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Transcript of Hearing

Date: February 9, 2022
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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Transcript of Hearing
February 9, 2022

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT FOR FAIRFAX COUNTY 3 -----x 4 JOHNNY C. DEPP, II, 5 Plaintiff, 6 v. Case No. CL2019-0002911 7 AMBER LAURA HEARD, 8 Defendant. 9 -----x 10 11 HEARING 12 Before the HONORABLE PENNEY S. AZCARATE, Judge 13 Fairfax, Virginia 14 Wednesday, February 9, 2022 15 11:15 a.m. EST 16 17 18 19 20 Job No.: 432113 21 Pages: 1 - 57 22 Transcribed by: Bobbi J. Fisher, RPR</p>	<p>1 APPEARANCES 2 ON BEHALF OF THE PLAINTIFF, MR. DEPP: 3 BENJAMIN G. CHEW, ESQ. 4 BROWN RUDNICK, LLP 5 601 Thirteenth Street, NW, Suite 600 6 Washington, DC 20005 7 (202) 536-1700 8 9 ON BEHALF OF THE DEFENDANT, MS. HEARD: 10 ELAINE BREDEHOFT, ESQUIRE 11 ADAM S. NADELHAFT, ESQUIRE 12 CHARLSON BREDEHOFT COHEN & BROWN, PC 13 11260 Roger Bacon Drive, Suite 201 14 Reston, VA 20190 15 (703) 318-6800 16 17 18 19 20 21 22</p>
<p>1 Hearing held at: 2 3 Fairfax County Circuit Court 4 4110 Chain Bridge Road 5 Fairfax, Virginia 22030 6 7 8 Pursuant to Docketing, before Diamante Parrish, 9 Digital Court Reporter and Notary Public in the 10 Commonwealth of Virginia. 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 INDEX 2 PAGE 3 Hearing 5 4 5 6 EXHIBITS 7 (None.) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>

Transcript of Hearing
February 9, 2022

2 (5 to 8)

5	7
1 PROCEEDINGS	1 the jury. Okay? So that would be any motion in
2 (The court reporter was duly sworn.)	2 limines you have, any issues with the depositions
3 THE COURT: All right. Good morning,	3 that we need to do with objections --
4 everybody.	4 MS. BREDEHOFT: And, Your Honor, Mr. Chew
5 MS. BREDEHOFT: Good morning, Your Honor.	5 and I talked about that a little bit coming into
6 MR. CHEW: Good morning, Your Honor.	6 this.
7 THE COURT: Good morning. I have a few	7 THE COURT: Okay.
8 items to go over that I'd like to tackle first, if	8 MS. BREDEHOFT: Because we also have a
9 that's okay for the majority of them.	9 proposed briefing schedule for the motions in
10 One of the items I have, though, is going	10 limine that we're in agreement on --
11 to be dealing with security measures. I'm going to	11 THE COURT: Perfect.
12 kick that to the last because I plan to seal the	12 MS. BREDEHOFT: -- in most part.
13 hearing at that time -- plan to have a closed	13 I went back and counted how many
14 hearing to talk about security measures. Okay?	14 deposition designations we will have.
15 MS. BREDEHOFT: Absolutely.	15 THE COURT: Okay.
16 THE COURT: All right. So that's the	16 MS. BREDEHOFT: There are 36.
17 last thing I'm going to talk about.	17 THE COURT: 36 deposition --
18 The first thing I want to discuss is the	18 MS. BREDEHOFT: I don't know how many
19 summary judgment motion. We have set it for March	19 Mr. Chew will have, but I'm guessing we will be in
20 25th. And I have to apologize; I didn't realize --	20 the neighborhood of over 50. And so our thought
21 and I had forgotten that I'm speaking at the VTLA	21 process was, the Court would probably want to hear
22 conference, which happens to be March 25th. So I	22 the motions in limine first because that might take
6	8
1 need to change that date. I can do the 24th, if	1 care of a chunk of objections from the deposition
2 that works for your calendars.	2 designations.
3 MR. CHEW: That would be fine with us,	3 THE COURT: Okay.
4 Your Honor.	4 MS. BREDEHOFT: But we are worried that
5 THE COURT: Okay. I can either do it in	5 we're going to go past two days with that many -- I
6 the morning or the afternoon. It's your pick,	6 have never had anything close to that many
7 because that was my mistake.	7 deposition designations.
8 MS. BREDEHOFT: Could we do the morning	8 THE COURT: I don't think any of us have.
9 on the 24th?	9 MS. BREDEHOFT: I mean, maybe four
10 THE COURT: Yes. We can do the morning	10 sometime in my life, you know, but -- so I do think
11 on the 24th. That is fine. And I do apologize for	11 it will take a lot of time, and so we thought, if
12 that. I forgot to pull that in my calendar. Okay.	12 the Court, you know --
13 So we'll do March 24th at 10 a.m. for the summary	13 THE COURT: Would you want to do motions
14 judgment motion. Okay?	14 in limine maybe --
15 MR. CHEW: Thank you.	15 MS. BREDEHOFT: Maybe add another day.
16 THE COURT: All right. That's fine.	16 THE COURT: Okay. Well, could we do
17 That was an easy one.	17 motion in limines the same day we do summary
18 Now, I want to discuss the things that we	18 judgment, or you only have the morning of that day
19 are going to do in March. We have those two days	19 available on the 24th?
20 in March, so I do intend, on those days, to try to	20 MS. BREDEHOFT: Well, actually, here's
21 take care of most every issue that we have so, when	21 the issue with that, Your Honor.
22 the jury comes in on April 11th, we are ready for	22 THE COURT: Okay.

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9	1 MS. BREDEHOFT: The schedule -- the 2 briefing schedule that we -- 3 THE COURT: Okay. 4 MS. BREDEHOFT: -- had talked about for 5 motions in limine wouldn't quite allow Your Honor 6 enough time on that. 7 THE COURT: All right. Let's go to our 8 calendars, then, and see if we can get another day. 9 Do you -- do you -- would you want to do it before 10 the other two days we had set or after the other 11 two days we set? 12 MS. BREDEHOFT: Either is fine, Your 13 Honor, because we would be here. I mean, we could 14 do, for example, the 28th. But here was our 15 thinking on the motions in limine. Since we 16 exchange exhibits and witness lists on March 14 and 17 frequently motions in limine will arise out of that 18 when somebody comes up with a witness -- 19 THE COURT: Okay. 20 MS. BREDEHOFT: -- and comes up with 21 exhibits, so we thought our opening briefs would be 22 due March 17 to give us a few days to digest, and	11	1 distinguished law clerk told us that you were 2 hearing motions that morning on Friday. 3 THE COURT: We have civil motions. 4 MR. CHEW: Civil motions. 5 THE COURT: Right. Well, I could get 6 those -- we can make it a full day and just make 7 it -- yeah, that's fine. We can split those up. 8 MS. BREDEHOFT: Thank you, Your Honor. 9 THE COURT: We'll work that out. 10 MS. BREDEHOFT: We appreciate that. 11 THE COURT: Okay. So we'll do the 30th, 12 31st, and the 1st. 13 And so, by the end of the 1st, it's 14 hopeful we'll all -- it's hopeful that we'll be 15 ready for the jurors on the 11th; correct? 16 MS. BREDEHOFT: Exactly. We have already 17 spoken -- we both have used Planet Depos, and we're 18 going to be using Planet Depos for trial. We have 19 already given them a heads-up that they will then 20 need to be splicing all these video depositions. 21 The nice thing about that is we're going to have a 22 lot of video, you know, deposition testimony at
10	1 then opposition briefs due March 25, a week later. 2 THE COURT: Okay. 3 MS. BREDEHOFT: And then we wouldn't do 4 rebuttals. We do need to talk to Your Honor about 5 page limitations with that, because I think we both 6 anticipate a lot of motions in limine. 7 THE COURT: Okay. 8 MS. BREDEHOFT: So, then, whatever the 9 Court would need, if we filed our second briefs on 10 the 25th for the hearing. 11 THE COURT: Okay. And the days we 12 already have set are the 30th and 31st; correct? 13 MS. BREDEHOFT: Correct. 14 THE COURT: Okay. It's not giving us 15 much time. If we added Friday the 1st, would 16 that -- 17 MS. BREDEHOFT: That would work for us, 18 Your Honor. 19 MR. CHEW: That would work for us as 20 well, Your Honor. 21 THE COURT: Okay. 22 MR. CHEW: I believe that your	12	1 trial that will already be uninterrupted -- 2 THE COURT: Right. 3 MS. BREDEHOFT: -- because Your Honor 4 will have ruled on everything, and then we'll 5 splice it all to cover that. 6 THE COURT: Okay. All right. 7 MS. BREDEHOFT: So that will be a chunk 8 of the trial. 9 THE COURT: Okay. I understand that. 10 That works out fine. 11 MS. BREDEHOFT: Yes. 12 THE COURT: And if there's any 13 depositions or parts of depositions that you want 14 me to see prior to that, just make sure you get it 15 to my law clerk so I can review anything. If that 16 will speed up processes on the 1st or on those 17 days, let me know. 18 MS. BREDEHOFT: What we were thinking of 19 there, Your Honor -- and we also have a logistical 20 part that we need to amend from the scheduling 21 order. 22 THE COURT: Sure.

<p style="text-align: right;">13</p> <p>1 MS. BREDEHOFT: What we're thinking of 2 doing is we exchange -- we built into the last 3 scheduling order exchanging our deposition 4 designations and then our oppositions to them and 5 our rebuttals and objections. And our thinking 6 process was we would submit to Your Honor the whole 7 color-coded -- for those of us who -- so for the 8 ones we have designated, they would be completely 9 color-coded, who is designated, who is cross, who 10 is rebuttal, and then a little key in there for the 11 objections. That's what I found, in the past, is 12 very helpful to be able to just get through those a 13 lot faster.</p> <p>14 THE COURT: Okay.</p> <p>15 MS. BREDEHOFT: And if Mr. Chew wants to 16 do that for the ones they designate, I think that 17 would make Your Honor's life much easier. And then 18 we would get them to you as quickly as possible.</p> <p>19 THE COURT: Right. Anything I can review 20 ahead of those three days, I would appreciate.</p> <p>21 MS. BREDEHOFT: And then the other -- and 22 I think the last of the rebuttals, Your Honor --</p>	<p style="text-align: right;">15</p> <p>1 MS. BREDEHOFT: And then -- the issue 2 then there, because we are exchanging our 3 deposition designations on March 9, so anything 4 that's really taken that last week, March 7 through 5 the 11, we would have to bump out, but my 6 suggestion to that is that we produce those -- any 7 of those in that week, we have to get them 8 expedited, obviously, but we do the designations, 9 my suggestion was, by the 15th, and then we just 10 catch up and still do the oppositions by the 18th 11 and the rebuttal. It's just, for that week, we'd 12 have to expedite those a little bit faster, but it 13 would still keep the schedule so Your Honor would 14 get everything by the 23rd when we complete.</p> <p>15 Would that work for you?</p> <p>16 MR. CHEW: Yes. If I may explain to the 17 judge --</p> <p>18 MS. BREDEHOFT: Sure. Oh, oh, oh, okay.</p> <p>19 MR. CHEW: Thank you. I will happily 20 yield back to Ms. Bredehoff --</p> <p>21 THE COURT: Okay.</p> <p>22 MR. CHEW: -- but, first, I wanted to</p>
<p style="text-align: right;">14</p> <p>1 rebuttal designations is that -- it's the 23rd, 2 which would give Your Honor some time to be able to 3 see them, and we can just get them in to the Court.</p> <p>4 THE COURT: All right.</p> <p>5 MS. BREDEHOFT: We have one logistical 6 issue on the scheduling order related to that, and 7 that is that our scheduling order right now says 8 that the live testimony -- depositions in lieu of 9 live testimony will be permitted until February 25, 10 2022. The problem is, we still have a lot of 11 depositions to take, and a number of them are now 12 later into February and earlier in March.</p> <p>13 Mr. Chew and I discussed that, and we 14 were going to suggest that we're able -- we were 15 going to request that we could amend that to be 16 able to -- and I think -- Mr. Chew, correct me if 17 I'm wrong -- you wanted to allow them all the way 18 through the discovery cut-off of March 11; correct?</p> <p>19 MR. CHEW: That's correct.</p> <p>20 THE COURT: If you're in agreement to 21 March 11th, then I have no objection to amending 22 it.</p>	<p style="text-align: right;">16</p> <p>1 introduce --</p> <p>2 THE COURT: Sure, please do.</p> <p>3 MR. CHEW: -- our team, some of whom are 4 known to you. You have met Jessica Meyers and 5 Camille Vasquez --</p> <p>6 THE COURT: Yes.</p> <p>7 MR. CHEW: -- who were here at the res 8 judicata hearing; my partner, Leo Presiado from our 9 Orange County office --</p> <p>10 MR. PRESIADO: Glad to be here.</p> <p>11 THE COURT: Thank you, sir.</p> <p>12 MR. CHEW: Andrew Crawford, you know; 13 Virginia lawyer.</p> <p>14 THE COURT: Great.</p> <p>15 MR. CHEW: And Sam Moniz from our Orange 16 County office.</p> <p>17 THE COURT: Okay.</p> <p>18 MR. CHEW: They wanted to be here since 19 they will be here at trial.</p> <p>20 THE COURT: Okay.</p> <p>21 MR. CHEW: Also, very briefly, just to 22 close the loop, I silently agree with most of what</p>

17	19
<p>1 Ms. Bredehopt said. With respect to the motions in 2 limine, we had not resolved -- we had agreed on the 3 schedule Your Honor has graciously adopted for 4 that. There was not a closing of the loop on the 5 page limits. We had originally talked about trying 6 to have a page limit. 7 And it is our view, though, most of these 8 motions in limine can be dealt with in one or two 9 pages. 10 THE COURT: Okay. 11 MR. CHEW: There are a couple which we 12 believe may require as many as five pages. So our 13 thinking was to have a hard limit of five -- 14 THE COURT: A max of five pages. 15 MR. CHEW: -- pages for the opening 16 briefs and the opposition, with the understanding 17 that we're going to try to do better than that, you 18 know, shorter. 19 THE COURT: Any objection to that? 20 MS. BREDEHOFT: I think Your Honor, just 21 so Your Honor understands, he's suggesting that for 22 each and every motion in limine.</p>	<p>1 as you can, that would be great. 2 MS. BREDEHOFT: Okay. Then I think we're 3 in agreement with that. That's fine. 4 THE COURT: All right. 5 MR. CHEW: And just for -- thank you, 6 Your Honor. Very briefly with respect -- and we 7 thank you for allotting us an extra day on April 8 1st. We would respectfully also, per Rule 1:19, 9 ask that a final pretrial conference be folded into 10 that, not that we have a big agenda -- we don't -- 11 but there may be that catch-all category in a 12 rule -- 13 THE COURT: That's fine. 14 MR. CHEW: Thank you, Your Honor. 15 THE COURT: We can definitely put that in 16 there and make sure we're all clear. 17 MS. BREDEHOFT: Yeah, I think most we are 18 accomplishing here, Your Honor. 19 THE COURT: I hope so. 20 MS. BREDEHOFT: But I don't have any 21 issue with, at the end of those three days, if 22 there's other things to bring them -- I think</p>
18	20
<p>1 THE COURT: I understand. That's kind of 2 might be what we have to do. I don't know. 3 MS. BREDEHOFT: And I'm fine -- if Your 4 Honor is fine with that. We were proposing two 5 pages, and for -- you know, up to two or three 6 five-pages. 7 THE COURT: I would hope five pages would 8 be the exception and not the rule. That's what I 9 would ask. 10 MS. BREDEHOFT: Yes. And I think we both 11 feel that way and understand. 12 THE COURT: All right. 13 MS. BREDEHOFT: Now, logistically, would 14 Your Honor prefer -- and we talked about this as 15 well -- would Your Honor prefer that we file each 16 motion in limine separately or we just do it 17 together but we just adhere to the two pages? 18 THE COURT: Yeah, if you could just do it 19 together, that would be fantastic. 20 MS. BREDEHOFT: Okay. 21 THE COURT: As much as you can. I know 22 there might be strays that come along, but as much</p>	<p>1 that's a great idea. 2 THE COURT: Okay. 3 MS. BREDEHOFT: So that's no problem with 4 me. 5 THE COURT: All right. 6 MS. BREDEHOFT: With respect to the 7 expert witnesses, Your Honor, we had talked -- 8 we're going to be taking those depositions by Zoom. 9 We have them all over the country, basically. And 10 we had talked about a maximum amount of time for 11 the depositions, and Mr. Chew -- I suggested five; 12 Mr. Chew said seven. I don't have an objection to 13 seven for those. 14 And then we wanted to be able to take 15 those depositions through March 23rd, if Your Honor 16 doesn't have any objection. We both agree to that. 17 THE COURT: Okay. 18 MS. BREDEHOFT: So that takes us 12 days 19 past the discovery cutoff. 20 THE COURT: That's fine. As long as 21 you're in agreement to it, I don't have an issue. 22 MS. BREDEHOFT: Okay. Great. Thank you.</p>

Transcript of Hearing
February 9, 2022

6 (21 to 24)

<p style="text-align: right;">21</p> <p>1 And then -- I'm trying to find the other 2 ones that are not going to be the logistics, 3 because that's -- the attorney's fees is the last 4 issue, I think, that we addressed in the scheduling 5 order that would be covered today. 6 We don't have complete agreement on that. 7 THE COURT: Did you want to -- 8 bifurcating? Is that what you're talking about? 9 MS. BREDEHOFT: Well, Judge White already 10 bifurcated the attorney's fees. 11 THE COURT: Oh, okay. All right. There 12 you go. 13 MS. BREDEHOFT: He said they would not be 14 part of the regular trial. 15 THE COURT: Okay. 16 MS. BREDEHOFT: He already said we 17 wouldn't have to do the experts with that. 18 THE COURT: Perfect. 19 MS. BREDEHOFT: And then what we did was 20 he put into our scheduling order that we would 21 address the procedures with Your Honor at this 22 pretrial conference.</p>	<p style="text-align: right;">23</p> <p>1 days. We're asking for that on August 15 and 16. 2 At this point, we would like to request 3 the jury, because it's a lot easier for the Court 4 to schedule that now, but we would like the ability 5 to -- and I think Mr. Chew might be in agreement 6 with this part -- the ability to waive the jury and 7 allow the Court to make that determination and be 8 able to waive the evidentiary, but I think, at this 9 point, we feel like it would be prudent to schedule 10 it. 11 THE COURT: That's -- 12 MS. BREDEHOFT: Where we differ is 13 Mr. Chew doesn't think we have the ability to have 14 a jury trial, and I disagree with that. 15 And the second thing is -- and I don't 16 know whether he's on my dates yet or not. We had 17 gone back and forth on those. 18 THE COURT: Okay. Let me get the dates. 19 August 15th -- you can just print out the dates. 20 Well, what we can do is -- I mean, we can 21 have motions on whether or not it's a jury after we 22 find out if it is even an issue at that point. I</p>
<p style="text-align: right;">22</p> <p>1 THE COURT: Okay. All right. 2 MS. BREDEHOFT: The attorney's fees 3 issue, Judge White had already made determinations 4 on the anti-SLAPP for the first part. He 5 determined that -- that Ms. Heard's op-ed was of 6 public concern. He determined that the statements 7 that were made in the counterclaim are not. 8 And so the issue of attorney's fees would 9 only be applicable if Ms. Heard is successful, and 10 then we would be putting it on pursuant to 11 anti-SLAPP. So it would be our issue. 12 At this time, we would still like to 13 reserve the ability to have a jury trial on that. 14 The parties are in agreement on the timing of 15 submitting the expert designations. I think we are 16 suggesting June 13 for our expert designation. 17 THE COURT: Okay. 18 MS. BREDEHOFT: Their opposition 19 designation, July 22. Any rebuttal designation, 20 August 2. 21 We are asking for the evidentiary 22 hearing. We don't think it would be more than two</p>	<p style="text-align: right;">24</p> <p>1 can -- just to save the space, though, now, I can 2 set it for a jury. 3 MS. BREDEHOFT: That's what I was hoping. 4 THE COURT: Obviously, with reservations 5 to -- 6 MR. CHEW: Thank you, Your Honor. And I 7 know that Ms. Bredehoft meant to include this, but 8 in addition to her defendant's submitting the 9 expert disclosures on June 13th, she would also be 10 submitting all of the documents supporting -- 11 THE COURT: That they relied upon. 12 MS. BREDEHOFT: The evidentiary 13 information, yes. 14 THE COURT: Okay. 15 MS. BREDEHOFT: You know, appropriately 16 redacted, but yes. 17 MR. CHEW: And we're fine with the 18 timetable, Your Honor, but just, our view of the 19 world would be -- and, obviously, this is a 20 question for another day -- but our view of the 21 world would be that Your Honor would have the 22 hearing, and the only testimony would be the two</p>

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Transcript of Hearing
February 9, 2022

<p style="text-align: right;">25</p> <p>1 sides' respective experts, which might even be able 2 to be done by declaration. But we do not believe a 3 jury trial would be either necessary or appropriate 4 under these circumstances. 5 THE COURT: All right. I will note the 6 reservation for the record, and we will note the 7 objection for the record. We will definitely 8 address that at a later date prior to this trial if 9 we need to. 10 What I'm going to go ahead -- August 15th 11 is available at the moment. That's a good date for 12 you as well, Mr. Chew; is that correct? For two 13 days? 14 MR. CHEW: Yes, Your Honor. 15 THE COURT: August 15th? Okay. 16 So I'm going to go ahead and do a 17 calendar control form for August 15th for two days 18 with a jury at this point, just so we have the 19 place marker there, if needed. 20 MS. BREDEHOFT: And the last thing, Your 21 Honor, I have other than logistics, is the -- on 22 the expert depositions, I neglected to say we have</p>	<p style="text-align: right;">27</p> <p>1 So I just -- if we have a -- I know it's 2 an approximation, but kind of a realistic idea of 3 how long you think -- 4 MS. BREDEHOFT: Your Honor, I'm glad Your 5 Honor brought that up. I think, you know, given a 6 number of depositions, plus we have the 7 audio-visual, plus we have the parties who both 8 were four days on, you know, in testimony in the UK 9 even -- and I imagine they would be at least that 10 here -- I think, realistically six weeks may be a 11 better way for us to prepare and anticipate. I 12 don't know if Mr. Chew agrees with me. We didn't 13 discuss that. 14 THE COURT: So when you say six weeks -- 15 so we're talking Monday through Thursday. 16 MS. BREDEHOFT: Right. That was part of 17 my factoring is the Monday through Thursday. 18 THE COURT: Right. Because we won't 19 have -- we wouldn't be in trial on Fridays, so it's 20 four days a week. So I just want to make sure 21 realistically -- because now is the time that we're 22 summoning jurors. Okay? Now is the time. And I</p>
<p style="text-align: right;">26</p> <p>1 agreed that each side will pay for the other expert 2 during the time of taking the deposition. So we 3 have made that agreement so we don't have an issue 4 later on that. 5 THE COURT: All right. Okay. So -- 6 MS. BREDEHOFT: Then the rest of mine is 7 all logistics. 8 THE COURT: All right. So that takes 9 care of everything for the March 30th through the 10 1st hearing; correct? We have got that taken care 11 of? All right. 12 Well, before we get to logistics, another 13 issue I have is jurors. Time frame: Are we still 14 looking at four full weeks of -- now, I want to 15 make sure we understand, especially since this is a 16 long trial; we probably won't be starting until 17 9:00 or 10:00 in the morning every day. We're 18 usually going to cut it off by 5:00 because these 19 people have lives they have to live, and since it's 20 long -- so keep that in mind that that's the type 21 of day, which means you only usually get about five 22 and a half to six hours of testimony a day.</p>	<p style="text-align: right;">28</p> <p>1 have got Suzanne here who is the chief deputy clerk 2 of the court -- but now is when we want to start 3 thinking about these things so I can make sure we 4 have an appropriate pool of jurors. 5 MS. BREDEHOFT: I think that's just 6 realistic, just counting the witnesses. There's so 7 many in this case, Your Honor. 8 THE COURT: And I'd rather be on the side 9 of caution. 10 MR. CHEW: We don't disagree with that, 11 Your Honor. 12 THE COURT: Okay. So you're saying, when 13 we start on -- okay. So if we're starting on April 14 11th, we're looking at -- through the week of April 15 11th, 18, 25th, 2nd, the 9th through -- now, 16 there's a judicial conference I think the week of 17 May 9th. 18 Is that correct; Suzanne? 19 THE CLERK: Yes. 20 THE COURT: All right. So the week of 21 May 9th is basically out. Okay? So then you're 22 looking at May 16th and May 23rd. So we're talking</p>

<p style="text-align: right;">29</p> <p>1 all the way up to Memorial Day is basically what 2 we're looking at. Is that correct? 3 MS. BREDEHOFT: So we would be taking a 4 break, Your Honor, during the week of May 9; is 5 that correct? 6 THE COURT: It's the judicial conference, 7 so... 8 MS. BREDEHOFT: Okay. 9 THE COURT: They kind of make me be 10 there. I have to go there, so... 11 MS. BREDEHOFT: I think that's a fair 12 request. 13 THE COURT: Exactly. I think, you know, 14 yes -- so I think it's -- that would probably be a 15 good break for the jurors by that point, actually, 16 also, so... 17 MS. BREDEHOFT: I don't disagree. 18 THE COURT: So we'll just schedule it 19 through the week before Memorial Day then. So 20 through the 26th, 27th. Once they're deliberating, 21 we can go on Friday so that's fine. Okay. I just 22 wanted to get a feel for that.</p>	<p style="text-align: right;">31</p> <p>1 list how many jurors we would likely see on the 2 alternates. 3 THE COURT: Well, that's how many -- 4 first I'd like to know how many alternates do you 5 believe for seven weeks that we should have. I'm 6 hoping there's knocking on wood that we're not 7 wearing masks by April. As long as there's not 8 another variant, we are on the track, hopefully to, 9 if you're vaccinated, to be out of masks hopefully 10 by March. So we're on a good track for that. It's 11 flat-lined in Fairfax so that is a good -- that's 12 what we're hoping, so we're not in masks. We might 13 still have some social distancing barriers up and 14 things like that, so... 15 But I wanted to know how many alternates 16 you would want, and then we can go from there. 17 MR. CHEW: We were thinking at least two. 18 THE COURT: Two? 19 MS. BREDEHOFT: I was thinking four. 20 THE COURT: You were thinking four. 21 MS. BREDEHOFT: For that first six weeks, 22 I think.</p>
<p style="text-align: right;">30</p> <p>1 MR. CHEW: Your Honor? 2 THE COURT: Yes, sir. 3 MR. CHEW: Oh, apology -- I apologize for 4 interrupting. So Your Honor will be out from May 5 9th through May 13th? 6 THE COURT: I do believe that's when the 7 judicial conference is. Let me make sure. Yes. 8 The mandatory judicial conference is May 9th 9 through the 12th. 10 MR. CHEW: So we would resume on Monday 11 the 16th? 12 THE COURT: Monday the 16th, correct. 13 Originally, this was a four-week trial, so we 14 wouldn't have had that concern, but now that we're 15 going six weeks, we have to add that in there. 16 MR. CHEW: Thank you, Your Honor. 17 MS. BREDEHOFT: Thank you, Your Honor. 18 THE COURT: Technically, it makes it 19 seven weeks. Okay? 20 MS. BREDEHOFT: And this is kind of 21 logistical, but I'm not sure if it's logistical for 22 everybody. In that process, I have on my little</p>	<p style="text-align: right;">32</p> <p>1 THE COURT: All right. Actually seven 2 weeks now that we have to -- 3 MS. BREDEHOFT: Yes, seven. 4 THE COURT: All right. And let's go 5 ahead and say four for now, especially if we are 6 still looking at COVID issues. 7 MS. BREDEHOFT: And would that change the 8 number of strikes, Your Honor? 9 THE COURT: Yes, that does change the 10 number of strikes. 8.01-360, is that correct, 11 talks about the alternates. So you'll get more 12 strikes. And we can go over that. I might have 13 that code section with me. Let's see if I have got 14 it with me. Yes. 15 You draw three -- three for each extra 16 one you want. All right. So then you can get the 17 extra strikes for each of the four new ones until 18 we get down. So our pool wouldn't be 13; our pool 19 would be -- three times four, 12 -- 25; is that 20 correct? I did that fast so I don't know. 21 MR. CHEW: Camille? [Laughter] 22 MS. BREDEHOFT: Is it just four total</p>

<p style="text-align: right;">33</p> <p>1 extras? 2 THE COURT: It will be four extra people, 3 but we have to put three for each one you want -- 4 MS. BREDEHOFT: Right. 5 THE COURT: -- in the panel. 6 MS. BREDEHOFT: Okay. 7 THE COURT: If that makes sense. 8 MS. BREDEHOFT: Yes, it does. 9 THE COURT: Because everybody gets the 10 extra strikes too. 11 MS. BREDEHOFT: And then we will be 12 whittling it down to 17. No, no. It's seven plus 13 four. What am I doing? 11. 14 THE COURT: Yes, 11. We'll whittle it 15 down to 11. So there will be 11 people in the jury 16 box. And what we have done for alternates, just to 17 let you know, as soon as we impanel the jury with 18 the alternates and they're in their back -- Jamie 19 has all their names in a little cup, and then she 20 comes around and she picks four people out. I tell 21 you exactly who the alternates are, but then we put 22 them in an envelope and it goes away for seven</p>	<p style="text-align: right;">35</p> <p>1 THE COURT: We'll figure it out. 2 MS. BREDEHOFT: Okay. 3 THE COURT: We'll have this out. 4 MR. CHEW: And that's why we requested a 5 final pretrial conference. 6 THE COURT: Right, exactly. So we will 7 get this all knocked out by then. We'll all read 8 this code section before then and make sure we have 9 it all correct. Okay. So that will take care of 10 it. 11 MS. BREDEHOFT: And given the length of 12 the trial -- and there will be a lot of exhibits -- 13 we have requested the electronic courtroom already, 14 Your Honor, so it's already in -- 15 THE COURT: We are going to be here. 16 MS. BREDEHOFT: Exactly. 17 THE COURT: Actually, now, most of our 18 courtrooms are electronic. I think we only have, 19 like, four that are down that are not electronic. 20 MS. BREDEHOFT: That's great. That's 21 great. 22 THE COURT: We're getting there. But</p>
<p style="text-align: right;">34</p> <p>1 weeks and nobody over there knows. 2 I will warn them ahead of time that we 3 have alternates so they know that, at the end of 4 it, after they have heard all the evidence for six 5 weeks, they might be going away. 6 MS. BREDEHOFT: After closing, right. 7 THE COURT: Right, after closings. 8 MS. BREDEHOFT: Okay. And so, for 9 strikes, that would be -- that would be how many 10 extras? 11 THE COURT: I think it would be four 12 extra strikes; correct? 13 MS. BREDEHOFT: Okay. 14 THE COURT: Let's see. Let's read this 15 code section: When two or more additional jurors 16 are desired, there'll be drawn twice as many 17 venireman as the number of additional jurors 18 desired. The plaintiff and defendant in a civil 19 case ... shall each be allotted one additional 20 challenge for every two additional jurors. So 21 you'll get two more strikes. 22 MS. BREDEHOFT: Okay.</p>	<p style="text-align: right;">36</p> <p>1 we'll definitely -- we'll be here. So we're going 2 to be calling quite a few jurors because of the 3 length of the case mainly. 4 Now, because there's going to be so many 5 jurors, I don't know -- we can talk about this in 6 our final pretrial conference, if you want, but 7 something to start thinking about is how you want 8 to conduct voir dire, if you want to conduct it 9 one-on-one, bringing them in one at a time, or 10 having 25 the first time to say this is how long 11 the trial is, who has issues that can't be -- and 12 knocking out people that way, and then getting down 13 to the people that can stay for seven weeks and 14 then bringing them in one at a time. If you can 15 just start figuring out how you want to tackle voir 16 dire for that, that would be great. 17 MS. BREDEHOFT: Thank you, Your Honor. 18 Will Your Honor agree to allow them to have 19 note-taking -- 20 THE COURT: Yes. 21 MS. BREDEHOFT: -- given the length of 22 the trial?</p>

<p style="text-align: right;">37</p> <p>1 THE COURT: They can have note-taking. I 2 always allow my jurors to have notes. That will be 3 fine. 4 I'm going to have them wear numbers 5 since -- one, because the publicity of this trial, 6 but also just it's an ease for voir dire as well, 7 especially if we're talking quite a few people. 8 But I would ask that you just refer to them by 9 their numbers during voir dire. Okay? 10 MS. BREDEHOFT: Perfect. Thank you, Your 11 Honor. 12 And we did enter a consent order on 13 audio-visual testimony. We'll have an awful lot 14 that will be by deposition, but there may be some 15 witnesses probably from California, maybe 16 elsewhere, that may also testify. 17 THE COURT: Okay. So you're going to 18 have some remote witnesses; correct? 19 MS. BREDEHOFT: Yes. 20 THE COURT: All right. So make sure -- 21 because what we can do is we can do those through 22 Webex. The way we have been handling remote</p>	<p style="text-align: right;">39</p> <p>1 understand there's sometimes some limitations on 2 being able to bring the trial exhibits up on the 3 Webex or other -- and so it's something we may -- 4 it's good we're talking about this now. 5 THE COURT: Right. 6 MS. BREDEHOFT: It seems to me it may 7 make sense for them to have the exhibits wherever 8 they are, and then we would bring them up here for 9 the jury to be able to look at, at the same time. 10 Would that make sense? 11 THE COURT: That would be fine. I think 12 that would make -- 13 MS. BREDEHOFT: And since we probably 14 will have electronic exhibits, what we can do is 15 arrange that they can have laptops or whatever so 16 that they can bring it up there at the same time we 17 are. 18 THE COURT: The reason this works a 19 little better, we see it in trials, is because then 20 this is tied up to my laptop. It's not tied to the 21 system here. So we can plug it in here, but if you 22 still want to use your witnesses there or your</p>
<p style="text-align: right;">38</p> <p>1 witnesses for all our trials here is Jamie will 2 send you a link for that particular day. You send 3 it to whatever witnesses you need for that day, and 4 then, when it's time for them to testify, you can 5 have them either get on it or they can already be 6 on it and I can bring it up. That's fine. 7 Now, the issue with the remote witnesses 8 is it's on my laptop; right? So they can see me. 9 But I can turn it around so they can see you. 10 Everybody will be able to see them testifying, but 11 as far as your witness will only be able to see me, 12 but I'll turn it around so they can see you 13 question them if you stay right there. 14 MS. BREDEHOFT: Okay. 15 THE COURT: But that's -- that's our 16 technology limitation that I have for you, so I 17 just want to make sure. 18 MS. BREDEHOFT: Okay, thank you. 19 And what about exhibits -- handling of 20 exhibits for those? Would -- you know, I have 21 talked to some other counsel who have had different 22 audio-visual, you know, in this area, and I</p>	<p style="text-align: right;">40</p> <p>1 evidence there, the jury can still see that as well 2 and whatever else you need to do, so it seems to 3 work out a little better. 4 MS. BREDEHOFT: Okay. 5 THE COURT: We can try it. 6 MR. CHEW: No, that's fine. 7 THE COURT: Through seven weeks, we might 8 learn a lot of new things that we can work out. 9 MS. BREDEHOFT: No, that's great. 10 THE COURT: Do you know how many remote 11 witnesses you intend to have? 12 MS. BREDEHOFT: We are both -- we agreed 13 in that consent order that we're going to put -- 14 we're going to identify them when we exchange 15 witnesses on March 14th. So we will have plenty of 16 time to know that even before the final pretrial. 17 THE COURT: Okay. Okay. That's fine. 18 MS. BREDEHOFT: Yeah, that will help. 19 THE COURT: I think that will help so we 20 know what we're looking at for remote witnesses. 21 Okay. 22 MS. BREDEHOFT: Certainly a lot less than</p>

Transcript of Hearing
February 9, 2022

41	1 the number of deposition designations. 2 THE COURT: I would hope so. 3 MS. BREDEHOFT: Which is actually a 4 positive, I think, because it will at least make 5 that testimony go smoothly for all those because we 6 will have argued all the objections and everything 7 beforehand. 8 THE COURT: Okay. 9 MS. BREDEHOFT: So that should help that. 10 THE COURT: All right. 11 MS. BREDEHOFT: Then my other parts of 12 this would be -- and this, I anticipate, will be 13 involving our esteemed colleagues here. 14 So, logistically, filing of the trial 15 exhibits and then bringing all our boxes in and 16 whether we can store them overnight. And then we 17 have the security issues of these witnesses; right? 18 THE COURT: Right. You can definitely 19 store anything here, and you can bring it -- the 20 week prior, if you want to start filling up the 21 courtroom, that's fine. Whatever you need. 22 MS. BREDEHOFT: Wonderful. Thank you.	43	1 MS. BREDEHOFT: Oh, sorry. 2 THE COURT: There you go. 3 MS. BREDEHOFT: I usually am not accused 4 of not speaking up enough, so... 5 What we had agreed on that was that, on 6 March 14, we will exchange -- we will have 7 everything premarked, pretabbed in the binders with 8 the index all, and then we can exchange those. So 9 we'll have identical to what the Court will 10 ultimately have, both sides will have and the Court 11 will have. 12 So I think that -- and then I think we 13 probably will exchange electronic too. It makes 14 sense to because we're using the electronic 15 courtroom, and I'm happy to do that and happy to 16 work with Mr. Chew on that. 17 THE COURT: Right. 18 MS. BREDEHOFT: So we will -- everybody 19 will be on the same page. We're not going to, you 20 know, come up on -- you know, and pull up 15 and 21 they're going, "Which one is 15?" We're all going 22 to be completely -- we try to do that so,
42	1 THE COURT: The space you see is kind of 2 what we have. We do have a back room that we can 3 store more items in. We can work around what you 4 need. 5 MS. BREDEHOFT: Great. 6 THE COURT: If you get with Jamie and my 7 law clerk, Sammy, and we can figure out the 8 logistics of what you need to bring in. I would 9 ask that you pre-number all your exhibits, I would 10 hope. And if you need exhibit stickers, we can get 11 you as many as you need so they can all be 12 pre-marked. That would be very helpful. 13 MS. BREDEHOFT: We have got -- we found 14 something online that allows us to do it by 15 computer that will have the defense exhibits 1 16 through whatever. And the way that we have worked 17 our scheduling order -- it's something that I do, 18 and Mr. Chew agreed to it -- 19 COURT REPORTER: If you can back to the 20 microphone. 21 THE COURT: If you can go back to the 22 microphone.	44	1 logistically, it makes it much smoother. 2 THE COURT: All right. That's fine. And 3 just because we still, unfortunately, have paper 4 files here, anything that you have in electronic 5 format, I'm going to need at some point in paper 6 format. 7 MS. BREDEHOFT: Correct, Your Honor. And 8 would Your Honor like that to be filed with the 9 Court earlier than one day before? Because we'll 10 have it on the 14th because we will have -- 11 THE COURT: That would be fine. That 12 would be excellent. 13 MR. CHEW: We might as well make the 14 extra copy. 15 THE COURT: Sure, that would be great. 16 MS. BREDEHOFT: And give it to you on the 17 15th because that will take us our day for that 18 one. 19 THE COURT: That will be fine. 20 MS. BREDEHOFT: Terrific. Thank you, 21 Your Honor. 22 THE COURT: Thank you.

Transcript of Hearing
February 9, 2022

<p style="text-align: right;">45</p> <p>1 Okay. Any other jury issues or voir dire 2 issues before we go back? 3 MS. BREDEHOFT: The other question -- 4 well -- and then I think it's going to segue into 5 you. Will we be in more than one courtroom? How 6 will our staff access? 7 I didn't introduce Mr. Nadelhaft, my 8 partner, this morning. 9 THE COURT: We have had many motions 10 together. 11 MS. BREDEHOFT: We will have, you know, 12 attorneys and paralegals in and out, and we just 13 want to make sure, logistically, they have safe 14 passage and can have access. You know, we 15 anticipate, obviously, the press and other things. 16 But I think that's why we might have -- 17 THE COURT: Right. Well, you know, I 18 don't have a problem with attorneys coming in and 19 out. We're not going to overload the courtroom. 20 And what we can also do is keep the first row, if 21 you'd like, of each side reserved for any attorneys 22 that -- extra attorneys you have for that day.</p>	<p style="text-align: right;">47</p> <p>1 that they want, I'm going to have them make it in 2 writing to me. And I can bring that to you -- as 3 soon as I get an inquiry, I can let you both know, 4 and then we can have a hearing on if there's 5 objections or what everybody's view is on that 6 particular issue. Okay? 7 MR. CHEW: Thank you, Your Honor. I just 8 wanted to point out that, when Ms. Heard was at our 9 Orange County office for three days of deposition, 10 there was no issue. 11 THE COURT: That's fine. 12 MR. CHEW: No problem. Nobody there. No 13 issue at all, so... 14 It may be different at the trial. 15 THE COURT: I think that might be 16 different. We'll cover that. This is just about 17 television coverage, about people that want to see 18 the trial. We could do an overflow room for other 19 people that want to see. We could set up an 20 overflow room, which would be basically the same as 21 this courtroom. And we have done that in other 22 cases that had some publicity so other people could</p>
<p style="text-align: right;">46</p> <p>1 And I'm assuming the two of you are doing 2 the closing arguments; right? Whoever is doing the 3 closing arguments, I want to make sure they're here 4 the whole time. 5 MS. BREDEHOFT: Correct. That is 6 correct. 7 THE COURT: I just want to make sure. I 8 don't mind attorneys coming in and out or 9 especially this long, but whoever is doing closing, 10 I expect them to be here the whole time. 11 MS. BREDEHOFT: Absolutely, Your Honor. 12 Absolutely. 13 THE COURT: All right. Okay. That's no 14 problem. We can segue into that, as far as press 15 issues. We have already started to get -- and I'm 16 going to tell Suzanne today that any request we 17 get, if they could put it in writing to me for any 18 kind of coverage that is wanted. She's starting to 19 get inquiry about photographs, about televised 20 coverage. You name it, she's been getting -- 21 starting to get inquiries about it. 22 So I'm going to make them -- any inquiry</p>	<p style="text-align: right;">48</p> <p>1 view in an overflow room. 2 But there are going to be media requests, 3 so I want to tackle those. And if you want to look 4 into 19.2-266, that's the code section that governs 5 the request for media, televised hearings or 6 anything. So if you want to take a look at that. 7 And then, when I get requests, I'll let 8 you know, and when we see each other -- it seems 9 like on a weekly basis now -- we can address 10 those -- 11 MR. CHEW: It's because she keeps filing 12 that (indiscernible) -- 13 THE COURT: Oh, that's what -- I knew 14 that's what you were going to say. [Laughter] 15 MS. BREDEHOFT: Everything was so nice 16 (indiscernible). [Laughter] 17 THE COURT: Oh, it's still unicorn and 18 rainbows. Okay. All right. So that takes care of 19 the media interest, overflow courtroom. 20 MS. BREDEHOFT: And just for 21 clarification, Your Honor, with that one row, I 22 think that's a great idea. Would we also be able</p>

Transcript of Hearing
February 9, 2022

13 (49 to 52)


49	1 to have our paralegals? 2 THE COURT: Yes. That row is yours. 3 Whatever you want to put on it or whoever you want 4 to put on it is yours. I think that's fair. 5 MS. BREDEHOFT: Wonderful. 6 THE COURT: Because we will have people 7 coming in and out, and that's fine. I don't have a 8 problem with that. 9 MS. BREDEHOFT: Wonderful. Thank you, 10 Your Honor. 11 THE COURT: Okay. We have the exhibits. 12 We talked about the overflow. All right. I assume 13 there will be a rule on witnesses? Will there be a 14 rule on witnesses? 15 MS. BREDEHOFT: Yes, Your Honor. 16 MR. CHEW: We would request one, Your 17 Honor. 18 THE COURT: Okay. That's fine. Make 19 sure -- and depending on how we navigate things, 20 we'll discuss the issues with rule on witnesses at 21 our last pretrial conference. That will be fine. 22 Hopefully COVID protocols will be somewhat to a	51	1 said, we're going to be sending out jury summonses 2 soon. I would hope that we don't taint the jury 3 pool by us talking about this case prior to it 4 happening on April 11th; correct? We're all in 5 agreement with that; right? 6 MR. CHEW: Absolutely, Your Honor. 7 THE COURT: Okie-dokie. All right. 8 MS. BREDEHOFT: And, Your Honor, on that 9 voir dire, just thinking it through -- and I know 10 we can talk later too -- 11 THE COURT: Sure. 12 MS. BREDEHOFT: -- but it seems to me 13 that, if we try to do taking them individually, 14 that might draw things out -- 15 THE COURT: Take a long time. 16 MS. BREDEHOFT: Yes, pretty extensively. 17 THE COURT: I mean, we can take them by 18 tens. We can take them by however. The only issue 19 I have is -- I see sometimes in these cases that 20 are lengthy cases is that, if somebody hears one 21 excuse, somebody else might join that excuse. But 22 the uniqueness of this case might be different.
50	1 minimum by that time. 2 COURT REPORTER: Can I ask you to move to 3 the microphone, please? 4 MR. CHEW: Yes. Apologies. 5 MS. BREDEHOFT: So, in the security 6 procedures, Your Honor, the -- I anticipate that 7 both parties will have some security detail coming 8 in and out of the courthouse. 9 THE COURT: And we'll talk security. I 10 was going to keep that under seal though. 11 MS. BREDEHOFT: Okay. 12 THE COURT: We'll get to that. Do you 13 expect your clients to be here every day of the 14 seven weeks? 15 MS. BREDEHOFT: Yes, Your Honor. 16 MR. CHEW: Yes, Your Honor. 17 THE COURT: Okie-dokie. So we will 18 definitely talk about that and figure out what we 19 need to do. 20 Let me see. All right. I would hope I 21 wouldn't have to say, you know, the case will be 22 tried in court. We have got the jury pool. Like I	52	1 MS. BREDEHOFT: They might not want the 2 excuse. 3 THE COURT: I know. When they first 4 asked me how many jurors, I think, Well, seven, I 5 think would be fine to bring in. But, no, I think 6 we're going to bring a large pool of people in. 7 MS. BREDEHOFT: Yeah, I just picked up 8 what Your Honor said. 9 THE COURT: Yeah. It's -- we'll bring -- 10 we'll bring quite a few in. And we can discuss it 11 when we get closer, exactly what we want to tackle 12 first with the main group and get them down, and 13 then we can go from there. And it's up to you how 14 many people we keep in a room. 15 I can't keep -- I can't put a hundred in 16 one room at one time, so it can't be more than 25 17 at a time. Okay? So if we can keep it to 25. I 18 could probably go up to 33, depending if COVID 19 restrictions are still in place. Okay? 20 All right. We have got the attorneys 21 present. Exhibits. Just making sure. All right. 22 I think I have all the issues I have other than

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February 9, 2022


53	<p>1 security issues. Does anybody have anything else?</p> <p>2 MR. CHEW: No, Your Honor.</p> <p>3 MS. BREDEHOFT: No, I think that -- I</p> <p>4 just got my list covered, other than security. So</p> <p>5 thank you, Your Honor.</p> <p>6 MR. CHEW: At some point, we will be</p> <p>7 asking Your Honor's guidance on how much time for</p> <p>8 openings and closings you think is appropriate, but</p> <p>9 we can talk about that at the final pretrial</p> <p>10 conference.</p> <p>11 THE COURT: That's clearly fine. I mean,</p> <p>12 I try not to limit what everybody does in opening</p> <p>13 and closing because it is your case, but, in seven</p> <p>14 weeks, I understand it's going to be rather --</p> <p>15 could be rather lengthy. I would hope we could get</p> <p>16 openings done within two hours, but --</p> <p>17 MR. CHEW: Two hours total, Your Honor?</p> <p>18 THE COURT: I don't know if that -- that</p> <p>19 would be a wish, but even on my two-day cases, I</p> <p>20 can't get two hours total for openings. So I'll</p> <p>21 take two hours each. Okay? Let's just give</p> <p>22 yourselves some -- and I would hope closings would</p>	55	<p>1 involved in the case, although I'm keeping</p> <p>2 Suzanne -- no, you're staying, Suzanne.</p> <p>3 (Entering sealed portion of the transcript.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
54	<p>1 be two hours each too. Okay? If we could stay</p> <p>2 somewhere in these parameters, I would really</p> <p>3 appreciate it.</p> <p>4 MS. BREDEHOFT: And, Your Honor, with the</p> <p>5 closings, there's the -- there would be both the</p> <p>6 initial closings and then the --</p> <p>7 THE COURT: The rebuttal.</p> <p>8 MS. BREDEHOFT: -- since we have the</p> <p>9 counterclaim, there would also be that second. Is</p> <p>10 the two hours including the rebuttals as well?</p> <p>11 THE COURT: I would hope so.</p> <p>12 MS. BREDEHOFT: Okay.</p> <p>13 MR. CHEW: Of course it would be greatly</p> <p>14 simplified if summary judgment were to be granted.</p> <p>15 THE COURT: You can keep trying to butter</p> <p>16 me up all you want. That's not how that's going to</p> <p>17 work. Okay. [Laughter]</p> <p>18 All right. That's fine. I think --</p> <p>19 other than that, I just want to talk about some</p> <p>20 security logistics. So I'm going to go ahead and</p> <p>21 seal the courtroom.</p> <p>22 So if I can have anybody that's not</p>	56	<p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC</p> <p>2</p> <p>3 I, Diamante Parrish, the officer before</p> <p>4 whom the foregoing deposition was taken, do hereby</p> <p>5 certify that said proceedings were electronically</p> <p>6 recorded by me; and that I am neither counsel for,</p> <p>7 related to, nor employed by any of the parties to</p> <p>8 this case and have no interest, financial or</p> <p>9 otherwise, in its outcome.</p> <p>10 IN WITNESS WHEREOF, I have hereunto set my</p> <p>11 hand and affixed my notarial seal this 11th day of</p> <p>12 February, 2022.</p> <p>13</p> <p>14 </p> <p>15 _____</p> <p>16 Diamante Parrish, Notary Public</p> <p>17 for the Commonwealth of Virginia</p> <p>18</p> <p>19 Virginia Notary No. 7936707</p> <p>20 Notary Commission Expires: 5/31/2025</p> <p>21</p> <p>22</p>

1 CERTIFICATE OF TRANSCRIBER

2

3 I, Bobbi J. Fisher, do hereby certify that
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6 proceedings were transcribed to the best of my
7 ability from the audio recording and supporting
8 information; and that I am neither counsel for,
9 related to, nor employed by any of the parties to
10 this case, and I have no interest, financial or
11 otherwise, in its outcome.

12

13 

14 Bobbi J. Fisher, RPR

15 NCRA Registered Professional Reporter (RPR)

16 February 12, 2022

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