

1 of Johnny or Amber but an identical set of
2 conditions for the IME to be conducted.

3 But just -- just going off the proposed
4 order that -- that we've submitted today, number
5 one, let's not kid ourselves. This is not an
6 independent examination. This -- again, this will
7 be an examination by a paid expert on both sides.
8 So the first request would be that it does not be
9 permitted to be called an independent examination.

10 The second one is identical to what
11 Mr. Chew has -- has suggested which is the length,
12 the duration, the number of breaks. The third one
13 is the circumstances.

14 Now -- now, Dr. Hughes, our expert, has
15 confirmed that literally everyone has been doing
16 these things by Zoom; that there's very little to
17 nothing that's lost by doing these over Zoom. And
18 in particular we believe Zoom is appropriate for a
19 few reasons here.

20 Number one, Ms. Heard has a newborn baby
21 who is not and cannot be vaccinated. I understand
22 Mr. Chew's position that -- that the pandemic

1 THE COURT: All right. I -- I
2 understand that.

3 MR. ROTTENBORN: All right. Thank you.

4 THE COURT: All right. As far as
5 this -- the plaintiff's IME request in this motion
6 does fall within the scope of 4:10 because the
7 defendant has placed her mental condition in issue
8 here and as Dr. Hughes is also designated as an
9 expert alleging PTSD from the relationship with
10 the plaintiff and also alleging intimate
11 partnership -- partner violence as well. So it
12 does fall -- the IME does fall under 4:10.

13 An IME is an IME. I'm not changing the
14 name. It's a legal -- it's what it is known as.
15 So it is an IME. So that's what it stays known
16 as.

17 As far as the particulars of the IME,
18 I'm -- I'm not going to authorize it over Zoom. I
19 do believe it -- it should be in person. And it
20 should be -- let's put it in Dr. Curry's office
21 and whatever dates in December that both parties
22 agree to. Nobody is going to observe the