

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

FILED

FEB 18 2022

JOHN T. FREY  
Clerk of the Circuit Court  
of Fairfax County, VA

**FILED UNDER SEAL**

(Pursuant to the Stipulated Protective Order Entered by the Court on  
June 21, 2021)

**PLAINTIFF JOHN C. DEPP, II'S MEMORANDUM IN SUPPORT OF MOTION TO  
COMPEL COMPLIANCE WITH ORDERS RE FORENSIC IMAGING AND  
PRODUCTION OF TESTING DATA/EXPERT DOCUMENTS; FOR A LIMITED  
EXPANSION OF ORDER RE FORENSIC IMAGING; FOR ORDER COMPELLING  
MR. DEPP'S FOURTH, NINTH, AND TWELFTH REQUESTS FOR PRODUCTION;  
AND FOR ORDER COMPELLING RESPONSE TO MR. DEPP'S FIFTH  
INTERROGATORIES**

## **I. Forensic Imaging of Ms. Heard's Devices**

Back on November 8, 2021, the Court ordered Ms. Heard to produce her original devices (including mobile devices, computers, operating system drives, and cloud backups) for forensic imaging. *See Exhibit 1.* Per the Court's order, this forensic imaging was to take place "no later than November 30, 2021." Now, *several months later, Ms. Heard's compliance with the Order remains woefully incomplete.* Indeed, although some images have now finally been produced to a third-party conciliator for review, not a single document has yet been provided to Mr. Depp's experts. Worse, Ms. Heard's forensic expert has informed Mr. Depp's expert that eight forensic images of Ms. Heard's cloud accounts still needed to be performed. With trial rapidly approaching, and the Court-appointed third-party conciliator still needing to review the extracted materials following the forensic imaging before it even goes to Mr. Depp's experts for a further time-consuming forensic review, Ms. Heard's failure to comply with the Order is severely prejudicial. **Exhibit 2.** Ms. Heard should be directed to immediately comply with the Order.

Mr. Depp further requests a very limited expansion of the Court's November 8, 2021 Order, which was limited to production of photographs of Ms. Heard during time periods of alleged abuse. Mr. Depp requests that the Court expand the scope of the Order to include the following:

- **First**, any text communications between Amber Heard and Stephen Deuters on May 24, 2014 or May 25, 2014. Despite having previously imaged Mr. Deuter's phone, Mr. Depp has been unable to locate a series of text messages between Ms. Heard and Mr. Deuters following the "Boston Plane Incident" that Ms. Heard has produced. Strangely, the texts produced by Ms. Heard are in a different format than all of the other texts she produced. The veracity of these text messages is critical, and subject to serious question.
- **Second**, an audio recording purporting to be of the May 24, 2014 flight from Boston to LA, the veracity of which is also in question.
- **Third**, any text communications between Amber Heard and Erin Boreum between March 7, 2015 and March 9, 2015. Ms. Boerum is a nurse whose notes reflect text messages

with Ms. Heard during this critical time period of the “Australia” incident, none of which have ever been produced.

- ***Finally***, any audio/video recordings that include Mr. Depp and/or Ms. Heard from the Toronto Film Festival, approximately September 10, 2015 – September 16, 2015. At minimum, if the Court declines to order an expansion of the Order, Mr. Depp requests that Ms. Heard be directed to immediately produce native copies of these documents.

## **II. Notes And Test Data Of Ms. Heard’s Mental Health Expert**

Despite being under Court Order to provide the data and documents relied upon by her experts, Ms. Heard has yet to produce any notes taken by her expert Dr. Hughes during her testing/examination of Ms. Heard; nor has she produced raw test results for a CAPS-5 test administered on December 27, 2021, which was only disclosed in Ms. Heard’s Second Supplemental Expert Disclosures, served on February 11<sup>th</sup>, despite the fact that the testing was supposedly conducted prior to the service of Ms. Heard’s Supplemental Expert Disclosures on January 11<sup>th</sup>. Mr. Depp’s expert needs these notes for her rebuttal opinion and Ms. Heard’s refusal to produce them is prejudicial and unjustifiable. **Exhibit 3.**

## **III. Mr. Depp’s 9<sup>th</sup> RFPs**

Ms. Heard has also unreasonably refused to produce a number of critical documents in response to Mr. Depp’s Ninth RFPs. **Exhibit 4.** For instance, Requests 1-3 seek communications between Ms. Heard and any other person regarding the drafting, content, purpose, or meaning of the Op-Ed. The relevance of these documents is clear as the Op-Ed is the focal point of Mr. Depp’s complaint for defamation. Ms. Heard has inappropriately limited the temporal scope of her response.<sup>1</sup>

Many requests are mirror images of discovery Ms. Heard has already obtained from Mr. Depp. Request 4 seeks documents relied on by Ms. Heard’s experts in providing their opinions,

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<sup>1</sup> In asserting the defense of advice of counsel, Ms. Heard has also waived any claims of privilege as to her communications with her then-attorneys about the Op-Ed, as the Court has previously recognized.

which is basic discovery that has already been ordered against Mr. Depp. Request 6 seeks copies of all publications evidencing or otherwise reflecting Ms. Heard's reputation; and Requests 7 and 9 seek documents and communications reflecting the reasons for Ms. Heard's claimed loss of reputation, loss of roles, or loss of commercial opportunities from December 2018 through the present, since Ms. Heard has asserted a \$100 million counterclaim based on injury to her reputation and loss of roles/commercial opportunities. Request 8 seeks communications reflecting that Ms. Heard has not been considered for, or has lost the opportunity for, any role or commercial opportunity from December 2018 through the present.

Request 10 seeks non-privileged communications from any person or entity regarding the filing of the divorce action against Mr. Depp by Ms. Heard in May 2016 and the attendant Domestic Violence Temporary Restraining Order. Mr. Depp is entitled to explore the impact of the divorce and the DVRO on Ms. Heard's career prospects. Request 11 seeks non-privileged communications from any person or entity regarding the publication of the Op-Ed by Ms. Heard in the Washington Post in December 2018, which is relevant to evaluating issues such as Ms. Heard's apparent contention that the Op-Ed was not understood as referencing Mr. Depp.

Request 14 seeks documents sufficient to reflect all loans, benefits, perks, expenses, or payments in excess of \$5,000 in either cash or value made by Ms. Heard from May 21, 2016 to the present to the witnesses identified by the parties in this case. This is relevant to exploring bias and mirrors a similar request from Ms. Heard. Relatedly, Request 21 seeks communications between Ms. Heard and any witness in the U.K. Action regarding (1) the testimony in the U.K. Action; (2) Mr. Depp's allegations of abuse against Ms. Heard; or (3) Ms. Heard's allegations of abuse against Mr. Depp. The relevance of these documents is obvious, including to exploring such issues as whether Ms. Heard pressured witnesses to change testimony (as has been alleged).

Similarly, Request 22 seeks communications between Ms. Heard and potential witnesses regarding (1) Mr. Depp's allegations of abuse against Ms. Heard; or (2) Ms. Heard's allegations of abuse against Mr. Depp. Again, communications about abuse are central to the case.

Request 24 seeks documents or communications evidencing or reflecting any drug or alcohol use or abuse by Ms. Heard, within one week before or after any alleged incident of violence or abuse. Alcohol and drug abuse has been a constant theme in this case. Ms. Heard has multiple times denied abusing drugs or alcohol when other witnesses have testified to the contrary.

#### **IV. Mr. Depp's 4<sup>th</sup> RFPs**

Request 36 of Mr. Depp's 4<sup>th</sup> RFPs (**Exhibit 5**) simply seeks communications regarding Ms. Heard's allegations of abuse against Mr. Depp. It is hard to imagine a more essential set of documents. That Ms. Heard is still fighting this basic discovery at this stage is astounding.

#### **V. Mr. Depp's Fifth Interrogatories**

Ms. Heard has agreed to provide a response to Mr. Depp's Fifth Interrogatory Nos. 1 and 2, which simply seek information supporting her damages theory, but has not yet done so (**Exhibit 6**). She should be ordered to provide substantive responses before the close of discovery.

#### **VI. Mr. Depp's 12<sup>th</sup> RFPs**

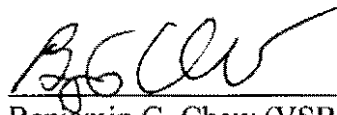
Ms. Heard is also resisting discovery in Mr. Depp's 12<sup>th</sup> RFPs (**Exhibit 7**). Requests 1-8 simply seek documents that support Ms. Heard's responses to Mr. Depp's Fourth and Fifth Interrogatories (**Exhibits 8 and 6**, respectively), which are narrowly tailored, and clearly appropriate. Similar discovery has been ordered against Mr. Depp, and it is entirely unreasonable for Ms. Heard to refuse to provide documents that support her response, for instance, to Mr. Depp's Fourth Interrogatory No. 1 ("Describe in detail each and every incident during which

You contend that You suffered any form of violence or abuse at the hands of Mr. Depp”). Given the targeted nature of Mr. Depp’s interrogatories, these document requests should not be controversial.

Requests 14 and 15 seek communications between Ms. Heard and her employers regarding negative publicity surrounding the Sun Case and this case. Ms. Heard contends that she suffered serious reputational and career harm from three isolated statements by Adam Waldman in the context of these litigations. Mr. Depp is entitled to explore communications with her employers about publicity from these litigations, to determine whether those three isolated statements were material relative to the ocean of publicity surrounding these actions. Similarly, Request 16 seeks communications with Ms. Heard’s employers regarding negative publicity from the statements alleged in her Counterclaim. Despite claiming damages to her career, Ms. Heard stands on her objections. Request 18 seeks documents that reflect alleged abuse of Mr. Depp by Ms. Heard, which is directly at issue in this action, since Mr. Depp contends that Ms. Heard was the true abuser in the relationship. Request 19 seeks documents that refer or reflect treatment Ms. Heard has undergone as a result of alleged abuse by Mr. Depp. Bafflingly, Ms. Heard stands on objections, but these requests are clearly relevant.

Dated: February 18, 2022

Respectfully submitted,



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*Counsel for Plaintiff John C. Depp, II*

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

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**ORDER**

*No enu*  
Upon consideration of Plaintiff and Counterclaim-Defendant John C. Depp, II's ("Mr. Depp") Motion to Compel Defendant and Counterclaim-Plaintiff Amber Laura Heard's ("Ms. Heard") Production of Original Devices and Operating System Drives and Cloud Backups of These Original Devices as Requested in Plaintiff's Seventh Set of Requests for Production ("Plaintiff's Motion") and Ms. Heard's Cross-Motion to Compel Mr. Depp's Production of Forensic Evidence and for Sanctions ("Defendant's Motion"), the oppositions thereto, arguments of counsel, and being fully advised, it is, this 8 day of November 2021, hereby ORDERED as follows:

1. Defendant's Motion is **DENIED**, except Mr. Depp shall produce any native files with metadata of photographs reflecting injuries and audio and video recordings of Mr. Depp and Ms. Heard that are in Mr. Depp's possession, and that have been previously produced in discovery without metadata.

2. Plaintiff's Motion is **GRANTED** in part and **DENIED** in part.

3. Defendant Amber Laura Heard ("Ms. Heard") shall produce her original devices, including mobile devices and computers (including laptops and iPads), as well as operating system



drives and cloud backups of these original devices (the "Requested Material"), for purposes of performing a physical imaging of all data from the original devices, as requested in Plaintiff's Seventh Set of Requests for Production. For purposes of clarification, Ms. Heard's original devices shall include all devices on which the data was "taken or originated or have been maintained" as requested in Plaintiff's Seventh Set of Requests for Production, including but not limited to, Ms. Heard's current devices and all cloud backups.

4. **The Imaging of Devices:** Under the supervision of Mr. Depp's retained forensic expert, Bryan Neumeister and/or Mr. Neumeister's colleague, Matt Erickson, either in person or over Zoom (or an equivalent audio/visual platform), Ms. Heard's designated forensic expert shall perform forensic imaging of the Requested Material on a date agreeable to the parties but no later than November 30, 2021, in the following manner:

- a. For computers (laptops and desktops), a write-blocked "Raw (DD) non-segmented forensic image" shall be taken for each original computer drive;
- b. For mobile devices (cell phones and tablets), Ms. Heard shall provide the password(s) for the devices she used during the relevant time period so that the data can be accessed and a "CheckM8/checkra1n extraction" shall be performed, where possible, for each cell phone;
- c. For the cloud account(s) (iCloud, Gmail, etc.), Ms. Heard shall provide her username(s) and password(s) and extraction using Oxygen or Cellebrite software shall be performed;

5. If Ms. Heard's designated forensic experts do not have access to the hardware or software required to conduct the imaging described above, Mr. Neumeister will make arrangements with Ms. Heard's expert. In the event that a dispute arises between Ms. Heard's

expert and Mr. Neumeister or Mr. Erickson related to the manner in which the imagings are performed, Stephen Cochran, the Court-appointed conciliator, shall resolve the dispute.

6. **The Extraction of Relevant Data:** After the Requested Material is imaged, Ms. Heard's designated expert, also under the supervision of Mr. Neumeister and/or Mr. Erickson, shall extract the following categories of relevant data for review and analysis (the "Extracted Data"):

- a. **Photographs of Ms. Heard:** All photographs of Ms. Heard taken during the following time periods, which all correspond to dates in which Ms. Heard alleges that Mr. Depp abused her:

Date of Alleged Abuse	Time Period To Be Searched
Late 2012/Early 2013	December 15, 2012 – January 15, 2013
March 8 and 22, 2013	March 6, 2013 – April 5, 2013
June 2013	June 1 – June 30, 2013
May 24, 2014	May 22, 2014 – June 7, 2014
August 17, 2014	August 15, 2014 – August 31, 2014
December 17, 2014	December 15, 2014 – December 31, 2014
January 25, 2015	January 23, 2015 – February 8, 2015
March 3-5, 2015	March 1, 2015 – March 19, 2015
March 22-23, 2015	March 20, 2015 – April 6, 2015
August 2015	August 1, 2015 – August 31, 2015
November 26, 2015	November 24, 2015 – December 10, 2015
December 15, 2015	December 13, 2015 – December 29, 2015
December 29, 2015	December 29, 2015 – January 12, 2016

April 21, 2016	April 19, 2016 – May 5, 2016
May 21, 2016	May 19, 2016 – June 4, 2016
July 22, 2016	July 15, 2016 – July 29, 2016

b. **Deleted Photographs:** All deleted photographs of Ms. Heard taken during the time periods outlined in the second column of the table in paragraph 6(a).

7. Only the Extracted Data (as opposed to the forensic image) can be and will be reviewed by anyone at this time.

8. Once the extraction is complete, Craig B. Young ("Mr. Young"), the Court-appointed limited discovery issue conciliator, will act as the neutral third-party attorney and will review the Extracted Data to identify and isolate any irrelevant or privileged information that will not be subject to Mr. Neumeister's forensic analysis. At the same time, Ms. Heard shall also have the right to receive and review the Extracted Data for the purpose of reviewing Extracted Data for privilege or work product only. Any privileged Extracted Data identified by Mr. Young or Ms. Heard will be isolated and will not be disclosed to or reviewed by anyone else, including Mr. Neumeister until the Court makes a determination on the privilege or work product objections pursuant to a privilege protocol.

9. The relevant data from the extraction will, in the first instance, be treated as attorneys' and expert's eyes only. Mr. Neumeister will conduct his analysis of the relevant data from the extraction and the parties' attorneys (and Ms. Heard's expert(s)) will be permitted to review this set of data. Once both parties' attorneys have had an opportunity to review the data that Mr. Neumeister has/will be analyzing, the data shall be re-designated or de-designated consistent with the operative Protective Order in this action.

10. Ms. Heard's attorneys shall disclose to Mr. Depp's attorneys an inventory of all previously imaged photographs, text messages, emails, and video and audio recordings (the "Inventory") by Bates stamp if produced, and in list form if not yet produced. For each of Ms. Heard's previously imaged Inventory, Ms. Heard's attorneys shall disclose to Mr. Depp's attorneys and to Mr. Neumeister the following information relating to the Inventory:

***For Computers (Laptops and Desktops)***

- a. What type of forensic image was created;
- b. What software and version of the software was used to create the forensic image;
- c. What make/type of write-blocker was used to create the forensic image;
- d. Was an uncompressed write-blocked forensic image extracted; and
- e. Whether a hash verification was completed for each file, and for the forensic image as a whole.

***For Mobile Devices (Cell Phones and Tablets)***

- a. What type of extraction(s) were performed: a logical, advanced logical, CheckM8/checkra!n, or physical extraction if jail-broken- by the other forensic company;
- b. Whether a jailbreak method was used in the extraction process;
- c. What iOS was on the phone; and
- d. What software make and version were used for the extraction(s).

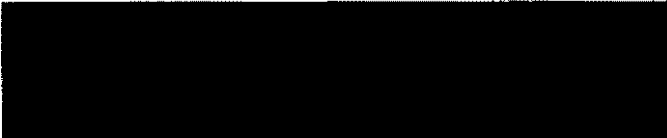
***Cloud Accounts (iCloud, Gmail)***

- a. Whether a forensic analysis was conducted and, if so, what software was used.

11. Upon review of the Inventory by Mr. Depp's attorneys and Mr. Neumeister, Mr. Neumeister together with Mr. Depp's attorneys may decide to have Mr. Neumeister conduct an

independent forensic imaging of any previously imaged Inventory in the same manner as described above for the Requested Material.

November 8, 2021



The Honorable Penney S. Azcarate  
Chief Judge, Fairfax County Circuit  
Court

*Compliance with Rule 1:13 requiring the endorsement of counsel of record is modified by the Court, in its discretion, to permit the submission of the following electronic signatures of counsel in lieu of an original endorsement or dispensing with endorsement.*

**WE ASK FOR THIS:**

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*Counsel for Plaintiff John C. Depp, II*

**SEEN AND OBJECTED TO:**

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*Counsel to Defendant Amber Laura Heard*

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

DECLARATION OF BRYAN NEUMEISTER

1. My name is Bryan Neumeister.
2. I am a court certified video, audio, and digital photographic forensics and technical expert and the CEO of USA Forensic LLC.
3. I have been retained by Mr. Depp in this matter.
4. I have extensive experience collecting, analyzing, and producing electronically stored information ("ESI") in law enforcement and legal proceedings, including approximately 600 cases in the last four years alone. I have over 41 years of audio/video professional experience, and twenty years of experience testifying and consulting for federal and state governments, agencies, prosecutors, defense attorneys, Fortune 500 companies, and individuals in a variety of aspects concerning analysis of photographs, audio and visual recordings, phone and text messages, and other digital data.
5. This declaration is based on my personal knowledge.
6. The Court-ordered deadline for completion of the forensic imaging was November 30, 2021.



7. To date, some forensic imaging of Ms. Heard's devices has occurred, but no photographs have been produced to me for my review.

8. On or about February 11, 2022, my colleague Matt Erickson received a communication from Tyler Swasy, one of Ms. Heard's experts' colleagues, in which Mr. Swasy stated that there are still 8 or 10 forensic images of backup files from Ms. Heard's iCloud that need to be parsed. Analyzing this data is a time-consuming process, and the delay has already rendered it extremely difficult to complete that analysis before trial. Further delay will further increase the difficulty of doing so.

I declare under penalty of perjury that the foregoing is true and correct.

Exceted on this 18th day of February, 2022

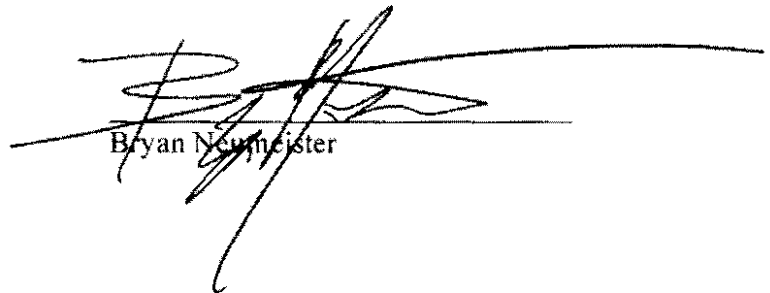
  
Bryan Neumeister

Exhibit 3

**FILED UNDER SEAL**

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

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**DECLARATION OF DR. SHANNON J. CURRY, PSYD, MSCP**

1. My name is Shannon J. Curry.
2. I am a clinical and forensic psychologist and the owner and director of the Curry Psychology Group, a multispecialty mental health center in Newport Beach, California.
3. I have extensive clinical and research experience and expertise in individual and community trauma, forensic psychology, and relationships/the Gottman Method of Couples Therapy. I have ten years of experience as a licensed clinical psychologist, providing direct therapy and assessment.
4. I received my Bachelor of Arts in Psychology and Social Behavior with high honors from the University of California, Irvine; a Master of Arts in Psychology from Pepperdine University; a Post-Doctoral Master of Science in Clinical Psychopharmacology from Alliant University (for psychologist prescriptive authority in certain states and federal jurisdictions); and a doctorate in Clinical Psychology from Pepperdine University with research honors.
5. This declaration is based on my personal knowledge, years of experience, training and education.

6. On October 1, 2021, Dr. Hughes was ordered to provide me with the “*raw data* [emphasis added] collected... during her examination of Ms. Heard by November 15, 2021.” Further, on January 25, 2022, the Court ordered the production of “[a]ll documents relied on by Dr. Dawn Hughes in providing any opinions in this case, including anything supporting the bases for such opinions.”

7. Dr. Hughes has not provided me with complete data from her evaluation of Ms. Heard. To date, I have only received the test scores from Dr. Hughes’ examination of Ms. Heard on September 26, 2019. However, Dr. Hughes’ supplemental designation report dated January 11, 2022 indicates that Dr. Hughes met with Ms. Heard four more times after that date. Furthermore, Dr. Hughes’ report indicates that her opinions were derived from multiple sources of additional information including record review, clinical interview of Ms. Heard, and collateral interviews with Ms. Heard’s mother and treating providers. However, I have not received the raw notes related to these critical components of the evaluation.

8. Furthermore, in her second supplemental designation report, Dr. Hughes indicated that she met with Ms. Heard for a sixth time on December 27, 2021—more than two years after the initial date of her examination of Ms. Heard—during which she administered a new test, the CAPS-5. Dr. Hughes has not provided me with the data from this test or her notes from this meeting.

9. On December 3, 2021, I emailed Dr. Hughes to request the remainder of her test data including “the raw notes from [her] semi-structured clinical interview of [Ms. Heard] and collateral interviews with [Ms. Heard’s] mother and treating providers.” On December 4, 2021, Dr. Hughes replied that “[she] was instructed to provide only the psychological testing data as per their agreement.”

10. Withholding data in a forensic context is inconsistent with the principle of transparency which is enumerated throughout extensive bodies of professional literature and practice standards. Such sources use the term “raw data” (per the language of the court order) interchangeably with the terms “test data” (per Dr. Hughes’ 12/4/21 email), “clinical raw data,” “scientific data,” “documentation,” and “data” to refer to the unedited sources of information upon which an expert bases their opinions (AERA, APA & NCME, 2014; APA, 2019; APA, 2017; APA, 2013; Bush, Connell & Denney, 2020).

11. In addition, the American Psychological Association (APA)’s Ethical Principles of Psychologists and Code of Conduct (EPPCC) define “test data” as follows: “The term test data refers to raw and scaled scores, client/patient responses to test questions or stimuli, and psychologists’ notes and recordings concerning client/ patient statements and behavior during an examination. Those portions of test materials that include client/patient responses are included in the definition of test data” (APA, 2017). Moreover, the current edition of Standards for Educational and Psychological Testing (AERA, APA & NCME, 2014) published in sponsorship by the American Educational Research Association (AERA), American Psychological Association (APA), and National Council on Measurement in Education (NCME) provides criteria for best practices in psychological testing. The term “clinical raw data” is used throughout this text when referring to any data gathered that relates to a particular examinee. According to these professional practice guidelines, except in rare circumstances, psychometric test data alone would be an inadequate basis for an opinion. As such, disclosure of psychometric test data by itself is also an inadequate basis for peer-review.

12. Forensic psychologists have an ethical obligation to appropriately document and maintain records of their work and to enable its review. In addition, forensic practitioners are

guided by relevant statutes including the Federal Rules of Evidence (FRE), the Federal Rules of Civil Procedure (FRCP) and similar state statutes. Guideline 10.06 of APA's Specialty Guidelines of Forensic Psychology (SGFP) states that forensic practitioners "recognize the importance of documenting *all data they consider* [emphasis added] with enough detail and quality to allow for reasonable judicial scrutiny and adequate discovery," and that... "this documentation includes, but is not limited to, letters and consultations; notes, recordings, and transcriptions; assessment and test data, scoring reports and interpretations; and all other records in any form or medium that were created or exchanged in connection with a matter" (APA, 2013). SGFP Guideline 11.01, which addresses Accuracy, Integrity, and Avoidance of Deception, underscores the importance of transparency, stating:

"When responding to discovery requests and providing sworn testimony, forensic practitioners strive to have readily available for inspection all data which they considered, regardless of whether the data supports their opinion, subject to and consistent with court order, relevant rules of evidence, test security issues, and professional standards (AERA, APA, & NCME, in press; Committee on Legal Issues, American Psychological Association, 2006; Bank & Packer, 2007; Golding, 1990)".

13. Even absent these professional standards, Dr. Hughes undoubtedly relied upon her contemporaneous notes to provide an opinion in this case so on that basis alone Dr. Hughes should have produced these documents.

I declare under penalty of perjury that the foregoing is true and correct.

Exceted on this 17th day of February, 2022

A handwritten signature in black ink, appearing to read "Shannon J. Curry". The signature is fluid and cursive, written over a horizontal line.

Dr. Shannon J. Curry, PsyD, MSCP

## Exhibit 4

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

**John C. Depp, II,**

**Plaintiff and  
Counterclaim Defendant,**

**v.**

**Amber Laura Heard,**

**Defendant and  
Counterclaim Plaintiff.**

**Civil Action No.: CL-2019-0002911**

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**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OBJECTIONS AND RESPONSES TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S NINTH SET OF REQUESTS FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these objections and responses (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp, II's Ninth Set of Requests for Production dated September 16, 2021 (the "Requests").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are duplicative, cumulative, or seek documents that have already been provided through other means of discovery. Defendant and Counterclaim Plaintiff will not reproduce documents already produced in discovery.



2. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are vague, ambiguous, overly broad, unduly burdensome, seek documents not relevant to the claims or defenses of any party, or are not proportional to the needs of the case.

3. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they impose any obligations or requirements beyond the scope of the Rules or any case law interpreting them.

4. Defendant and Counterclaim Plaintiff's Responses are not intended to be and shall not be construed as an agreement or concurrence that all documents and information provided are admissible with respect to the claims and defenses of Plaintiff and Counterclaim Defendant and/or Defendant and Counterclaim Plaintiff.

5. Defendant and Counterclaim Plaintiff objects to each Request to the extent that it calls for documents and information that: (a) may be derived or ascertained from documents that have been or will be produced in this action; (b) are already in Plaintiff and Counterclaim Defendant's possession, custody, or control; (c) are publicly available; or (d) are otherwise independently available to Plaintiff and Counterclaim Defendant or his counsel.

6. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they purport to call for documents or information that: (a) are subject to the attorney-client privilege; (b) constitute attorney work product; (c) are protected from disclosure based on common interest or a similar privilege; or (d) are otherwise protected from disclosure under an applicable privilege, law, or rule. Defendant and Counterclaim Plaintiff will not produce such documents and information in response to the Requests, and any inadvertent production thereof shall not be deemed a waiver of any privilege with respect to such documents and information.

7. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they require unreasonable or unduly burdensome measures to locate and produce responsive documents. Defendant and Counterclaim Plaintiff will construe the Requests to require a reasonable and diligent search of reasonably-accessible files within her possession, custody, or control where she would reasonably expect to find information, documents, or things related to the Requests.

8. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they seek documents and information that are not within Defendant and Counterclaim Plaintiff's possession, custody, or control. Subject to this General Objection, in responding to the Requests, Defendant and Counterclaim Plaintiff will provide only responsive documents within Defendant and Counterclaim Plaintiff's possession, custody, or control.

9. Defendant and Counterclaim Plaintiff objects to the Definitions and Instructions to the extent they seek to impose obligations greater than those imposed by the Rules or any other applicable law, rule, ruling of this court, or agreement of the parties.

10. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are based on a false premise and contain express or implied assumptions of fact or law with respect to matters at issue in this case. Defendant and Counterclaim Plaintiff's Responses to the Requests are not intended to be and shall not be construed as an agreement or concurrence with Plaintiff and Counterclaim Defendant's characterization of any facts, circumstances, or legal obligations. Defendant and Counterclaim Plaintiff reserves the right to contest any such characterization as inaccurate.

11. Defendant and Counterclaim Plaintiff expressly reserves all rights and privileges under the Rules and any other applicable law or rule. The failure to assert such rights and

privileges or the inadvertent disclosure by Defendant and Counterclaim Plaintiff of information or documents protected by such rights or privileges shall not constitute a waiver thereof, either with respect to these Responses or with respect to any future discovery objections or responses. Defendant and Counterclaim Plaintiff's Responses to the Requests are made to the best of her present knowledge, information, and belief. These Responses are at all times subject to such additional or different documents and information that discovery or further investigation may disclose and, while based on the present state of Defendant and Counterclaim Plaintiff's knowledge and investigation, are subject to such additional knowledge of facts as may result from Defendant and Counterclaim Plaintiff's further discovery or investigation.

### **OBJECTIONS TO DEFINITIONS**

1. Defendant and Counterclaim Plaintiff objects to Definition No. 2 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a "Chat Application" is a form of a "Document," Defendant and Counterclaim Plaintiff will interpret the phrase "Chat Application" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a).

2. Defendant and Counterclaim Plaintiff objects to Definition No. 3 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties'

resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a “Communication” is a form of a “Document,” Defendant and Counterclaim Plaintiff will interpret the word “Communication” in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

3. Defendant and Counterclaim Plaintiff objects to Definition No. 4 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in the litigation. On September 18, 2020, the Fairfax County Circuit Court ruled that Request Nos. 1-6 and 8 of Ms. Heard’s 6<sup>th</sup> Requests for Documents and Request Nos. 1, 3, 5, and 7 of Ms. Heard’s 7<sup>th</sup> Requests seeking documents during the parties’ marriage and related to the divorce litigation was overbroad and beyond the scope of relevant discovery in this case because “its denied under the doctrine of enough is enough. You all have been through the divorce already. We’re not going to retry that divorce in this case.”

4. Defendant and Counterclaim Plaintiff objects to Definition No. 5 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to

lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff will interpret the word "Document" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

5. Defendant and Counterclaim Plaintiff objects to Definition No. 7 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks documents outside of Defendant and Counterclaim Plaintiff's possession, custody, or control. Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

6. Defendant and Counterclaim Plaintiff objects to Definition No. 10 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, including because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents "sufficient to reflect the impact" of the UK litigation "on Mr. Depp's reputation and career" was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those Requests and this Request are beyond the scope of discovery in this case. And on December 18, 2020 the Fairfax County Circuit Court ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad. Additionally, Mr. Depp repeatedly took the position in his Opposition to Ms. Heard's Supplemental Plea in Bar that this Action and the U.K. Action did not arise from the same transaction or occurrence.

7. Defendant and Counterclaim Plaintiff objects to Definition No. 11 as vague, ambiguous, and failing to define with particularity the documents and information that it seeks, as it defines words in a circular, confusing, and non-specific manner, and is therefore overly broad and unduly burdensome.

8. Defendant and Counterclaim Plaintiff objects to Definition No. 12 as vague,

ambiguous, and failing to define with particularity the documents and information that it seeks, and is therefore overly broad and unduly burdensome, as it attempts to define non-specific words, terms, and phrases without providing any such definition.

### **OBJECTIONS TO INSTRUCTIONS**

1. Defendant and Counterclaim Plaintiff objects to Instruction No. 1 to the extent it exceeds the requirements of Va. Sup. Ct. R. 4:9(a), which only requires the production of documents “which are in the possession, custody, or control of the party upon whom the request is served,” and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents in accordance with Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Instruction to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Instruction invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

2. Defendant and Counterclaim Plaintiff objects to the portion of Instruction No. 3 seeking “The date such additional documents came into your possession shall be specified, as well as the identity of the individuals who furnished such additional documents to the person preparing the response” because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

3. Defendant and Counterclaim Plaintiff objects to Instruction No. 4 because the

request to “specify the reason(s) for your inability to respond to the remainder and stating whether information or knowledge you have concerning the portion to which you do not respond” exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

4. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 5(b) and (c) because the requests to identify each document in the manner requested and to “provide a description of the subject matter of each document or item” exceed the requirements of Va. Sup. Ct. Rs 4:9 and 4:1(b)(6) by requesting substantive information in a response to a Request for Production of Documents, and are therefore overly broad, unduly burdensome, and seek documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

5. Defendant and Counterclaim Plaintiff objects to Instruction No. 6 as unduly burdensome because the Defendant and Counterclaim Plaintiff has an ongoing duty under Va. Sup. Ct. R. 4:1(e) to supplement document production and responses when and where necessary, and this instruction is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Instruction because by its plain language of “no documents in existence” it seeks for Defendant and Counterclaim Plaintiff to respond regarding documents anywhere “in existence” that are outside of Defendant and Counterclaim Plaintiff’s possession, custody, or control.

6. Defendant and Counterclaim Plaintiff objects to Instruction No. 7 to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds



that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court.

7. Defendant and Counterclaim Plaintiff objects to Instruction No. 8 because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

8. Defendant and Counterclaim Plaintiff objects to Instruction No. 9 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

9. Defendant and Counterclaim Plaintiff objects to Instruction No. 10 seeking “transmittal sheets and cover letters” on the grounds that the request for such documents is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff further objects to the extent this Instruction seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court.

10. Defendant and Counterclaim Plaintiff objects to Instruction No. 11 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information and documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

11. Defendant and Counterclaim Plaintiff objects to Instruction No. 12 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also ambiguous because it contradicts Instruction No. 9. Defendant and Counterclaim Plaintiff further objects to this instruction because a request to access, extract, inspect, and/or test Defendant and Counterclaim Plaintiff's devices raises significant issues of confidentiality and privacy, is subject to the balancing required by Va. Sup. Ct. R. 4:1(b)(1), and requires a heightened showing of relevance and discoverability that Plaintiff and Counterclaim Defendant has not demonstrated in this case. Such a request does not create a routine right of direct access to a party's electronic information and devices, as Courts guard against undue intrusiveness, undue burden, and significant overbreadth that results from the requested type of access, extraction, inspection, and/or testing. Additionally, Plaintiff and Counterclaim Defendant's UK Counsel confirmed on July 17, 2020 that Plaintiff and Counterclaim Defendant did not dispute the accuracy of the accompanying date/time metadata to the May 2016 images, and further that any analysis of digital images will

not yield any additional information than what can be seen from the images. For all of these reasons, Defendant and Counterclaim Plaintiff objects to this Instruction as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation.

12. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 13 and 14 on the grounds that they exceed the requirements of Va. Sup. Ct. R 4:9 and 4:1(b)(6), and are therefore overly broad, unduly burdensome, and seek information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

13. Defendant and Counterclaim Plaintiff objects to Instruction No. 15 because it seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Defendant and Counterclaim Plaintiff further objects to this Instruction seeking all documents in the possession of "any consultants or experts" because it exceeds the requirements of Va. Sup. Ct. R. 4:1(b)(4), and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

14. Defendant and Counterclaim Plaintiff objects to Instruction No. 16 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and

Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also cumulative and duplicative of earlier Instructions.

15. Defendant and Counterclaim Plaintiff objects to Instruction No. 17 as vague, ambiguous, and unduly burdensome by seeking to later “expand or supplement” these already-served Requests for Production of Documents.

### **REQUESTS FOR PRODUCTION**

**1. All Communications (prior to the date of the publication of the Op-Ed) between You and any other Person, including without limitation Your attorneys, regarding the drafting, content, purpose, or meaning of the Op-Ed.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in this litigation as it seeks documents beyond the scope of this Court’s May 12, 2021 Order, which only Ordered that Defendant and Counterclaim Plaintiff “waiv[ed] her attorney-client privilege with respect to this transaction, which in this particular case is the transaction of the op-ed published.” Mr. Depp, through counsel, also denied that he was seeking “all communications between Ms. Heard and Mr. George while he was acting as her counsel after Mr. Depp filed this complaint,” and that “the temporal period of that is going to be the time before she published the op-ed,” therefore admitting that communications following the publication of the op-ed are not relevant. Defendant and Counterclaim Plaintiff further objects to this Request for the same reasons because on August 11, 2021 the Superior Court of

California, County of Los Angeles (Civil Division) (the “California Court”) denied Mr. Depp’s Petition to Compel Further Responses at Deposition of Eric George in its entirety in part because “[t]he Court finds that any thought processes or after-the-fact analysis, conclusions, or opinions are not discoverable, and Mr. George is the holder of the privilege.”

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product communications (if any) in her possession, custody, and control within the scope of this Court’s May 12, 2021 Order and Mr. Depp’s counsel’s representation regarding the temporal period and scope of documents sought by Mr. Depp regarding the Op-Ed. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**2. All Communications (after the publication of the Op-Ed but before the commencement of this action) between You and any other Person, including without limitation Your attorneys, regarding the drafting, content, purpose, or meaning of the Op-Ed.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy,

limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation as it seeks documents beyond the scope of this Court's May 12, 2021 Order, which only Ordered that Defendant and Counterclaim Plaintiff "waiv[ed] her attorney-client privilege with respect to this transaction, which in this particular case is the transaction of the op-ed published." Mr. Depp, through counsel, also denied that he was seeking "all communications between Ms. Heard and Mr. George while he was acting as her counsel after Mr. Depp filed this complaint," and that "the temporal period of that is going to be the time before she published the op-ed," therefore admitting that communications following the publication of the op-ed are not relevant. Defendant and Counterclaim Plaintiff further objects to this Request for the same reasons because on August 11, 2021 the California Court denied Mr. Depp's Petition to Compel Further Responses at Deposition of Eric George in its entirety in part because "[t]he Court finds that any thought processes or after-the-fact analysis, conclusions, or opinions are not discoverable, and Mr. George is the holder of the privilege."

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product communications (if any) in her possession, custody, and control within the scope of this Court's May 12, 2021 Order and Mr. Depp's counsel's representation regarding the temporal period and

scope of documents sought by Mr. Depp regarding the Op-Ed. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**3. All Communications (after the commencement of this action) between You and any other Person, including without limitation those of Your attorneys with whom You consulted about the Op-Ed prior to its publication, regarding the drafting, content, purpose, or meaning of the Op-Ed.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation as it seeks documents beyond the scope of this Court's May 12, 2021 Order, which only Ordered that Defendant and Counterclaim Plaintiff "waiv[ed] her attorney-client privilege with respect to this transaction, which in this particular case is the transaction of the op-ed published." Mr. Depp, through counsel, also denied that he was seeking "all communications between Ms. Heard and Mr. George while he was acting as her counsel after Mr. Depp filed this complaint," and that "the temporal period of that is going to be the time before she published the op-ed," therefore admitting that communications following the publication of the op-ed are not relevant. Defendant and Counterclaim Plaintiff further objects to this Request for the same reasons because on August 11, 2021 the California Court denied Mr. Depp's Petition to Compel Further Responses at Deposition of Eric George in its entirety in part because "[t]he Court finds that any thought processes or after-the-fact analysis, conclusions, or opinions are not discoverable, and Mr. George is the holder of the privilege."

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks

information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product communications (if any) in her possession, custody, and control within the scope of this Court's May 12, 2021 Order and Mr. Depp's counsel's representation regarding the temporal period and scope of documents sought by Mr. Depp regarding the Op-Ed. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**4. All documents relied upon by any expert identified by You, in providing any opinions in this case, including anything supporting the bases for such opinions.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, and seeks information in excess of that required to be provided under Va. Sup. Ct. R. 4:1(b)(4) by seeking this information through a Request for Production, when absent a Court Order that Rule only permits expert discovery through interrogatories or deposition testimony.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Va. Sup. Ct. R. 4:1(b)(4) does not permit expert discovery through a Request for Production, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents responsive to this Request (if any) within the time frames set by the Court's April 22, 2021 Scheduling Order.



**5. To the extent not already produced, copies of all current c.v.s or resumes of any expert witness identified by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, and seeks information in excess of that required to be provided under Va. Sup. Ct. R. 4:1(b)(4) by seeking this information through a Request for Production, when absent a Court Order that Rule only permits expert discovery through interrogatories or deposition testimony.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Va. Sup. Ct. R. 4:1(b)(4) does not permit expert discovery through a Request for Production, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents responsive to this Request (if any) within the time frames set by the Court's April 22, 2021 Scheduling Order.

**6. Copies of all publications evidencing or otherwise reflecting your reputation.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is obtainable from other sources that are more convenient, less burdensome, and less expensive. Mr. Depp extensively objected and stood on his objections to Request No. 11 of Ms. Heard's 10<sup>th</sup> Requests

for Production of Documents, which is narrower than this Request by only seeking “publications evidencing or otherwise reflecting *negatively*” on your reputation. Mr. Depp further objected that Ms. Heard’s narrower Request was irrelevant, overly broad, unduly burdensome, harassing, vague and ambiguous (including that the term “publications” was vague), lacked reasonable particularity, was not reasonably tailored, obtainable from more convenient/less burdensome sources, the documents were public record and equally available to Ms. Heard, and on grounds of privilege and work product. Mr. Depp eventually agreed to produce publications evidencing or otherwise reflecting *negatively* on his reputation to the extent in his possession, custody, and control as reflected in the Court’s August 6, 2021 Consent Order.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) in her possession, custody, and control within the scope of this Court’s August 6, 2021 Consent Order regarding Request No. 11 of Ms. Heard’s 10<sup>th</sup> Requests for Production of Documents. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**7. All documents reflecting the reasons for your loss of reputation, loss of roles or commercial opportunities from December 2018 through the present.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues. Mr. Depp

extensively objected to Request No. 12 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents, including that Request No. 12 was irrelevant, overly broad, unduly burdensome, harassing, vague and ambiguous, lacked reasonable particularity, was not reasonably tailored, obtainable from more convenient/less burdensome sources, and on grounds of privilege and work product. Mr. Depp eventually agreed to produce documents responsive to Request No. 12 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents to the extent in his possession, custody, and control as reflected in the Court's August 6, 2021 Consent Order.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) in her possession, custody, and control within the scope of this Court's August 6, 2021 Consent Order regarding Request No. 12 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**8. All communications from any person or entity reflecting that you have not been considered for, or have lost the opportunity for, any role or commercial opportunity from December 2018 through the present.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it

seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Mr. Depp extensively objected to Request No. 13 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents, including that Request No. 13 was irrelevant, overly broad, unduly burdensome, harassing, vague and ambiguous, lacked reasonable particularity, was not reasonably tailored, obtainable from more convenient/less burdensome sources, and on grounds of privilege and work product, and stood on those objections refusing to produce any responsive documents. Mr. Depp eventually agreed to produce documents responsive to Request No. 13 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents as reflected in the Court's August 6, 2021 Consent Order.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) in her possession, custody, and control within the scope of this Court's August 6, 2021 Consent Order regarding Request No. 13 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**9. All communications reflecting the reasons for your loss of reputation, and/or for not being considered for any role or commercial opportunity from December 2018 through the present.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Mr. Depp extensively objected to Request No. 14 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents, including that Request No. 14 was irrelevant, overly broad, unduly burdensome, harassing, vague and ambiguous, lacked reasonable particularity, was not reasonably tailored, obtainable from more convenient/less burdensome sources, and on grounds of privilege and work product. Mr. Depp eventually agreed to produce documents responsive to Request No. 14 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents to the extent in his possession, custody, and control as reflected in the Court's August 6, 2021 Consent Order.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product

documents (if any) in her possession, custody, and control within the scope of this Court's August 6, 2021 Consent Order regarding Request No. 14 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**10. All non-privileged communications from any person or entity in response to, commenting upon, or otherwise relating to, the filing of the divorce action against Mr. Depp by Ms. Heard in May 2016 and the attendant obtaining of a Domestic Violence Temporary Restraining Order. This includes, but is not limited to, any reactions or responses by studios, companies, producers, directors or other potential sources of income.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Mr. Depp extensively objected to Request No. 15 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents, including that Request No. 15 was irrelevant, overly broad, unduly burdensome, harassing, vague and ambiguous, lacked reasonable particularity, was not reasonably tailored, obtainable from more convenient/less burdensome sources, and on grounds of privilege and work product. Mr. Depp eventually agreed to produce documents responsive to Request No. 15 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents to the extent in his possession, custody, and control as reflected in the Court's August 6, 2021 Consent Order. Defendant and Counterclaim Plaintiff further objects because on September 18, 2020, the Fairfax County Circuit Court ruled that Request Nos. 1-6 and 8 of Ms. Heard's 6<sup>th</sup> Requests for Documents and Request Nos. 1, 3, 5, and 7 of Ms. Heard's 7<sup>th</sup> Requests seeking documents during the parties'

marriage and related to the divorce litigation was overbroad and beyond the scope of relevant discovery in this case because “its denied under the doctrine of enough is enough. You all have been through the divorce already. We’re not going to retry that divorce in this case.”

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) in her possession, custody, and control within the scope of this Court’s August 6, 2021 Consent Order regarding Request No. 15 of Ms. Heard’s 10<sup>th</sup> Requests for Production of Documents . Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**11. All non-privileged communications from any person or entity in response to, commenting upon, or otherwise relating to, the publication of the Op-Ed by You published in the Washington Post in December 2018. This includes, but is not limited to, any responses or reactions by studios, companies, producers, directors or other potential sources of income.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the

parties' resources, and the importance of the discovery in resolving the issues. Mr. Depp extensively objected to Request No. 17 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents, including that Request No. 17 was irrelevant, overly broad, unduly burdensome, harassing, vague and ambiguous, lacked reasonable particularity, was not reasonably tailored, obtainable from more convenient/less burdensome sources, and on grounds of privilege and work product. Mr. Depp eventually agreed to produce documents responsive to Request No. 17 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents to the extent in his possession, custody, and control as reflected in the Court's August 6, 2021 Consent Order.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) in her possession, custody, and control within the scope of this Court's August 6, 2021 Consent Order regarding Request No. 17 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.



**12. All photographs, video tapes, audio tapes and any other recordings in your possession, custody, or control that include Mr. Depp.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Mr. Depp extensively objected to Request No. 21 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents, including that Request No. 21 was irrelevant, overly broad, unduly burdensome, and duplicative. Mr. Depp eventually agreed to produce documents responsive to Request No. 21 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents to the extent in his possession, custody, and control as reflected in the Court's August 6, 2021 Consent Order.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) in her possession, custody, and control within the scope of this Court's August 6, 2021 Consent Order regarding Request No. 21 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**13. All financial Documents that evidence or support Your income from professional activities from 2010 through and including the present date.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in

this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects because this Request is duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant, including Request No. 1 of Mr. Depp's 4th Set of Requests for Production, for which the Court only Ordered Defendant and Counterclaim Plaintiff to "produce al information showing gross income, but may otherwise redact," and improperly seeks to broaden the scope of the Court's rulings regarding the scope of discoverable financial information. For the same reasons, Defendant and Counterclaim Plaintiff objects to this Request based on the Court's rulings on September 18 and November 20, 2020 regarding the scope of financial discovery reflecting the parties' income.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

14. Documents sufficient to reflect all loans, benefits, perks, expenses, or payments for any other reason in excess of \$5,000 in either cash or value made by You from May 21, 2016 through the present, to or for the benefit of any person that has been identified by either Mr. Depp or Ms. Heard in discovery as having knowledge relevant in any way to the claims or defenses in this action, including without limitation the following: Alejandro Romero, Amy Banks, Amanda de Cadenet, Andy Milner, Anthony Romero, Ben King, Bonnie Jacobs, Brandon McCulloch, Brandon Patterson, Bruce Witkin, Catherin Armecin, Christian Carino, Connel Cowan, Cornelius Harrell, David Heard, David Kipper, Debbie Depp, Debbie Lloyd, Christi Dembrowski, Elizabeth Marz, Ellen Barkin, Elon Musk, Eric George, Erin Boerum, iO Tillett Wright, Isaac Baruch, Jack Whigham, James Franco, Jerry Judge, Jessica Weitz, Joanne Murray, Joidi Gottlieb, Josh Drew, Keenan Wyatt, Kelly Sue Elder, Kevin Murphy, Kristina Sexton, Laura Divinere, Laurel Anderson, Lisa Beane, Malcolm Connelly, Melanie Inglessis, Melissa Saenz, Michelle Mulrooney, Mick Doohan, Monroe Tinker, Natasha Brooks, Nathan Holmes, Paige Heard, Paul Bettany, Raquel Pennington, Robin Baum, Robin Shulman, Samantha McMillen, Sean Bett, Starling Jenkins, Stephen Deuters, Tasya van Ree, Tracey Jacobs, Trinity Esparza, Trudy Salven, Tyler Hadden, Whitney Henriquez.

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. This Request exceeds the scope of the Court's August 19, 2021 Order compelling Mr. Depp to produce all responsive documents to Revised Request No. 20 of Ms. Heard's 10<sup>th</sup> Requests for Production of Documents by not limiting the scope of this Request in accordance with that August 19, 2021 Order, which stated that "[t]he foregoing shall not require the production of documents reflecting payments to Mr. Depp's attorneys. Mr. Depp shall also identify, in the affirmative and without stating any amounts, whether any of the above identified individuals received any salary, commissions, bonuses, or advances ("Salary") from him." The Request further exceeds the scope of the Court's August 19, 2021 Order by purporting to include individuals beyond the

scope of that Order by including “any person that has been identified by either Mr. Depp or Ms. Heard in discovery as having knowledge relevant in any way to the claims or defenses in this action,” whereas Ms. Heard’s Request Ordered by the Court included only a list of specifically identified individuals. This Request further exceeds the scope of the August 19, 2021 Order by including Paige Heard, Ms. Heard’s deceased mother.

Defendant and Counterclaim Plaintiff further objects to this Request including Tasya van Ree to the extent the information sought is privileged as a confidential and private marital communication pursuant to Va. Sup. Ct. R. 2:504 and Va. Code § 8.01-398. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court, including but not limited to Plaintiff and Counterclaim Defendant including Eric George in this Request, and especially because Mr. Depp already took the position that any such payments to attorney’s were privileged. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) within the scope of this Court’s August 19, 2021 Order. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**15. All pictures, photographs, videos, or other images of You within ten (10) days of any date on which You contend that You were a victim of abuse, including without limitation any of the following dates:**

- ☐ January 1, 2013;
- ☐ March 8, 2013;
- ☐ May 24, 2014;
- ☐ August 17, 2014;
- ☐ December 17, 2014;
- ☐ January 25, 2015;
- ☐ March 2015;
- ☐ August 2015;
- ☐ November 26, 2015;
- ☐ December 15, 2015;
- ☐ April 21, 2016; and
- ☐ May 21, 2016.

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. This Request's plain language is so overbroad that it is not bound by scope or subject-matter in any manner whatsoever.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**16. All Documents that relate in any manner to Mr. Depp within ten (10) days of any date on which You contend that You were a victim of abuse, including without limitation any of the following date:**

- ☐ January 1, 2013;
- ☐ March 8, 2013;
- ☐ May 24, 2014;
- ☐ August 17, 2014;
- ☐ December 17, 2014;
- ☐ January 25, 2015;
- ☐ March 2015;
- ☐ August 2015;
- ☐ November 26, 2015;
- ☐ December 15, 2015;
- ☐ April 21, 2016; and
- ☐ May 21, 2016.

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. This Request's plain language is so overbroad that it is only bound by the scope and subject-matter of "relat[ing] in any manner to Mr. Depp," regardless of whether any such overbroad documents are even related to the claims, allegations, and defenses in this case. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**17. All Communications that relate in any manner to Mr. Depp within ten (10) days of any date on which You contend that You were a victim of abuse, including without limitation any of the following dates:**

- ☐ January 1, 2013;
- ☐ March 8, 2013;
- ☐ May 24, 2014;
- ☐ August 17, 2014;
- ☐ December 17, 2014;
- ☐ January 25, 2015;
- ☐ March 2015;
- ☐ August 2015;
- ☐ November 26, 2015;
- ☐ December 15, 2015;
- ☐ April 21, 2016; and
- ☐ May 21, 2016.

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. This Request's plain language is so overbroad that it is only bound by the scope and subject-matter of "relat[ing] in any manner to Mr. Depp," regardless of whether any such overbroad communications are even related to the claims, allegations, and defenses in this case. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-

client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced communications potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**18. All pictures, audio recordings, or video recordings of You within ten (10) days of any date on which You contend that You were a victim of abuse, including without limitation any of the following dates:**

- ☐ January 1, 2013;
- ☐ March 8, 2013;
- ☐ May 24, 2014;
- ☐ August 17, 2014;
- ☐ December 17, 2014;
- ☐ January 25, 2015;
- ☐ March 2015;
- ☐ August 2015;
- ☐ November 26, 2015;
- ☐ December 15, 2015;
- ☐ April 21, 2016; and
- ☐ May 21, 2016.

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. This Request's



plain language is so overbroad that it is not bound by scope or subject-matter in any manner whatsoever.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**19. All agreements or contracts related to Your professional activities from January 1, 2010 through and including the present, including without limitation contracts related to Your appearance in connection with any films, television programs, or advertisements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request, including the phrase “related to,” on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects because this Request is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant, including Request No. 4 of Mr. Depp’s 4th Set of Requests for Production.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the

Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) within the scope of Request No. 4 of Mr. Depp's 4th Set of Requests for Production that was previously Ordered by the Court. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**20. All financial documents evidencing Your income from Your professional activities from January 1, 2010 through and including the present.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects because this Request is duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant, including Request No. 1 of Mr. Depp's 4th Set of Requests for Production, for which the Court only Ordered Defendant and Counterclaim Plaintiff to "produce al information showing gross income, but may otherwise redact," and improperly seeks to broaden the scope of the Court's rulings regarding the scope of discoverable financial information. For the same reasons, Defendant and Counterclaim Plaintiff objects to this Request based on the Court's rulings on September 18 and November 20, 2020 regarding the scope of financial discovery reflecting the parties' income. Defendant and Counterclaim

Plaintiff objects because this Request is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant, including Request No. 13 of this 9<sup>th</sup> Set of Requests for Production.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**21. All Communications between You and any Person who gave evidence in the U.K. Action related in any way to (1) the testimony or other evidence given in the U.K. Action; (2) Mr. Depp's allegations of abuse against You; or (3) Your allegations of abuse against Mr. Depp.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request, including the phrase "related in any way to," on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. On December 18, 2020 the Fairfax County Circuit Court ruled that

Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. Additionally, Mr. Depp repeatedly took the position in his Opposition to Ms. Heard's Supplemental Plea in Bar that this Action and the U.K. Action did not arise from the same transaction or occurrence.

Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that the phrases "Mr. Depp's allegations of abuse against you," "Person who gave evidence," and "the testimony or other evidence given" in the U.K. Action is vague, ambiguous, fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues, especially because this Request fails to identify the specific Persons it purportedly seeks communications with.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**22. All Communications between You and any Person who has been identified in either party's interrogatory responses in this Action as a person with knowledge relevant to this Action, related in any way to (1) Mr. Depp's allegations of abuse against You; or (2) Your allegations of abuse against Mr. Depp.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request, including the phrase "related in any way to," on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. The phrase "Mr. Depp's allegations of abuse against you," is vague, ambiguous, fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects to this Request because it fails to identify the specific Persons it purportedly seeks communications with, yet still seeks an incredibly broad array of communications.

Defendant and Counterclaim Plaintiff further objects to this Request to the extent the information sought is privileged as a confidential and private marital communication pursuant to Va. Sup. Ct. R. 2:504 and Va. Code § 8.01-398. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant

has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff has produced documents potentially responsive to this overbroad and unduly burdensome Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**23. All Documents evidencing any movie, television, or other acting roles You have performed, been offered, or been considered for, from January 2010 through and including the present.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects because this Request is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant, including Request Nos. 2 and 4 of Mr. Depp's 4th Set of Requests for Production.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged and non-work product documents (if any) within the scope of Request Nos. 2 and 4 of Mr. Depp's 4th Set of Requests for Production that was previously Ordered by the Court. Defendant and Counterclaim Plaintiff otherwise stands on her objections to this Request.

**24. All Documents or Communications evidencing or reflecting any drug or alcohol use or abuse by You, from January 1, 2010 through and including the present.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**25. All deleted pictures, audio files, video files, text messages, from any date on which You contend You were a victim of abuse by Mr. Depp.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues. This Request's plain language is so overbroad that it is not bound by scope or subject-matter.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff stands on her objections to this Request.



October 7, 2021

**AS TO OBJECTIONS:**



Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 94717)  
David E. Murphy (VSB No. 90938)  
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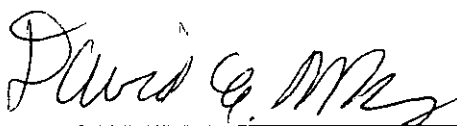
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 7<sup>th</sup> day of October, 2021, by email, by agreement of the parties, addressed as follows:

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*Counsel for Plaintiff and Counterclaim  
Defendant John C. Depp, II*

  
\_\_\_\_\_  
David E. Murphy

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,

Plaintiff and Counterclaim Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim Plaintiff.

Civil Action No.: CL-2019-0002911

**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
RESPONSES AND OBJECTIONS TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S FOURTH SET OF REQUESTS FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these responses and objections (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp's Fourth Set of Requests for Production dated December 29, 2020 (the "Requests").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are duplicative, cumulative, or seek information that has already been provided through other means of discovery. Defendant and Counterclaim Plaintiff will not reproduce documents already produced in discovery.

The Court also ruled on December 18, 2020 that Request 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all communications between Ms. Heard and anyone relating to claims of abuse or violence involving Mr. Depp, and injuries Ms. Heard contends she suffered as a result of Mr. Depp's conduct was overbroad, and therefore beyond the scope of discovery in this case. The Court also ruled that Request 52 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to Ms. Heard's "relationship with Mr. Depp" was also overbroad, and therefore beyond the scope of discovery in this case.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**36. All Communications between You and any other Person, other than Your attorneys, regarding Your allegations of violence or abuse against Mr. Depp.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request seeking documents regarding allegations in the Counterclaim on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, the importance of the discovery in resolving the issues, and critically the Court's prior rulings defining the scope of relevant discovery in this case quoted in detail below.

On December 18, 2020, the Court ruled that Request 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all communications between Ms. Heard and anyone relating to claims of abuse or violence involving Mr. Depp and injuries Ms. Heard contends she suffered as a result of Mr. Depp's conduct was overbroad, and therefore beyond the scope of discovery in this case.

The Court also ruled that Request 52 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to Ms. Heard's "relationship with Mr. Depp" was also overbroad, and therefore beyond the scope of discovery in this case.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**37. All Documents and Communications that refer, reflect, or relate to the impact that Your purported donation of the proceeds of Your settlement with Mr. Depp to charity had on Your reputation and career.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to this Request, including seeking documents "relating to," on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is overly broad, unduly burdensome, harassing, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, the importance of the discovery in resolving the issues, and critically the Court's prior rulings defining the scope of relevant discovery in this case quoted in detail below.

On December 18, 2020, the Court narrowly defined the scope of discovery regarding charitable donations for this case as only applying to "the \$7 million donation or pledge" and

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce non-privileged documents in response to this Request relevant to the statements at issue.

**AS TO OBJECTIONS:**

/S/ DAVID E. MURPHY

Elaine Charlson Bredehoft (VSB No. 23766)  
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*Counsel to Defendant and Counterclaim  
Plaintiff Amber Laura Heard*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 19<sup>th</sup> day of January 2021, by email, by agreement of the parties, addressed as follows:

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*Counsel for Plaintiff/Counterclaim  
Defendant John C. Depp, II*

/S/ DAVID E. MURPHY  
David E. Murphy (VSB No. 90938)

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff and Counterclaim Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim Plaintiff.

Civil Action No.: CL-2019-0002911

**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OBJECTIONS AND RESPONSES TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S FIFTH SET OF INTERROGATORIES**

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these objections and responses (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp, II's Fifth Set of Interrogatories dated January 27, 2022 (the "Interrogatories").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects that Plaintiff and Counterclaim Defendant has exceeded the permissible number of Interrogatories, including all parts and subparts, in violation of Rule 4:8(g). Defendant and Counterclaim Plaintiff objects to the Interrogatories to the extent they would require Defendant and Counterclaim Plaintiff to provide or reveal the contents of any document or information privileged from disclosure pursuant to the attorney-client privilege, the qualified immunity provided to litigation work product, or any other



applicable privilege. Defendant and Counterclaim Plaintiff will not provide such information. Defendant and Counterclaim Plaintiff has withheld certain documents and information from production in response to these Interrogatories. Defendant and Counterclaim Plaintiff has withheld correspondence between Defendant and Counterclaim Plaintiff and counsel relating to this litigation. Materials withheld under this classification include letters from counsel to Defendant and Counterclaim Plaintiff; letters from Defendant and Counterclaim Plaintiff to counsel; draft materials provided to Defendant and Counterclaim Plaintiff by counsel for review and comment; draft materials provided to counsel by Defendant and Counterclaim Plaintiff for review and comment; and documents given to counsel which were prepared by Defendant and Counterclaim Plaintiff at the express request of counsel, in anticipation of litigation, in order to set forth facts and/or other matters relating to this litigation. These materials are protected by the attorney-client privilege and by the qualified immunity from disclosure afforded to litigation work product by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court.

No index has been prepared with respect to correspondence between Defendant and Counterclaim Plaintiff and counsel related to this litigation. The fact that the documents which have been withheld constitute correspondence between a party and that party's counsel relating to the pending litigation describes the withheld documents with a degree of particularity sufficient to permit other parties to assess the applicability of the privilege or protection.

2. Defendant and Counterclaim Plaintiff objects to these Interrogatories the extent they are vague, ambiguous, overly broad, unduly burdensome, seek information and documents not relevant to the claims or defenses of any party, or are not proportional to the needs of the case.

3. Defendant and Counterclaim Plaintiff objects to the Interrogatories to the extent they require unreasonable measures to locate and produce responsive documents and information. Defendant and Counterclaim Plaintiff will construe the Interrogatories to require a reasonable and diligent search of reasonably accessible files where she would reasonably expect to find information, documents, or things related to the Interrogatories.

4. Defendant and Counterclaim Plaintiff objects to these Interrogatories to the extent that they purport to call for a legal conclusion.

5. Defendant and Counterclaim Plaintiff objects to these Interrogatories to the extent that they are compound, overlapping, duplicative and/or redundant of other Interrogatories or Requests for Production served by Plaintiff and Counterclaim Defendant.

6. Defendant and Counterclaim Plaintiff objects to each Interrogatory to the extent that it calls for documents and information that: (a) may be derived or ascertained from documents and information that have been or will be produced in this action; (b) is already in Plaintiff and Counterclaim Defendant's possession, custody, or control; (c) is publicly available; or (d) is otherwise independently available to Plaintiff and Counterclaim Defendant or his counsel.

7. Defendant and Counterclaim Plaintiff objects to the Interrogatories to the extent they seek documents and information that are not within Defendant and Counterclaim Plaintiff's possession, custody, or control. Subject to this General Objection, in responding to the Interrogatories, Defendant and Counterclaim Plaintiff will provide only responsive documents and information within Defendant and Counterclaim Plaintiff's possession, custody, or control.

8. Defendant and Counterclaim Plaintiff objects to the Interrogatories to the extent they are based on a false premise and contain express or implied assumptions of fact or law with

respect to matters at issue in this case. Defendant and Counterclaim Plaintiff's Responses to the Interrogatories are not intended to be and shall not be construed as an agreement or concurrence with Plaintiff and Counterclaim Defendant's characterization of any facts, circumstances, or legal obligations. Defendant and Counterclaim Plaintiff reserves the right to contest any such characterization as inaccurate.

9. Defendant and Counterclaim Plaintiff objects to the Interrogatories to the extent they seek information in excess of that required to be provided by Rules 4:1(b)(6) and 4:8 of the Rules of the Virginia Supreme Court, or are otherwise outside the scope of permissible Interrogatories.

10. Defendant and Counterclaim Plaintiff objects to the Definitions and Instructions to the extent they seek to impose obligations greater than those imposed by the Rules or any other applicable law, rule, ruling of this court, or agreement of the parties.

11. Defendant and Counterclaim Plaintiff expressly reserves all rights and privileges under the Rules and any other applicable law or rule. The failure to assert such rights and privileges or the inadvertent disclosure by Defendant and Counterclaim Plaintiff of information or documents protected by such rights or privileges shall not constitute a waiver thereof, either with respect to these Responses or with respect to any future discovery objections or responses.

#### **OBJECTIONS TO DEFINITIONS**

1. Defendant and Counterclaim Plaintiff objects to Definition No. 1's inclusion of "entity type" on the grounds that it is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues

at stake in the litigation, and because it seeks information beyond the scope of Va. Sup. Ct. R. 4:8.

2. Defendant and Counterclaim Plaintiff objects to Definition No. 2(b), (c), and (d)'s inclusion of business information, business affiliation, business contact information, and employment information on the grounds that they are overly broad, unduly burdensome, and seek information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks information beyond the scope of Va. Sup. Ct. R. 4:8.

3. Defendant and Counterclaim Plaintiff objects to Definition No. 4 on the grounds that the phrase "similar activities" is vague, ambiguous, and fails to define with particularity the information that it seeks, so is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation.

4. Defendant and Counterclaim Plaintiff objects to Definition No. 8 on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation.

5. Defendant and Counterclaim Plaintiff objects to Definition No. 9 the grounds that it is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks information beyond the scope of Va. Sup. Ct. Rs. 4:8 and 4:1. Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

6. Defendant and Counterclaim Plaintiff objects to Definition No. 10 as vague, ambiguous, and failing to define with particularity the information that it seeks, as it defines words in a circular, confusing, and non-specific manner, and is therefore unduly burdensome.

7. Defendant and Counterclaim Plaintiff objects to Definition No. 11 as vague, ambiguous, and failing to define with particularity the information that it seeks.

#### **OBJECTIONS TO INSTRUCTIONS**

1. Defendant and Counterclaim Plaintiff objects to Instruction No. 1 on the grounds that it is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation,

and because it seeks information beyond the scope of Va. Sup. Ct. Rs. 4:8 and 4:1(b).

Defendant and Counterclaim Plaintiff further objects to this Instruction to the extent it seeks information protected by the attorney-client privilege, and on the grounds that this Instruction invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court, and because the Instruction incorrectly defines the scope of the work product doctrine in Virginia. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

2. Defendant and Counterclaim Plaintiff objects to Instruction No. 2 on the grounds that it is overly broad and unduly burdensome because it seeks information beyond the scope of Va. Sup. Ct. R. 4:8, and because it exceeds the requirements of Va. Sup. Ct. R. 4:1(e).

3. Defendant and Counterclaim Plaintiff objects to Instruction No. 3 on the grounds that it is overly broad and unduly burdensome because it seeks information beyond the scope of Va. Sup. Ct. R. 4:8, because it exceeds the requirements of Va. Sup. Ct. R. 4:1(e).

4. Defendant and Counterclaim Plaintiff objects to Instruction No. 4 on the grounds that it is overly broad and unduly burdensome because it seeks information beyond the scope of Va. Sup. Ct. R. 4:8, and because it exceeds the requirements of Va. Sup. Ct. R. 4:1(e).

5. Defendant and Counterclaim Plaintiff objects to Instruction No. 5 on the grounds that it is overly broad and unduly burdensome because it seeks information beyond the scope of Va. Sup. Ct. R. 4:8, and because it exceeds the requirements of Va. Sup. Ct. R. 4:1(e).

6. Defendant and Counterclaim Plaintiff objects to Instruction No. 6 on the grounds that it is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case,

taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it exceeds the scope of Va. Sup. Ct. R. 4:8(f).

7. Defendant and Counterclaim Plaintiff objects to Instruction No. 7 on the grounds that it is overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks information beyond the scope of Va. Sup. Ct. Rs. 4:8 and 4:1(b).

Defendant and Counterclaim Plaintiff further objects to this Instruction to the extent it seeks information protected by the attorney-client privilege, and on the grounds that this Instruction invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

8. Defendant and Counterclaim Plaintiff objects to Instruction No. 8 to the extent it seeks to preserve or otherwise "pre-object" for objections that must be contemporaneously made at the time of trial or other hearing.

9. Defendant and Counterclaim Plaintiff objects to Instruction No. 9 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9 and 4:1(b)(6), and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources,

and the importance of the discovery in resolving the issues at stake in the litigation.

10. Defendant and Counterclaim Plaintiff objects to Instruction No. 10 because it exceeds the requirements of Va. Sup. Ct. R 4:8, and is therefore overly broad and unduly burdensome. This Instruction is particularly inappropriate and harassing as grossly beyond the requirements of Va. Sup. Ct. Rs. 4:1 and 4:8, and improperly attempts to create an artificial deadline for Defendant and Counterclaim Plaintiff to file early objections to Interrogatories, and/or to shift the burden of resolving or clarifying vague, ambiguous, or otherwise unclear Interrogatories issued by Plaintiff and Counterclaim Defendant onto Defendant and Counterclaim Plaintiff.

### **INTERROGATORIES**

**1. Describe in detail all Career Opportunities that You contend You have lost as a result of any of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the word “all” of this Interrogatory on the grounds that it is overly broad and unduly burdensome as supported by recent discovery rulings from the Court. Defendant and Counterclaim Plaintiff further objects to the words “Career Opportunities” and its definition as stated by Plaintiff and Counterclaim Defendant on the grounds that it is vague, ambiguous, and otherwise unclear. Defendant and Counterclaim Plaintiff further objects to the form of the Interrogatory as including Interrogatories in compound, such that later Interrogatories exceed the number of Interrogatories permitted under Va. Sup. Ct. R. 4:8(g) and the Consent Order entered by the Court on January 10, 2022, when counting parts and sub-parts. Defendant and Counterclaim Plaintiff further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which



is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the Objections, Ms. Heard will provide a substantive response.

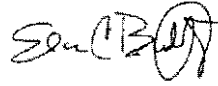
**2. State all facts that support Your contention that Mr. Depp is responsible for any damages You contend You have suffered as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the word “all” of this Interrogatory on the grounds that it is overly broad and unduly burdensome as supported by recent discovery rulings from the Court. Defendant and Counterclaim Plaintiff further objects to this Interrogatory because it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to the form of the Interrogatory as including Interrogatories in compound, such that later Interrogatories exceed the number of Interrogatories permitted under Va. Sup. Ct. R. 4:8(g) and the Consent Order entered by the Court on January 10, 2022, when counting parts and sub-parts. Defendant and Counterclaim Plaintiff further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the Objections, Ms. Heard will provide a substantive response.

February 17, 2022

**AS TO OBJECTIONS:**



Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
Clarissa K. Pintado (VSB No. 86882)  
David E. Murphy (VSB No. 90938)  
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*Counsel to Defendant and Counterclaim  
Plaintiff Amber Laura Heard*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 17<sup>th</sup> day of February, 2022, by email, by agreement of the parties, addressed as follows:

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*Counsel for Plaintiff and Counterclaim  
Defendant John C. Depp, II*



---

Elaine Charlson Bredehoft

## Exhibit 7

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

<b>John C. Depp, II,</b>	)	
	)	
<b>Plaintiff and</b>	)	
<b>Counterclaim Defendant,</b>	)	
<b>v.</b>	)	<b>Civil Action No.: CL-2019-0002911</b>
	)	
<b>Amber Laura Heard,</b>	)	
	)	
<b>Defendant and</b>	)	
<b>Counterclaim Plaintiff.</b>	)	

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**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OBJECTIONS AND RESPONSES TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S TWELFTH SET OF REQUESTS FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these objections and responses (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp, II's Twelfth Set of Requests for Production dated January 27, 2022 (the "Requests").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are duplicative, cumulative, or seek documents that have already been provided through other means of discovery. Defendant and Counterclaim Plaintiff will not reproduce documents already produced in discovery.

2. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are vague, ambiguous, overly broad, unduly burdensome, seek documents not relevant to the claims or defenses of any party, or are not proportional to the needs of the case.

3. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they impose any obligations or requirements beyond the scope of the Rules or any case law interpreting them.

4. Defendant and Counterclaim Plaintiff's Responses are not intended to be and shall not be construed as an agreement or concurrence that all documents and information provided are admissible with respect to the claims and defenses of Plaintiff and Counterclaim Defendant and/or Defendant and Counterclaim Plaintiff.

5. Defendant and Counterclaim Plaintiff objects to each Request to the extent that it calls for documents and information that: (a) may be derived or ascertained from documents that have been or will be produced in this action; (b) are already in Plaintiff and Counterclaim Defendant's possession, custody, or control; (c) are publicly available; or (d) are otherwise independently available to Plaintiff and Counterclaim Defendant or his counsel.

6. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they purport to call for documents or information that: (a) are subject to the attorney-client privilege; (b) constitute attorney work product; (c) are protected from disclosure based on common interest or a similar privilege; or (d) are otherwise protected from disclosure under an applicable privilege, law, or rule. Defendant and Counterclaim Plaintiff will not produce such documents and information in response to the Requests, and any inadvertent production thereof shall not be deemed a waiver of any privilege with respect to such documents and information.

7. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they require unreasonable or unduly burdensome measures to locate and produce responsive documents. Defendant and Counterclaim Plaintiff will construe the Requests to require a reasonable and diligent search of reasonably-accessible files within her possession, custody, or control where she would reasonably expect to find information, documents, or things related to the Requests.

8. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they seek documents and information that are not within Defendant and Counterclaim Plaintiff's possession, custody, or control. Subject to this General Objection, in responding to the Requests, Defendant and Counterclaim Plaintiff will provide only responsive documents within Defendant and Counterclaim Plaintiff's possession, custody, or control.

9. Defendant and Counterclaim Plaintiff objects to the Definitions and Instructions to the extent they seek to impose obligations greater than those imposed by the Rules or any other applicable law, rule, ruling of this court, or agreement of the parties.

10. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are based on a false premise and contain express or implied assumptions of fact or law with respect to matters at issue in this case. Defendant and Counterclaim Plaintiff's Responses to the Requests are not intended to be and shall not be construed as an agreement or concurrence with Plaintiff and Counterclaim Defendant's characterization of any facts, circumstances, or legal obligations. Defendant and Counterclaim Plaintiff reserves the right to contest any such characterization as inaccurate.

11. Defendant and Counterclaim Plaintiff expressly reserves all rights and privileges under the Rules and any other applicable law or rule. The failure to assert such rights and

privileges or the inadvertent disclosure by Defendant and Counterclaim Plaintiff of information or documents protected by such rights or privileges shall not constitute a waiver thereof, either with respect to these Responses or with respect to any future discovery objections or responses. Defendant and Counterclaim Plaintiff's Responses to the Requests are made to the best of her present knowledge, information, and belief. These Responses are at all times subject to such additional or different documents and information that discovery or further investigation may disclose and, while based on the present state of Defendant and Counterclaim Plaintiff's knowledge and investigation, are subject to such additional knowledge of facts as may result from Defendant and Counterclaim Plaintiff's further discovery or investigation.

#### **OBJECTIONS TO DEFINITIONS**

1. Defendant and Counterclaim Plaintiff objects to Definition No. 2 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a "Chat Application" is a form of a "Document," Defendant and Counterclaim Plaintiff will interpret the phrase "Chat Application" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a).

2. Defendant and Counterclaim Plaintiff objects to Definition No. 3 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties'



resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a “Communication” is a form of a “Document,” Defendant and Counterclaim Plaintiff will interpret the word “Communication” in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

3. Defendant and Counterclaim Plaintiff objects to Definition No. 4 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in the litigation. On September 18, 2020, the Fairfax County Circuit Court ruled that Request Nos. 1-6 and 8 of Ms. Heard’s 6<sup>th</sup> Requests for Documents and Request Nos. 1, 3, 5, and 7 of Ms. Heard’s 7<sup>th</sup> Requests seeking documents during the parties’ marriage and related to the divorce litigation was overbroad and beyond the scope of relevant discovery in this case because “its denied under the doctrine of enough is enough. You all have been through the divorce already. We’re not going to retry that divorce in this case.”

4. Defendant and Counterclaim Plaintiff objects to Definition No. 5 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to

lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff will interpret the word "Document" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

5. Defendant and Counterclaim Plaintiff objects to Definition No. 7 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks documents outside of Defendant and Counterclaim Plaintiff's possession, custody, or control. Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

6. Defendant and Counterclaim Plaintiff objects to Definition No. 10 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, including because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents "sufficient to reflect the impact" of the UK litigation "on Mr. Depp's reputation and career" was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those Requests and this Request are beyond the scope of discovery in this case. And on December 18, 2020 the Fairfax County Circuit Court ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad. Additionally, Mr. Depp repeatedly took the position in his Opposition to Ms. Heard's Supplemental Plea in Bar that this Action and the U.K. Action did not arise from the same transaction or occurrence.

7. Defendant and Counterclaim Plaintiff objects to Definition No. 12 as vague, ambiguous, and failing to define with particularity the documents and information that it seeks, as it defines words in a circular, confusing, and non-specific manner, and is therefore overly broad and unduly burdensome.

8. Defendant and Counterclaim Plaintiff objects to Definition No. 13 as vague,

ambiguous, and failing to define with particularity the documents and information that it seeks, and is therefore overly broad and unduly burdensome, as it attempts to define non-specific words, terms, and phrases without providing any such definition.

### **OBJECTIONS TO INSTRUCTIONS**

1. Defendant and Counterclaim Plaintiff objects to Instruction No. 1 to the extent it exceeds the requirements of Va. Sup. Ct. R. 4:9(a), which only requires the production of documents “which are in the possession, custody, or control of the party upon whom the request is served,” and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents in accordance with Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Instruction to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Instruction invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

2. Defendant and Counterclaim Plaintiff objects to the portion of Instruction No. 3 seeking “The date such additional documents came into your possession shall be specified, as well as the identity of the individuals who furnished such additional documents to the person preparing the response” because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

3. Defendant and Counterclaim Plaintiff objects to Instruction No. 4 because the request to “specify the reason(s) for your inability to respond to the remainder and stating whether information or knowledge you have concerning the portion to which you do not respond” exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

4. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 5(b) and (c) because the requests to identify each document in the manner requested and to “provide a description of the subject matter of each document or item” exceed the requirements of Va. Sup. Ct. Rs 4:9 and 4:1(b)(6) by requesting substantive information in a response to a Request for Production of Documents, and are therefore overly broad, unduly burdensome, and seek documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

5. Defendant and Counterclaim Plaintiff objects to Instruction No. 6 as unduly burdensome because the Defendant and Counterclaim Plaintiff has an ongoing duty under Va. Sup. Ct. R. 4:1(e) to supplement document production and responses when and where necessary, and this instruction is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Instruction because by its plain language of “no documents in existence” it seeks for Defendant and Counterclaim Plaintiff to respond regarding documents anywhere “in existence” that are outside of Defendant and Counterclaim Plaintiff’s possession, custody, or control.

6. Defendant and Counterclaim Plaintiff objects to Instruction No. 7 to the extent it

seeks documents and information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court.

7. Defendant and Counterclaim Plaintiff objects to Instruction No. 8 because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

8. Defendant and Counterclaim Plaintiff objects to Instruction No. 9 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

9. Defendant and Counterclaim Plaintiff objects to Instruction No. 10 seeking “transmittal sheets and cover letters” on the grounds that the request for such documents is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff further objects to the extent this Instruction seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme

Court.

10. Defendant and Counterclaim Plaintiff objects to Instruction No. 11 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information and documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

11. Defendant and Counterclaim Plaintiff objects to Instruction No. 12 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also ambiguous because it contradicts Instruction No. 9. Defendant and Counterclaim Plaintiff further objects to this instruction because a request to access, extract, inspect, and/or test Defendant and Counterclaim Plaintiff's devices raises significant issues of confidentiality and privacy, is subject to the balancing required by Va. Sup. Ct. R. 4:1(b)(1), and requires a heightened showing of relevance and discoverability that Plaintiff and Counterclaim Defendant has not demonstrated in this case. Such a request does not create a routine right of direct access to a party's electronic information and devices, as Courts guard against undue intrusiveness, undue burden, and significant overbreadth that results from the requested type of access, extraction, inspection, and/or testing. Additionally, Plaintiff and Counterclaim Defendant's UK Counsel confirmed on July 17, 2020 that Plaintiff and Counterclaim Defendant did not dispute the accuracy of the accompanying

date/time metadata to the May 2016 images, and further that any analysis of digital images will not yield any additional information than what can be seen from the images. For all of these reasons, Defendant and Counterclaim Plaintiff objects to this Instruction as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation.

12. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 13 and 14 on the grounds that they exceed the requirements of Va. Sup. Ct. R 4:9 and 4:1(b)(6), and are therefore overly broad, unduly burdensome, and seek information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

13. Defendant and Counterclaim Plaintiff objects to Instruction No. 15 because it seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Defendant and Counterclaim Plaintiff further objects to this Instruction seeking all documents in the possession of "any consultants or experts" because it exceeds the requirements of Va. Sup. Ct. R. 4:1(b)(4), and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

14. Defendant and Counterclaim Plaintiff objects to Instruction No. 16 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of



admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also cumulative and duplicative of earlier Instructions.

15. Defendant and Counterclaim Plaintiff objects to Instruction No. 17 as vague, ambiguous, and unduly burdensome by seeking to later “expand or supplement” these already-served Requests for Production of Documents.

### **REQUESTS FOR PRODUCTION**

**1. All documents and Communications that support Your responses to Interrogatory No. 1 in Mr. Depp’s Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications “that support” an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court’s recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff’s 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn.

Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**2. All Documents and Communications that support Your responses to Interrogatory No. 2 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one

party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**3. All Documents and Communications that support Your responses to Interrogatory No. 3 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase

“All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications “that support” an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court’s recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff’s 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**4. All Documents and Communications that support Your responses to Interrogatory No. 4 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work

product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**5. All Documents and Communications that support Your responses to Interrogatory No. 5 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of

Documents, and has therefore taken the position that this Request should be withdrawn.

Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**6. All Documents and Communications that support Your responses to Interrogatory No. 6 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements

from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.



**7. All Documents and Communications that support Your responses to Interrogatory No. 1 in Mr. Depp's Fifth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that

Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**8. All Documents and Communications that support Your responses to Interrogatory No. 2 in Mr. Depp's Fifth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks

information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**9. All Documents that support Your contention that You have lost any endorsement deals as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and

Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**10. All Documents that support Your contention that You have lost any role in any film or television production as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**11. All Documents that support Your contention that You were “released” from *Aquaman 2*.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work

product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**12. All Documents that contain or reflect communications or negotiations between You (or anyone acting on Your behalf) and Warner Bros. regarding Your role or compensation from *Aquaman 2*.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**13. All Documents that support Your contention that Your role in *Aquaman 2* has been reduced or modified in any way as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase

“All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**14. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L’Oreal) regarding any negative publicity surrounding or arising from the Sun Case.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome.

This Request is also overbroad and unduly burdensome, is not calculated to lead to the discovery of information relevant to the subject matter of this action, and seeks information related to matters beyond the scope of the asserted claims and defenses in this suit because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents “sufficient to reflect the impact” of the UK litigation “on Mr. Depp’s reputation and career” was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those

Requests and this Request are beyond the scope of discovery in this case. On December 18, 2020 the Fairfax County Circuit Court also ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case.

Further on January 7, 2022, the Fairfax County Circuit Court sustained Ms. Heard's objections to and denied Request 31 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income "regarding Mr. Depp's Complaint and allegations in the U.K. Action" as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**15. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L'Oreal) regarding any negative publicity surrounding or arising from the above-**

**captioned action in Virginia.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “the above-captioned action in Virginia” of this Request on the grounds that it fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, and because on January 7, 2022 the Fairfax County Circuit Court sustained Ms. Heard’s objections to and denied Request 30 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income “regarding Mr. Depp’s Complaint and allegations in this [the Fairfax] Action” as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.



**16. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L'Oreal) regarding any negative publicity surrounding or arising from the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase "or anyone acting on your behalf" and "Your current or former employers" of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase "the Counterclaim Statements" of this Request on the grounds that it fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, and because on January 7, 2022, the Fairfax County Circuit Court sustained Ms. Heard's objections to and denied Request 28 which sought all documents and communications that discuss, mention, or relate to any of the eight statements that form the basis of Your Counterclaim for defamation and Request 29 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income "regarding any of the eight statements that form the basis of Your Counterclaim for defamation" as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**17. To the extent not previously produced, all Documents and Communications that reflect or refer to any alleged physical or mental abuse of You by Mr. Depp, including without limitation any alleged incidents of abuse disclosed for the first time at Your deposition in this action.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to “All” and “alleged incidents of abuse disclosed for the first time at Your deposition in this action” of this Request on the grounds that they are vague, ambiguous, and fail to define with particularity the information that they seek. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any non-privileged and non-work product documents in her possession, custody, and control that reflect or refer to any alleged physical or mental abuse of Ms. Heard by Mr. Depp.

**18. To the extent not previously produced, all Documents and Communications that reflect or refer to any alleged physical or mental abuse of Mr. Depp by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant

and Counterclaim Plaintiff further objects to this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation. During recent meet and confers regarding Ms. Heard's Requests for Production, Plaintiff and Counterclaim-Defendant took the position that Mr. Depp's allegations of physical or mental abuse of Mr. Depp by Ms. Heard were not relevant to the claims and defenses in this case, and cannot now seek discovery on this same issue that Plaintiff and Counterclaim-Defendant himself claimed was irrelevant. On January 7, 2022, the Court also revised Request No. 16 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents by only requiring the production of documents "referring to or reflecting Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp," along with denying Requests 7-15 and 17 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought other medical records beyond the scope of HIPAA waiver previously Ordered by the Court which only required the production of records "related to Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp."

Defendant and Counterclaim Plaintiff further objects to this Request on the ground that a response would improperly require the adoption of an assumption. Defendant and Counterclaim Plaintiff further objects to this Request because it is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation

work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**19. To the extent not previously produced, all Documents and Communications that reflect or refer to any treatment You have ever undergone in connection with any alleged physical or mental abuse of Mr. Depp by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in this litigation. During recent meet and confers regarding Ms. Heard’s Requests for Production, Plaintiff and Counterclaim-Defendant took the position that Mr. Depp’s allegations of physical or mental abuse of Mr. Depp by Ms. Heard were not relevant to the claims and defenses in this case, and cannot now seek discovery on this same issue that Plaintiff and Counterclaim-Defendant himself claimed was irrelevant. On January 7, 2022, the Court also revised Request No. 16 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents by only requiring the production of documents “referring to or reflecting Ms. Heard’s medical and psychological treatment stemming from any alleged abuse by Mr. Depp,”


along with denying Requests 7-15 and 17 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought other medical records beyond the scope of HIPAA waiver previously Ordered by the Court which only required the production of records "related to Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp."

Defendant and Counterclaim Plaintiff further objects to this Request on the ground that a response would improperly require the adoption of an assumption. Defendant and Counterclaim Plaintiff further objects to this Request because it is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

February 17, 2022

**AS TO OBJECTIONS:**



Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
Clarissa K. Pintado (VSB No. 86882)  
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*Counsel to Defendant and Counterclaim  
Plaintiff Amber Laura Heard*

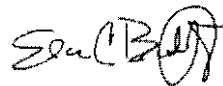
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 17<sup>th</sup> day of February, 2022, by email, by agreement of the parties, addressed as follows:

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*Counsel for Plaintiff and Counterclaim  
Defendant John C. Depp, II*



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Elaine Charlson Bredehoft

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

<b>John C. Depp, II,</b>	)	
	)	
<b>Plaintiff and</b>	)	
<b>Counterclaim Defendant,</b>	)	
<b>v.</b>	)	<b>Civil Action No.: CL-2019-0002911</b>
	)	
<b>Amber Laura Heard,</b>	)	
	)	
<b>Defendant and</b>	)	
<b>Counterclaim Plaintiff.</b>	)	

**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OBJECTIONS AND RESPONSES TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S TWELFTH SET OF REQUESTS FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these objections and responses (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp, II's Twelfth Set of Requests for Production dated January 27, 2022 (the "Requests").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are duplicative, cumulative, or seek documents that have already been provided through other means of discovery. Defendant and Counterclaim Plaintiff will not reproduce documents already produced in discovery.



2. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are vague, ambiguous, overly broad, unduly burdensome, seek documents not relevant to the claims or defenses of any party, or are not proportional to the needs of the case.

3. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they impose any obligations or requirements beyond the scope of the Rules or any case law interpreting them.

4. Defendant and Counterclaim Plaintiff's Responses are not intended to be and shall not be construed as an agreement or concurrence that all documents and information provided are admissible with respect to the claims and defenses of Plaintiff and Counterclaim Defendant and/or Defendant and Counterclaim Plaintiff.

5. Defendant and Counterclaim Plaintiff objects to each Request to the extent that it calls for documents and information that: (a) may be derived or ascertained from documents that have been or will be produced in this action; (b) are already in Plaintiff and Counterclaim Defendant's possession, custody, or control; (c) are publicly available; or (d) are otherwise independently available to Plaintiff and Counterclaim Defendant or his counsel.

6. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they purport to call for documents or information that: (a) are subject to the attorney-client privilege; (b) constitute attorney work product; (c) are protected from disclosure based on common interest or a similar privilege; or (d) are otherwise protected from disclosure under an applicable privilege, law, or rule. Defendant and Counterclaim Plaintiff will not produce such documents and information in response to the Requests, and any inadvertent production thereof shall not be deemed a waiver of any privilege with respect to such documents and information.

7. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they require unreasonable or unduly burdensome measures to locate and produce responsive documents. Defendant and Counterclaim Plaintiff will construe the Requests to require a reasonable and diligent search of reasonably-accessible files within her possession, custody, or control where she would reasonably expect to find information, documents, or things related to the Requests.

8. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they seek documents and information that are not within Defendant and Counterclaim Plaintiff's possession, custody, or control. Subject to this General Objection, in responding to the Requests, Defendant and Counterclaim Plaintiff will provide only responsive documents within Defendant and Counterclaim Plaintiff's possession, custody, or control.

9. Defendant and Counterclaim Plaintiff objects to the Definitions and Instructions to the extent they seek to impose obligations greater than those imposed by the Rules or any other applicable law, rule, ruling of this court, or agreement of the parties.

10. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are based on a false premise and contain express or implied assumptions of fact or law with respect to matters at issue in this case. Defendant and Counterclaim Plaintiff's Responses to the Requests are not intended to be and shall not be construed as an agreement or concurrence with Plaintiff and Counterclaim Defendant's characterization of any facts, circumstances, or legal obligations. Defendant and Counterclaim Plaintiff reserves the right to contest any such characterization as inaccurate.

11. Defendant and Counterclaim Plaintiff expressly reserves all rights and privileges under the Rules and any other applicable law or rule. The failure to assert such rights and

privileges or the inadvertent disclosure by Defendant and Counterclaim Plaintiff of information or documents protected by such rights or privileges shall not constitute a waiver thereof, either with respect to these Responses or with respect to any future discovery objections or responses. Defendant and Counterclaim Plaintiff's Responses to the Requests are made to the best of her present knowledge, information, and belief. These Responses are at all times subject to such additional or different documents and information that discovery or further investigation may disclose and, while based on the present state of Defendant and Counterclaim Plaintiff's knowledge and investigation, are subject to such additional knowledge of facts as may result from Defendant and Counterclaim Plaintiff's further discovery or investigation.

### **OBJECTIONS TO DEFINITIONS**

1. Defendant and Counterclaim Plaintiff objects to Definition No. 2 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a "Chat Application" is a form of a "Document," Defendant and Counterclaim Plaintiff will interpret the phrase "Chat Application" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a).

2. Defendant and Counterclaim Plaintiff objects to Definition No. 3 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties'

resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a “Communication” is a form of a “Document,” Defendant and Counterclaim Plaintiff will interpret the word “Communication” in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

3. Defendant and Counterclaim Plaintiff objects to Definition No. 4 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in the litigation. On September 18, 2020, the Fairfax County Circuit Court ruled that Request Nos. 1-6 and 8 of Ms. Heard’s 6<sup>th</sup> Requests for Documents and Request Nos. 1, 3, 5, and 7 of Ms. Heard’s 7<sup>th</sup> Requests seeking documents during the parties’ marriage and related to the divorce litigation was overbroad and beyond the scope of relevant discovery in this case because “its denied under the doctrine of enough is enough. You all have been through the divorce already. We’re not going to retry that divorce in this case.”

4. Defendant and Counterclaim Plaintiff objects to Definition No. 5 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to

lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff will interpret the word "Document" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

5. Defendant and Counterclaim Plaintiff objects to Definition No. 7 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks documents outside of Defendant and Counterclaim Plaintiff's possession, custody, or control. Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

6. Defendant and Counterclaim Plaintiff objects to Definition No. 10 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, including because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents "sufficient to reflect the impact" of the UK litigation "on Mr. Depp's reputation and career" was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those Requests and this Request are beyond the scope of discovery in this case. And on December 18, 2020 the Fairfax County Circuit Court ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad. Additionally, Mr. Depp repeatedly took the position in his Opposition to Ms. Heard's Supplemental Plea in Bar that this Action and the U.K. Action did not arise from the same transaction or occurrence.

7. Defendant and Counterclaim Plaintiff objects to Definition No. 12 as vague, ambiguous, and failing to define with particularity the documents and information that it seeks, as it defines words in a circular, confusing, and non-specific manner, and is therefore overly broad and unduly burdensome.

8. Defendant and Counterclaim Plaintiff objects to Definition No. 13 as vague,

ambiguous, and failing to define with particularity the documents and information that it seeks, and is therefore overly broad and unduly burdensome, as it attempts to define non-specific words, terms, and phrases without providing any such definition.

### **OBJECTIONS TO INSTRUCTIONS**

1. Defendant and Counterclaim Plaintiff objects to Instruction No. 1 to the extent it exceeds the requirements of Va. Sup. Ct. R. 4:9(a), which only requires the production of documents “which are in the possession, custody, or control of the party upon whom the request is served,” and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents in accordance with Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Instruction to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Instruction invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

2. Defendant and Counterclaim Plaintiff objects to the portion of Instruction No. 3 seeking “The date such additional documents came into your possession shall be specified, as well as the identity of the individuals who furnished such additional documents to the person preparing the response” because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

3. Defendant and Counterclaim Plaintiff objects to Instruction No. 4 because the request to “specify the reason(s) for your inability to respond to the remainder and stating whether information or knowledge you have concerning the portion to which you do not respond” exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

4. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 5(b) and (c) because the requests to identify each document in the manner requested and to “provide a description of the subject matter of each document or item” exceed the requirements of Va. Sup. Ct. Rs 4:9 and 4:1(b)(6) by requesting substantive information in a response to a Request for Production of Documents, and are therefore overly broad, unduly burdensome, and seek documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

5. Defendant and Counterclaim Plaintiff objects to Instruction No. 6 as unduly burdensome because the Defendant and Counterclaim Plaintiff has an ongoing duty under Va. Sup. Ct. R. 4:1(e) to supplement document production and responses when and where necessary, and this instruction is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Instruction because by its plain language of “no documents in existence” it seeks for Defendant and Counterclaim Plaintiff to respond regarding documents anywhere “in existence” that are outside of Defendant and Counterclaim Plaintiff’s possession, custody, or control.

6. Defendant and Counterclaim Plaintiff objects to Instruction No. 7 to the extent it



seeks documents and information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court.

7. Defendant and Counterclaim Plaintiff objects to Instruction No. 8 because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

8. Defendant and Counterclaim Plaintiff objects to Instruction No. 9 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

9. Defendant and Counterclaim Plaintiff objects to Instruction No. 10 seeking “transmittal sheets and cover letters” on the grounds that the request for such documents is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff further objects to the extent this Instruction seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme

Court.

10. Defendant and Counterclaim Plaintiff objects to Instruction No. 11 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information and documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

11. Defendant and Counterclaim Plaintiff objects to Instruction No. 12 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also ambiguous because it contradicts Instruction No. 9. Defendant and Counterclaim Plaintiff further objects to this instruction because a request to access, extract, inspect, and/or test Defendant and Counterclaim Plaintiff's devices raises significant issues of confidentiality and privacy, is subject to the balancing required by Va. Sup. Ct. R. 4:1(b)(1), and requires a heightened showing of relevance and discoverability that Plaintiff and Counterclaim Defendant has not demonstrated in this case. Such a request does not create a routine right of direct access to a party's electronic information and devices, as Courts guard against undue intrusiveness, undue burden, and significant overbreadth that results from the requested type of access, extraction, inspection, and/or testing. Additionally, Plaintiff and Counterclaim Defendant's UK Counsel confirmed on July 17, 2020 that Plaintiff and Counterclaim Defendant did not dispute the accuracy of the accompanying

date/time metadata to the May 2016 images, and further that any analysis of digital images will not yield any additional information than what can be seen from the images. For all of these reasons, Defendant and Counterclaim Plaintiff objects to this Instruction as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation.

12. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 13 and 14 on the grounds that they exceed the requirements of Va. Sup. Ct. R 4:9 and 4:1(b)(6), and are therefore overly broad, unduly burdensome, and seek information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

13. Defendant and Counterclaim Plaintiff objects to Instruction No. 15 because it seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Defendant and Counterclaim Plaintiff further objects to this Instruction seeking all documents in the possession of "any consultants or experts" because it exceeds the requirements of Va. Sup. Ct. R. 4:1(b)(4), and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

14. Defendant and Counterclaim Plaintiff objects to Instruction No. 16 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of

admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also cumulative and duplicative of earlier Instructions.

15. Defendant and Counterclaim Plaintiff objects to Instruction No. 17 as vague, ambiguous, and unduly burdensome by seeking to later “expand or supplement” these already-served Requests for Production of Documents.

### **REQUESTS FOR PRODUCTION**

1. All documents and Communications that support Your responses to Interrogatory No. 1 in Mr. Depp’s Fourth Set of Interrogatories.

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications “that support” an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court’s recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff’s 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn.

Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**2. All Documents and Communications that support Your responses to Interrogatory No. 2 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one

party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**3. All Documents and Communications that support Your responses to Interrogatory No. 3 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase

“All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications “that support” an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court’s recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff’s 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**4. All Documents and Communications that support Your responses to Interrogatory No. 4 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work



product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**5. All Documents and Communications that support Your responses to Interrogatory No. 5 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of

Documents, and has therefore taken the position that this Request should be withdrawn.

Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**6. All Documents and Communications that support Your responses to Interrogatory No. 6 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements

from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**7. All Documents and Communications that support Your responses to Interrogatory No. 1 in Mr. Depp's Fifth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that

Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**8. All Documents and Communications that support Your responses to Interrogatory No. 2 in Mr. Depp's Fifth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks

information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**9. All Documents that support Your contention that You have lost any endorsement deals as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and

Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**10. All Documents that support Your contention that You have lost any role in any film or television production as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**11. All Documents that support Your contention that You were “released” from *Aquaman 2*.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work

product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**12. All Documents that contain or reflect communications or negotiations between You (or anyone acting on Your behalf) and Warner Bros. regarding Your role or compensation from *Aquaman 2*.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**13. All Documents that support Your contention that Your role in *Aquaman 2* has been reduced or modified in any way as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase



“All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**14. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L’Oreal) regarding any negative publicity surrounding or arising from the Sun Case.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome.

This Request is also overbroad and unduly burdensome, is not calculated to lead to the discovery of information relevant to the subject matter of this action, and seeks information related to matters beyond the scope of the asserted claims and defenses in this suit because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents “sufficient to reflect the impact” of the UK litigation “on Mr. Depp’s reputation and career” was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those

Requests and this Request are beyond the scope of discovery in this case. On December 18, 2020 the Fairfax County Circuit Court also ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case.

Further on January 7, 2022, the Fairfax County Circuit Court sustained Ms. Heard's objections to and denied Request 31 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income "regarding Mr. Depp's Complaint and allegations in the U.K. Action" as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**15. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L'Oreal) regarding any negative publicity surrounding or arising from the above-**

**captioned action in Virginia.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “the above-captioned action in Virginia” of this Request on the grounds that it fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, and because on January 7, 2022 the Fairfax County Circuit Court sustained Ms. Heard’s objections to and denied Request 30 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income “regarding Mr. Depp’s Complaint and allegations in this [the Fairfax] Action” as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**16. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L'Oreal) regarding any negative publicity surrounding or arising from the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “the Counterclaim Statements” of this Request on the grounds that it fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, and because on January 7, 2022, the Fairfax County Circuit Court sustained Ms. Heard’s objections to and denied Request 28 which sought all documents and communications that discuss, mention, or relate to any of the eight statements that form the basis of Your Counterclaim for defamation and Request 29 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income “regarding any of the eight statements that form the basis of Your Counterclaim for defamation” as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**17. To the extent not previously produced, all Documents and Communications that reflect or refer to any alleged physical or mental abuse of You by Mr. Depp, including without limitation any alleged incidents of abuse disclosed for the first time at Your deposition in this action.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to “All” and “alleged incidents of abuse disclosed for the first time at Your deposition in this action” of this Request on the grounds that they are vague, ambiguous, and fail to define with particularity the information that they seek. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any non-privileged and non-work product documents in her possession, custody, and control that reflect or refer to any alleged physical or mental abuse of Ms. Heard by Mr. Depp.

**18. To the extent not previously produced, all Documents and Communications that reflect or refer to any alleged physical or mental abuse of Mr. Depp by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant

and Counterclaim Plaintiff further objects to this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation. During recent meet and confers regarding Ms. Heard's Requests for Production, Plaintiff and Counterclaim-Defendant took the position that Mr. Depp's allegations of physical or mental abuse of Mr. Depp by Ms. Heard were not relevant to the claims and defenses in this case, and cannot now seek discovery on this same issue that Plaintiff and Counterclaim-Defendant himself claimed was irrelevant. On January 7, 2022, the Court also revised Request No. 16 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents by only requiring the production of documents "referring to or reflecting Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp," along with denying Requests 7-15 and 17 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought other medical records beyond the scope of HIPAA waiver previously Ordered by the Court which only required the production of records "related to Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp."

Defendant and Counterclaim Plaintiff further objects to this Request on the ground that a response would improperly require the adoption of an assumption. Defendant and Counterclaim Plaintiff further objects to this Request because it is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation

work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court.

Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**19. To the extent not previously produced, all Documents and Communications that reflect or refer to any treatment You have ever undergone in connection with any alleged physical or mental abuse of Mr. Depp by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in this litigation. During recent meet and confers regarding Ms. Heard’s Requests for Production, Plaintiff and Counterclaim-Defendant took the position that Mr. Depp’s allegations of physical or mental abuse of Mr. Depp by Ms. Heard were not relevant to the claims and defenses in this case, and cannot now seek discovery on this same issue that Plaintiff and Counterclaim-Defendant himself claimed was irrelevant. On January 7, 2022, the Court also revised Request No. 16 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents by only requiring the production of documents “referring to or reflecting Ms. Heard’s medical and psychological treatment stemming from any alleged abuse by Mr. Depp,”

along with denying Requests 7-15 and 17 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought other medical records beyond the scope of HIPAA waiver previously Ordered by the Court which only required the production of records "related to Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp."

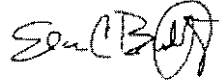
Defendant and Counterclaim Plaintiff further objects to this Request on the ground that a response would improperly require the adoption of an assumption. Defendant and Counterclaim Plaintiff further objects to this Request because it is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.



February 17, 2022

**AS TO OBJECTIONS:**



Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
Clarissa K. Pintado (VSB No. 86882)  
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*Counsel to Defendant and Counterclaim  
Plaintiff Amber Laura Heard*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 17<sup>th</sup> day of February, 2022, by email, by agreement of the parties, addressed as follows:

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*Counsel for Plaintiff and Counterclaim  
Defendant John C. Depp, II*



---

Elaine Charlson Bredehoft

## Exhibit 7

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

<b>John C. Depp, II,</b>	)	
	)	
<b>Plaintiff and</b>	)	
<b>Counterclaim Defendant,</b>	)	
<b>v.</b>	)	<b>Civil Action No.: CL-2019-0002911</b>
	)	
<b>Amber Laura Heard,</b>	)	
	)	
<b>Defendant and</b>	)	
<b>Counterclaim Plaintiff.</b>	)	

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**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OBJECTIONS AND RESPONSES TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S TWELFTH SET OF REQUESTS FOR PRODUCTION**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these objections and responses (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp, II's Twelfth Set of Requests for Production dated January 27, 2022 (the "Requests").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are duplicative, cumulative, or seek documents that have already been provided through other means of discovery. Defendant and Counterclaim Plaintiff will not reproduce documents already produced in discovery.

2. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are vague, ambiguous, overly broad, unduly burdensome, seek documents not relevant to the claims or defenses of any party, or are not proportional to the needs of the case.

3. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they impose any obligations or requirements beyond the scope of the Rules or any case law interpreting them.

4. Defendant and Counterclaim Plaintiff's Responses are not intended to be and shall not be construed as an agreement or concurrence that all documents and information provided are admissible with respect to the claims and defenses of Plaintiff and Counterclaim Defendant and/or Defendant and Counterclaim Plaintiff.

5. Defendant and Counterclaim Plaintiff objects to each Request to the extent that it calls for documents and information that: (a) may be derived or ascertained from documents that have been or will be produced in this action; (b) are already in Plaintiff and Counterclaim Defendant's possession, custody, or control; (c) are publicly available; or (d) are otherwise independently available to Plaintiff and Counterclaim Defendant or his counsel.

6. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they purport to call for documents or information that: (a) are subject to the attorney-client privilege; (b) constitute attorney work product; (c) are protected from disclosure based on common interest or a similar privilege; or (d) are otherwise protected from disclosure under an applicable privilege, law, or rule. Defendant and Counterclaim Plaintiff will not produce such documents and information in response to the Requests, and any inadvertent production thereof shall not be deemed a waiver of any privilege with respect to such documents and information.

7. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they require unreasonable or unduly burdensome measures to locate and produce responsive documents. Defendant and Counterclaim Plaintiff will construe the Requests to require a reasonable and diligent search of reasonably-accessible files within her possession, custody, or control where she would reasonably expect to find information, documents, or things related to the Requests.

8. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they seek documents and information that are not within Defendant and Counterclaim Plaintiff's possession, custody, or control. Subject to this General Objection, in responding to the Requests, Defendant and Counterclaim Plaintiff will provide only responsive documents within Defendant and Counterclaim Plaintiff's possession, custody, or control.

9. Defendant and Counterclaim Plaintiff objects to the Definitions and Instructions to the extent they seek to impose obligations greater than those imposed by the Rules or any other applicable law, rule, ruling of this court, or agreement of the parties.

10. Defendant and Counterclaim Plaintiff objects to the Requests to the extent they are based on a false premise and contain express or implied assumptions of fact or law with respect to matters at issue in this case. Defendant and Counterclaim Plaintiff's Responses to the Requests are not intended to be and shall not be construed as an agreement or concurrence with Plaintiff and Counterclaim Defendant's characterization of any facts, circumstances, or legal obligations. Defendant and Counterclaim Plaintiff reserves the right to contest any such characterization as inaccurate.

11. Defendant and Counterclaim Plaintiff expressly reserves all rights and privileges under the Rules and any other applicable law or rule. The failure to assert such rights and

privileges or the inadvertent disclosure by Defendant and Counterclaim Plaintiff of information or documents protected by such rights or privileges shall not constitute a waiver thereof, either with respect to these Responses or with respect to any future discovery objections or responses. Defendant and Counterclaim Plaintiff's Responses to the Requests are made to the best of her present knowledge, information, and belief. These Responses are at all times subject to such additional or different documents and information that discovery or further investigation may disclose and, while based on the present state of Defendant and Counterclaim Plaintiff's knowledge and investigation, are subject to such additional knowledge of facts as may result from Defendant and Counterclaim Plaintiff's further discovery or investigation.

#### **OBJECTIONS TO DEFINITIONS**

1. Defendant and Counterclaim Plaintiff objects to Definition No. 2 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a "Chat Application" is a form of a "Document," Defendant and Counterclaim Plaintiff will interpret the phrase "Chat Application" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a).

2. Defendant and Counterclaim Plaintiff objects to Definition No. 3 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties'

resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Since a “Communication” is a form of a “Document,” Defendant and Counterclaim Plaintiff will interpret the word “Communication” in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

3. Defendant and Counterclaim Plaintiff objects to Definition No. 4 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in the litigation. On September 18, 2020, the Fairfax County Circuit Court ruled that Request Nos. 1-6 and 8 of Ms. Heard’s 6<sup>th</sup> Requests for Documents and Request Nos. 1, 3, 5, and 7 of Ms. Heard’s 7<sup>th</sup> Requests seeking documents during the parties’ marriage and related to the divorce litigation was overbroad and beyond the scope of relevant discovery in this case because “its denied under the doctrine of enough is enough. You all have been through the divorce already. We’re not going to retry that divorce in this case.”

4. Defendant and Counterclaim Plaintiff objects to Definition No. 5 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to



lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation to the extent it seeks documents beyond the scope of Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff will interpret the word "Document" in accordance with the definition included in Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

5. Defendant and Counterclaim Plaintiff objects to Definition No. 7 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, and because it seeks documents outside of Defendant and Counterclaim Plaintiff's possession, custody, or control. Defendant and Counterclaim Plaintiff further objects to this Definition to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Definition invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

6. Defendant and Counterclaim Plaintiff objects to Definition No. 10 on the grounds that it is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation, including because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents "sufficient to reflect the impact" of the UK litigation "on Mr. Depp's reputation and career" was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those Requests and this Request are beyond the scope of discovery in this case. And on December 18, 2020 the Fairfax County Circuit Court ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad. Additionally, Mr. Depp repeatedly took the position in his Opposition to Ms. Heard's Supplemental Plea in Bar that this Action and the U.K. Action did not arise from the same transaction or occurrence.

7. Defendant and Counterclaim Plaintiff objects to Definition No. 12 as vague, ambiguous, and failing to define with particularity the documents and information that it seeks, as it defines words in a circular, confusing, and non-specific manner, and is therefore overly broad and unduly burdensome.

8. Defendant and Counterclaim Plaintiff objects to Definition No. 13 as vague,

ambiguous, and failing to define with particularity the documents and information that it seeks, and is therefore overly broad and unduly burdensome, as it attempts to define non-specific words, terms, and phrases without providing any such definition.

### **OBJECTIONS TO INSTRUCTIONS**

1. Defendant and Counterclaim Plaintiff objects to Instruction No. 1 to the extent it exceeds the requirements of Va. Sup. Ct. R. 4:9(a), which only requires the production of documents “which are in the possession, custody, or control of the party upon whom the request is served,” and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents in accordance with Va. Sup. Ct. R. 4:9(a). Defendant and Counterclaim Plaintiff further objects to this Instruction to the extent it seeks documents and information protected by the attorney-client privilege, and on the grounds that this Instruction invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

2. Defendant and Counterclaim Plaintiff objects to the portion of Instruction No. 3 seeking “The date such additional documents came into your possession shall be specified, as well as the identity of the individuals who furnished such additional documents to the person preparing the response” because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

3. Defendant and Counterclaim Plaintiff objects to Instruction No. 4 because the request to “specify the reason(s) for your inability to respond to the remainder and stating whether information or knowledge you have concerning the portion to which you do not respond” exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

4. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 5(b) and (c) because the requests to identify each document in the manner requested and to “provide a description of the subject matter of each document or item” exceed the requirements of Va. Sup. Ct. Rs 4:9 and 4:1(b)(6) by requesting substantive information in a response to a Request for Production of Documents, and are therefore overly broad, unduly burdensome, and seek documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

5. Defendant and Counterclaim Plaintiff objects to Instruction No. 6 as unduly burdensome because the Defendant and Counterclaim Plaintiff has an ongoing duty under Va. Sup. Ct. R. 4:1(e) to supplement document production and responses when and where necessary, and this instruction is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Instruction because by its plain language of “no documents in existence” it seeks for Defendant and Counterclaim Plaintiff to respond regarding documents anywhere “in existence” that are outside of Defendant and Counterclaim Plaintiff’s possession, custody, or control.

6. Defendant and Counterclaim Plaintiff objects to Instruction No. 7 to the extent it

seeks documents and information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court.

7. Defendant and Counterclaim Plaintiff objects to Instruction No. 8 because it exceeds the requirements of Va. Sup. Ct. R 4:9 by requesting substantive information in a response to a Request for Production of Documents, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

8. Defendant and Counterclaim Plaintiff objects to Instruction No. 9 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

9. Defendant and Counterclaim Plaintiff objects to Instruction No. 10 seeking “transmittal sheets and cover letters” on the grounds that the request for such documents is overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff further objects to the extent this Instruction seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme

Court.

10. Defendant and Counterclaim Plaintiff objects to Instruction No. 11 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information and documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A).

11. Defendant and Counterclaim Plaintiff objects to Instruction No. 12 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks documents and information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also ambiguous because it contradicts Instruction No. 9. Defendant and Counterclaim Plaintiff further objects to this instruction because a request to access, extract, inspect, and/or test Defendant and Counterclaim Plaintiff's devices raises significant issues of confidentiality and privacy, is subject to the balancing required by Va. Sup. Ct. R. 4:1(b)(1), and requires a heightened showing of relevance and discoverability that Plaintiff and Counterclaim Defendant has not demonstrated in this case. Such a request does not create a routine right of direct access to a party's electronic information and devices, as Courts guard against undue intrusiveness, undue burden, and significant overbreadth that results from the requested type of access, extraction, inspection, and/or testing. Additionally, Plaintiff and Counterclaim Defendant's UK Counsel confirmed on July 17, 2020 that Plaintiff and Counterclaim Defendant did not dispute the accuracy of the accompanying

date/time metadata to the May 2016 images, and further that any analysis of digital images will not yield any additional information than what can be seen from the images. For all of these reasons, Defendant and Counterclaim Plaintiff objects to this Instruction as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in the litigation.

12. Defendant and Counterclaim Plaintiff objects to Instruction Nos. 13 and 14 on the grounds that they exceed the requirements of Va. Sup. Ct. R 4:9 and 4:1(b)(6), and are therefore overly broad, unduly burdensome, and seek information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

13. Defendant and Counterclaim Plaintiff objects to Instruction No. 15 because it seeks documents protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Defendant and Counterclaim Plaintiff further objects to this Instruction seeking all documents in the possession of "any consultants or experts" because it exceeds the requirements of Va. Sup. Ct. R. 4:1(b)(4), and is therefore overly broad, unduly burdensome, and seeks documents not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case.

14. Defendant and Counterclaim Plaintiff objects to Instruction No. 16 on the grounds that it exceeds the requirements of Va. Sup. Ct. R 4:9, and is therefore overly broad, unduly burdensome, and seeks information not reasonably calculated to lead to the discovery of

admissible evidence regarding the claims and defenses in this case. Defendant and Counterclaim Plaintiff will produce documents as they are kept in the usual course of business pursuant to Va. Sup. Ct. R. 4:9(b)(iii)(A). The Instruction is also cumulative and duplicative of earlier Instructions.

15. Defendant and Counterclaim Plaintiff objects to Instruction No. 17 as vague, ambiguous, and unduly burdensome by seeking to later “expand or supplement” these already-served Requests for Production of Documents.

### **REQUESTS FOR PRODUCTION**

**1. All documents and Communications that support Your responses to Interrogatory No. 1 in Mr. Depp’s Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications “that support” an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court’s recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff’s 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn.



Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**2. All Documents and Communications that support Your responses to Interrogatory No. 2 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one

party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**3. All Documents and Communications that support Your responses to Interrogatory No. 3 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase

“All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications “that support” an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court’s recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff’s 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**4. All Documents and Communications that support Your responses to Interrogatory No. 4 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work

product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**5. All Documents and Communications that support Your responses to Interrogatory No. 5 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of

Documents, and has therefore taken the position that this Request should be withdrawn.

Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**6. All Documents and Communications that support Your responses to Interrogatory No. 6 in Mr. Depp's Fourth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements

from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**7. All Documents and Communications that support Your responses to Interrogatory No. 1 in Mr. Depp's Fifth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that



Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**8. All Documents and Communications that support Your responses to Interrogatory No. 2 in Mr. Depp's Fifth Set of Interrogatories.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds that it is vague, ambiguous, and fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, by seeking documents and communications "that support" an entire Interrogatory response without quoting or referencing specific portions or statements from such Interrogatory Response. The Court's recent discovery rulings support requiring one party to clearly reference specifically-quoted statements from discovery responses when the other party seeks documents supporting those statements. Defendant and Counterclaim Plaintiff further objects to this Request because Plaintiff and Counterclaim Defendant asserted extensive blanket objections and refused to produce any documents in response to Request Nos. 1, 2, 4, and 5 of Defendant and Counterclaim Plaintiff's 19<sup>th</sup> Set of Requests for Production of Documents, and has therefore taken the position that this Request should be withdrawn. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks

information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request. Defendant and Counterclaim-Plaintiff is willing to meet and confer on a revised Request that is within the scope of the Court's rulings, comments, and guidance defining the required specificity for this type of Request for Production.

**9. All Documents that support Your contention that You have lost any endorsement deals as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase "All" of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and

Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**10. All Documents that support Your contention that You have lost any role in any film or television production as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**11. All Documents that support Your contention that You were “released” from *Aquaman 2*.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request to the extent it seeks a legal conclusion. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work

product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**12. All Documents that contain or reflect communications or negotiations between You (or anyone acting on Your behalf) and Warner Bros. regarding Your role or compensation from *Aquaman 2*.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**13. All Documents that support Your contention that Your role in *Aquaman 2* has been reduced or modified in any way as a result of the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase

“All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any responsive non-privileged and non-work product documents in her possession, custody, and control.

**14. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L’Oreal) regarding any negative publicity surrounding or arising from the Sun Case.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome.

This Request is also overbroad and unduly burdensome, is not calculated to lead to the discovery of information relevant to the subject matter of this action, and seeks information related to matters beyond the scope of the asserted claims and defenses in this suit because on November 20, 2020, the Fairfax County Circuit Court ruled that discovery seeking documents “sufficient to reflect the impact” of the UK litigation “on Mr. Depp’s reputation and career” was overly broad, unduly burdensome, and unreasonably vague, and therefore held that those

Requests and this Request are beyond the scope of discovery in this case. On December 18, 2020 the Fairfax County Circuit Court also ruled that Request No. 23 of Mr. Depp's 2<sup>nd</sup> Requests for Document and Request 50 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications between Ms. Heard and The Sun/NGN was overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case. The Court also ruled that Request No. 51 of Mr. Depp's 3<sup>rd</sup> Requests for Documents seeking all documents and communications relating to the UK Action was also overbroad, and therefore held that Request and this Request are beyond the scope of discovery in this case.

Further on January 7, 2022, the Fairfax County Circuit Court sustained Ms. Heard's objections to and denied Request 31 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income "regarding Mr. Depp's Complaint and allegations in the U.K. Action" as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**15. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L'Oreal) regarding any negative publicity surrounding or arising from the above-**

**captioned action in Virginia.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “the above-captioned action in Virginia” of this Request on the grounds that it fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, and because on January 7, 2022 the Fairfax County Circuit Court sustained Ms. Heard’s objections to and denied Request 30 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income “regarding Mr. Depp’s Complaint and allegations in this [the Fairfax] Action” as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**16. All Communications between You (or anyone acting on Your behalf) and any of Your current or former employers (including but not limited to Warner Bros. and L'Oreal) regarding any negative publicity surrounding or arising from the Counterclaim Statements.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “or anyone acting on your behalf” and “Your current or former employers” of this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and therefore overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to the phrase “the Counterclaim Statements” of this Request on the grounds that it fails to define with particularity the information that it seeks, and is therefore overly broad and unduly burdensome, and because on January 7, 2022, the Fairfax County Circuit Court sustained Ms. Heard’s objections to and denied Request 28 which sought all documents and communications that discuss, mention, or relate to any of the eight statements that form the basis of Your Counterclaim for defamation and Request 29 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents which sought all communications between Ms. Heard (or anyone acting on her behalf) and any actual or potential source of income “regarding any of the eight statements that form the basis of Your Counterclaim for defamation” as overbroad and unduly burdensome.

Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.



**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**17. To the extent not previously produced, all Documents and Communications that reflect or refer to any alleged physical or mental abuse of You by Mr. Depp, including without limitation any alleged incidents of abuse disclosed for the first time at Your deposition in this action.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to “All” and “alleged incidents of abuse disclosed for the first time at Your deposition in this action” of this Request on the grounds that they are vague, ambiguous, and fail to define with particularity the information that they seek. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, Defendant and Counterclaim Plaintiff has produced or will produce any non-privileged and non-work product documents in her possession, custody, and control that reflect or refer to any alleged physical or mental abuse of Ms. Heard by Mr. Depp.

**18. To the extent not previously produced, all Documents and Communications that reflect or refer to any alleged physical or mental abuse of Mr. Depp by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant

and Counterclaim Plaintiff further objects to this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the discovery in resolving the issues at stake in this litigation. During recent meet and confers regarding Ms. Heard's Requests for Production, Plaintiff and Counterclaim-Defendant took the position that Mr. Depp's allegations of physical or mental abuse of Mr. Depp by Ms. Heard were not relevant to the claims and defenses in this case, and cannot now seek discovery on this same issue that Plaintiff and Counterclaim-Defendant himself claimed was irrelevant. On January 7, 2022, the Court also revised Request No. 16 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents by only requiring the production of documents "referring to or reflecting Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp," along with denying Requests 7-15 and 17 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought other medical records beyond the scope of HIPAA waiver previously Ordered by the Court which only required the production of records "related to Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp."

Defendant and Counterclaim Plaintiff further objects to this Request on the ground that a response would improperly require the adoption of an assumption. Defendant and Counterclaim Plaintiff further objects to this Request because it is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation

work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

**19. To the extent not previously produced, all Documents and Communications that reflect or refer to any treatment You have ever undergone in connection with any alleged physical or mental abuse of Mr. Depp by You.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the predicate phrase “All” of this Request on the grounds that it is overly broad and unduly burdensome. Defendant and Counterclaim Plaintiff further objects to this Request as vague, ambiguous, and failing to define with particularity the information that it seeks, and as overly broad, unduly burdensome, harassing, and seeking information not reasonably calculated to lead to the discovery of admissible evidence regarding the claims and defenses in this case, taking into account the needs of the case, the amount in controversy, limitations on the parties’ resources, and the importance of the discovery in resolving the issues at stake in this litigation. During recent meet and confers regarding Ms. Heard’s Requests for Production, Plaintiff and Counterclaim-Defendant took the position that Mr. Depp’s allegations of physical or mental abuse of Mr. Depp by Ms. Heard were not relevant to the claims and defenses in this case, and cannot now seek discovery on this same issue that Plaintiff and Counterclaim-Defendant himself claimed was irrelevant. On January 7, 2022, the Court also revised Request No. 16 of Mr. Depp’s 10<sup>th</sup> Requests for Production of Documents by only requiring the production of documents “referring to or reflecting Ms. Heard’s medical and psychological treatment stemming from any alleged abuse by Mr. Depp,”

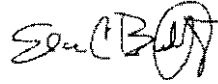
along with denying Requests 7-15 and 17 of Mr. Depp's 10<sup>th</sup> Requests for Production of Documents which sought other medical records beyond the scope of HIPAA waiver previously Ordered by the Court which only required the production of records "related to Ms. Heard's medical and psychological treatment stemming from any alleged abuse by Mr. Depp."

Defendant and Counterclaim Plaintiff further objects to this Request on the ground that a response would improperly require the adoption of an assumption. Defendant and Counterclaim Plaintiff further objects to this Request because it is unreasonably cumulative and duplicative of other discovery issued by the Plaintiff and Counterclaim Defendant. Defendant and Counterclaim Plaintiff further objects to this Request because it seeks information protected by the attorney-client privilege, and on the grounds that this Request invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by Rule 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, and notwithstanding that Defendant and Counterclaim Plaintiff may have produced documents potentially responsive to this Request, Defendant and Counterclaim Plaintiff stands on her objections to this Request.

February 17, 2022

**AS TO OBJECTIONS:**



Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
Clarissa K. Pintado (VSB No. 86882)  
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*Counsel to Defendant and Counterclaim  
Plaintiff Amber Laura Heard*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 17<sup>th</sup> day of February, 2022, by email, by agreement of the parties, addressed as follows:

Benjamin G. Chew, Esq.  
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*Counsel for Plaintiff and Counterclaim  
Defendant John C. Depp, II*



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Elaine Charlson Bredehoft

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA**

JOHN C. DEPP, II

*Plaintiff,*

V.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S FOURTH SET OF INTERROGATORIES TO  
DEFENDANT AMBER LAURA HEARD**

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, serve the following Fourth Set of Interrogatories upon Defendant Amber Laura Heard. Each Interrogatory must be answered separately, fully, in writing, under oath, and a copy served upon counsel for Mr. Depp within twenty-one (21) days of service hereof, in accordance with the Instructions and Definitions set forth below.

## DEFINITIONS

1. The terms "identify," "identifying," "identity" and "identification," when used to refer to any entity other than a natural person, mean to state its full name, the present or last known address of its principal office or place of doing business, and its entity type (e.g. corporation, partnership, unincorporated association).

2. The terms "identify," "identifying," "identity" and "identification," when used to refer to a natural person, mean to state the following:

- a. the person's full name and present or last known address, home telephone number, business address and business telephone number;
- b. the person's present title and employer or other business affiliation;
- c. the person's home address, home telephone number, business address and business telephone number at the time of the actions at which each interrogatory is directed; and
- d. his or her employer and title at the time of the actions at which each interrogatory is directed.

3. The term "Mr. Depp" or "Plaintiff" shall mean Plaintiff John C. Depp, II and all persons acting on his behalf including but not limited to his agents, representatives, employees, and assigns.

4. The term "Person" shall mean any natural person or any business, legal, or government entity, or association.

5. The terms "You," and/or "Your" shall mean Defendant Amber Laura Heard and any and all persons acting on her behalf, including but not limited to her agents, representatives, employees, and assigns.

6. In order to bring matters within the scope of these requests which might otherwise be construed to be outside their scope:

- a. "each" includes the word "every," and "every" includes the word "each";
- b. "any" includes the word "all," and "all" includes the work "any";
- c. "and," "or" or "and/or" shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive;
- d. "all" shall also include "each of" and vice-versa; and
- e. the singular includes the plural and vice-versa.



7. All words, terms and phrases not specifically defined in these requests are to be given their normal and customary meaning in the context in which they are used herein.

### **INSTRUCTIONS**

1. These Interrogatories should be construed to require answers based upon the knowledge of, and information available to, the responding party as well as its agents, representatives, and, unless privileged, attorneys. It is intended that the following Interrogatories will not solicit any material protected either by the attorney/client privilege or work product doctrine which was created by, or developed by, counsel for the responding party after the date on which this litigation was commenced.

2. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to respond to each interrogatory below as fully as possible.

3. No part of an interrogatory should be left unanswered merely because an objection is interposed to another part of the interrogatory. If a partial or incomplete answer is provided, the responding party shall state that the answer is partial or incomplete.

4. These Interrogatories are continuing in nature and therefore require you to file supplementary answers immediately after you obtain any additional information up to, including, and after the time of trial.

5. Whenever you are requested to give specific information, such as a date or figure, if you cannot give the exact information, you shall state that you cannot give the exact information and you shall give your best estimate.

6. If you refer to documents that you produce to Plaintiff, you shall identify the document(s) with specificity (by Bates number, etc.).

7. In responding to these discovery requests, you must provide all requested information known or available to you, regardless of whether that information is obtained directly by you or otherwise known to you, or whether that information is obtained or otherwise known to any of your attorneys, agents, affiliates, or other representatives.

8. Objection will be made at the time of trial to any attempt to introduce evidence which is directly sought by these Interrogatories and to which no disclosure has been made.

9. If any part of an Interrogatory requests information that is claimed by you to be privileged or otherwise protected from disclosure, set forth with particularity at the time of answering these Interrogatories the part of the Interrogatory with respect to which you assert that claim and the basis for each such claim, together with the following information:

a. If an attorney-client privilege, work product assertion, or any other privilege or protective rule is asserted with respect to an oral communication, please identify the date of the communication, the subject matter of the communication, the name and place of employment of each person present during the communication, and the name and place of employment of each person to whom the substance of the communication has been disclosed.

b. If an attorney-client privilege, work product assertion, or any other privilege or protective rule is asserted with respect to a document, please identify the type of each such document, the date of the document, each individual who authored the document and place of employment of such individual, each individual who received a copy of the document and place of employment of such individual, each individual to whom any portion of the contents of the document was disclosed and the place of employment of such individual, and the subject matter of the document.

10. If you believe that any Interrogatory is unclear, unintelligible, or because of its wording otherwise prevents you from responding fully to that interrogatory, you should seek immediate clarification from Plaintiff. It shall be not be sufficient to object to a particular interrogatory on the grounds that it is vague, ambiguous, or otherwise unclear, and withhold discoverable information on that basis without seeking clarification from Plaintiff.

### **INTERROGATORIES**

1. Describe in detail each and every incident during which You contend that You suffered any form of violence or abuse at the hands of Mr. Depp.

**ANSWER:**

2. Identify all Persons with firsthand personal knowledge of any of the incidents described in Your response to the preceding Interrogatory.

**ANSWER:**

3. Describe in detail each and every injury You contend You received as a result of any conduct by Mr. Depp.

**ANSWER:**

4. Identify all Persons that have firsthand personal knowledge of any injuries You received as a result of any conduct by Mr. Depp.

**ANSWER:**

5. Describe in detail any and all medical or psychological treatment You received as a result of any injury caused by Mr. Depp.

**ANSWER:**

6. State all facts that support any contention that You have suffered damages, whether monetary, emotional, or otherwise, as a result of any allegedly defamatory statements by Mr. Depp and/or Adam Waldman.

**ANSWER:**

Dated: February 12, 2021

Respectfully submitted,



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*Counsel for Plaintiff John C. Depp, II*


**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12th day of February 2021, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

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