a time on
15 that. But on the other hand, I --

16 MR. ROTTENBORN: So -- sorry.

17 THE COURT: -- respect -- I respect you're
18 not going to sit on information and, so, I'm sure
19 you'll follow the Rules of Professionalism as to
20 that.

21 MR. ROTTENBORN: Of course, your Honor. I
22 just wanted to make sure that 7, 8 and 9 -- I

1 think that our objections were that it was -- it
2 was --

3 THE COURT: Well, I guess the only one I
4 had a problem with is the separation agreements.
5 Allegations of abuse is fine. Those romantic
6 partners, that's -- identities are fine.
7 Separation agreements, it's hard for me to
8 understand how that comes in there. So I
9 appreciate your raising that. It doesn't apply to
10 the separation agreements.

11 MR. ROTTENBORN: Okay. Thank you, your
12 Honor. As to the time frame for -- for really the
13 first category that -- the arrest records and
14 the -- the second category, the charitable
15 donations, we certainly think that we should
16 get -- you know, I believe, in the past, you know,
17 Mr. Depp has taken 30 days or more to supplement
18 responses. I don't know -- I can't imagine that
19 there's a lot of documents, particularly with the
20 way that your Honor limited the -- the charitable
21 donations issue, but, you know, just given the
22 fact that we're coming up right on the holidays, I

1 don't know my client's schedule, we'll have to
2 confer with co-counsel, I would ask -- today is
3 December 18th -- you know, I would ask for at
4 least 30 days to produce documents that are being
5 compelled today in both categories.

6 THE COURT: Mr. Rottenborn, your client
7 has already apparently testified in England that
8 there was one arrest. That shouldn't take five
9 minutes' to figure that one out, I would guess.

10 As to the charitable matters and the 7
11 million, you all have been litigating that for a
12 long time. It's hard for me to understand how
13 that could take very long.

14 MR. ROTTENBORN: And it may -- it may well
15 not, your Honor. I just wanted to make sure that
16 I didn't prejudice my client by agreeing to
17 something that was far too short. We'll certainly
18 respect whatever time frame the Court orders.

19 I do think that asking at noon on a Friday
20 for us to submit something by Monday so that they
21 can use it in a case in England, I think that's
22 inappropriate. We'd ask for certainly more time,

1 at least until January 4th on that, like the first
2 one.

3 THE COURT: Okay. I agree with you. I
4 think that's artificial to try to accommodate
5 another court with a case pending here.
6 January 4th.

7 MR. ROTTENBORN: Thank you, your Honor.

8 THE COURT: All right. Can you all get an
9 order to me reflecting the Court's ruling, if you
10 don't mind.

11 MR. CHEW: Yes, your Honor. May I ask, as
12 we've done in the past, Ms. Wilson is an
13 outstanding reporter -- reporter, and I'm going to
14 ask her to please kindly expedite that. And may
15 we submit a proposed order to you Monday after
16 we've had the benefit of Ms. Wilson's transcript?

17 THE COURT: Sure. No problem.

18 MR. CHEW: Thank you, your Honor.

19 THE COURT: Thank you all. Hope everybody
20 stays safe.

21 MR. CHEW: Thank you.

22 MR. ROTTENBORN: Thank you, your Honor.

1 You, too.

2 (Off the record at 11:58 a.m. ET.)

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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
14 December 2020.

15 My commission expires May 31, 2023.

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20 VICTORIA LYNN WILSON
21 E-NOTARY PUBLIC IN AND FOR
22 THE COMMONWEALTH OF VIRGINIA