

**October 6, 2025**

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1           A     Four hours. It might have been four  
2 days, but for four hours or so each day, not -- I  
3 mean, including, like, lunches and bathroom breaks.

4 Q Were these in-person or Zoom sessions?

5 A In person.

Q

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10 BY MS. SHAH:

11 Q Did any of those documents help refresh  
12 your recollection or memory of the events that you'd  
13 be testifying here today?

14 A No.

15 Q Okay. Are you aware of whether all the  
16 documents you reviewed in preparation for this  
17 deposition were produced in this case?

18 A I would assume so.

19 Q Okay. Did you go back through your phone  
20 in preparation for this deposition and review  
21 anything on your phone?

22 A No.

23 Q You've attended, either by Zoom or in  
24 person, some of the other depositions that have  
25 taken place in this case; is that right?

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1 these days.

2 Q So you do use Apple iMessage to  
3 communicate, right, text message?

4 A Yeah.

5 Q Do you use email to communicate?

6 A I get a lot of e-mails but I -- not good  
7 at responding to them. I do respond at times, but  
8 it's generally pretty short.

9 Q Do you use WhatsApp messaging to  
10 communicate?

11 A I'm on WhatsApp threads with various  
12 people.

13 Q Do you use Signal to communicate?

14 A Since the lawsuit, I do. Yeah.

15 Q Before the lawsuit?

16 A No.

17 Q Since the lawsuit, who have you used  
18 Signal to communicate with?

19 A Mostly my attorneys, the people that are  
20 the defendants, some friends.

21 Q Do you use Telegram to communicate?

22 A No.

23 Q Do you ever send voice notes?

24 A Yeah.

25 Q Do you ever record phone calls that

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1 you're a participant in?

2 A I certainly have from time to time.

3 Q Do you do that frequently?

4 A No.

5 Q Did you ever record any phone calls or  
6 Zooms with the participants in this case?

7 A In which case exactly?

8 Q Either the Blake Lively case or the  
9 Stephanie Jones case?

10 A Yes.

11 Q How many times would you estimate you  
12 recorded the phone calls or Zooms?

13 A Two to four. Maybe four times, maybe.  
14 Might be three.

15 Q Am I correct to understand that's four  
16 times ever that you recorded phone calls or Zooms  
17 with any of the participants or witnesses or people  
18 involved in the events that underlie either of these  
19 litigations?

20 A I don't do it often. So I imagine it was  
21 around four, two to four. I'd have to take a lot of  
22 pausing to really think about that which -- I think  
23 it's between two and four. Why don't we say four.

24 Q How about in-person meetings?

25 MS. SHAPIRO: Objection.

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1                   THE WITNESS: One that I can think of.

2 BY MS. SHAH:

3                   Q     What is that one?

4                   A     I recorded an improv acting session  
5 between Jenny Slate and Ms. Lively.

6                   Q     That you were also a participant in?

7                   A     I was.

8                   Q     Where were you located when you recorded  
9 that?

10                  A     At our production offices in Hoboken, New  
11 Jersey.

12                  Q     Where was Ms. Slate located?

13                  A     In New Jersey.

14                  Q     She was with you?

15                  A     Yeah.

16                  Q     Where was Ms. Lively located?

17                  A     I assume she was at her house, which is  
18 in New York.

19                  Q     Other than that one in-person meeting,  
20 can you think of any other in-person meetings that  
21 you recorded that have -- that involved any of the  
22 participants in the events underlying these cases or  
23 had anything to do with the events underlying these  
24 cases?

25                  MS. SHAPIRO: Objection.

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1                   THE WITNESS: At the moment, I can't.

2 BY MS. SHAH:

3                   Q     Are you aware that your counsel produced  
4 to us last night four recordings --

5                   MS. SHAPIRO: Objection to the extent it  
6 calls for information provided by your attorneys.

7 BY MS. SHAH:

8                   Q     -- that appear to be recordings by you or  
9 phone calls or in-person meetings having to do with  
10 this case?

11                  MS. SHAPIRO: Same objection.

12                  THE WITNESS: I would imagine that they  
13 would.

14 BY MS. SHAH:

15                  Q     Are you aware that they were produced  
16 last night?

17                  MS. SHAPIRO: Objection. Directing you  
18 not to answer anything to the extent it calls for  
19 information you only know from your attorneys.

20                  THE WITNESS: I can't answer.

21 BY MS. SHAH:

22                  Q     Are you going to follow your counsel's  
23 instruction?

24                  A     Yes, ma'am.

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1 Q Do you recall recording a phone call  
2 between you and any of the following:  
3 Ange Giannetti, Josh Greenstein or Todd Black?

4 A Ange Giannetti. I don't know if Todd  
5 Black was on it, but I know Ange. Yeah.

6 Q Tell me what you recall about that phone  
7 call with Ange.

8 A I haven't listened to them. What I  
9 recall is feeling, almost feeling like -- feeling  
10 scared and almost feeling like what was happening  
11 was, like, I needed a witness. Because what was  
12 happening was just kind of -- it felt kind of crazy.  
13 But I don't remember the content of the call. I  
14 assume it had to do with figuring out how to get  
15 through a difficult shoot.

16 Q What was it at the time that felt kind of  
17 crazy to you?

18 A I don't know exactly what call or when it  
19 was recorded so I don't know if I can answer that  
20 without more details.

21 Q Do you remember why you recorded that  
22 call?

23 A Again, I just need to know what call  
24 you're referring to.

25 Q Do you have a memory of a call that you

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1 recorded with Ange Giannetti?

2 A I have a vague memory. Yes.

3 Q With respect to that call that you have a  
4 vague memory of, do you have any recollection of why  
5 you recorded that call?

6 A I think I felt powerless and scared and  
7 kind of lonely, I think.

8 Q What did you intend to do with that  
9 recording?

10 A Nothing. I just -- I didn't know if I  
11 would ever need it one day.

12 Q Have you needed it?

13 A I haven't looked at it or listened to it.  
14 So apparently not.

15 Q Did you tell her that you were recording  
16 the call?

17 A I didn't.

18 Q Where were you located when you recorded  
19 the call?

20 A I don't know. I would have to know the  
21 date on the recording, and then I could try to  
22 reverse engineer it.

23 Q From your vague memory of doing this,  
24 give me your best estimate of where you were  
25 located.

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1 A I honestly have -- I don't know.

2 Q Is it possible that you were in  
3 California?

4 MS. SHAPIRO: Objection.

5 THE WITNESS: It's absolutely possible.

6 BY MS. SHAH:

7 Q Where was Ange located when you recorded  
8 that call?

9 A I assume she was in California.

10 Q Do you have a memory of recording any  
11 calls with Josh Greenstein?

12 A No.

13 Q Do you have a memory of recording any  
14 calls with Todd Black?

15 A Only if Todd were on a call with Ange.

16 Q Where is Todd Black located?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: Like right now?

19 BY MS. SHAH:

20 Q No. In general. Where does he live and  
21 work?

22 A He's often in New York. I believe he  
23 lives in LA, but he's often shooting movies.

24 Q Does he maintain an office in LA?

25 A I don't know.

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1 A Is it -- do you want to finish your  
2 question?

3 Q No. It's all right.

4 A I didn't mean to interrupt you.

5 Q I know. It's all right. I was trying to  
6 ask a better question but I think I --

7 A Do you mind re-asking the question?

8 Q Other than the one call we've spoken  
9 about with Ange Giannetti, do you recall recording  
10 any other calls?

11 A Yes.

12 Q Okay. Please tell me about those.

13 A I recorded a -- part of a call with Shawn  
14 Levy.

15 Q Who is Shawn Levy?

16 A Shawn Levy is a director and a --  
17 apparently a very close friend of Ms. Lively and  
18 Mr. Reynolds.

19 Q What do you recall about that call?

20 A I recall he wanted to speak to me. And  
21 as we began talking, I got the feeling that he was  
22 calling to kind of adjust or course correct, which  
23 made me feel a little uncomfortable.

24 Q Adjust or course correct from what?

25 A I didn't know.

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1 Q What do you mean when you say "adjust or  
2 course correct"? Just explain that to me a little  
3 bit more, please.

4 A It felt like he was being asked to call  
5 me. Like he wasn't just calling to talk or check  
6 in.

7 Q And what was he calling you about?

8 A The movie, It Ends with Us, and  
9 Ms. Lively.

10 Q Was he calling you about the tensions  
11 that were arising in relation to that movie?

12 A No.

13 Q So what about the movie, It Ends with Us,  
14 was he calling you about?

15 A He was calling to give me advice, it  
16 appeared, on how to handle or navigate making a  
17 movie with Ms. Lively.

18 Q When in time was this?

19 A I could be wrong. I believe it was April  
20 of '23.

21 Q Where were you located when you recorded  
22 the call?

23 A At my office in New Jersey.

24 Q Where was he located when he was speaking  
25 to you on the call?

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1 A I don't know.

2 Q Did you inform him that you were  
3 recording the call?

4 A I did not.

5 Q Other than these two calls we've now  
6 spoken about, one with Ange Giannetti and one with  
7 Shawn Levy, can you remember any other phone calls  
8 that you recorded?

9 A It's not something I do often. So no, to  
10 be precise. I can't.

11 Q Does Jamey Heath often record phone calls  
12 to your understanding?

13 A I'm unaware of what Jamey does on his own  
14 time.

15 Q Does Jamey Heath ever record phone calls  
16 in the course of his work for Wayfarer to your  
17 understanding?

18 A I don't know. I know he has. But I  
19 don't know if it's a regular practice.

20 Q How do you know he has?

21 A Because I'm aware of at least a  
22 recording.

23 Q Which recording is that?

24 A I'm aware of a recording of a WME, WME  
25 agent or conversation that happened.

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1 an understanding of why they've been promised ghost  
2 equity or some sort of promise of equity in  
3 Wayfarer?

4 A I believe so.

5 Q Can you tell me?

6 A I will start with Ahmed. Ahmed was my  
7 former partner at Wayfarer Entertainment, which was  
8 a small production company that I had started years  
9 ago, and he's an independent producer now. But I  
10 didn't feel like I could have started Wayfarer  
11 without his help with Wayfarer Entertainment so I  
12 gave him a small piece of my own equity.

13 Jamey Heath took a low salary compared,  
14 probably, to a lot of other folks and has lived and  
15 breathed the company. And Steve and I felt he  
16 deserved a small piece of equity.

17 And I'm still unsure if Tera Hanks  
18 officially has any or that any was promised. But  
19 when she joined, I think it was discussed. But I  
20 don't have a full memory of it.

21 Q Would you say it's accurate that you and  
22 Steve Sarowitz co-founded Wayfarer Studios?

23 A Yeah, I think so.

24 Q When did that happen?

25 A I believe officially, it was around the

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1 time of the pandemic, so early 2020. But I know it  
2 was starting to happen, like there were  
3 conversations in 2019. I just don't know the exact,  
4 like, date the papers were signed or things like  
5 that.

6 Q And how did that come about?

7 A The starting of Wayfarer Studios?

8 Q Uh-huh.

9 A I had always wanted to have the means to  
10 create movies that I thought could make a difference  
11 and help people. And Steve had a very similar world  
12 view, and he wanted to make movies that could help  
13 people too. So we started Wayfarer.

14 Q How did you come to know Steve Sarowitz?

15 A I first met Steve when he was making a  
16 film called The Gate. It was a story of the Bab,  
17 who was a central figure in the Baha'i faith. And  
18 we were introduced because he said he didn't know  
19 what he was doing and he needed some guidance. And we  
20 so I helped him out and we became friends. And we  
21 have a shared faith.

22 Q Do you know approximately when this was  
23 that you were introduced to him?

24 A I don't. I feel like maybe 2016 or 2017.

25 Q Would you say there's a common thesis or

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1           A     I don't know. And I don't know how I --  
2     we would quantify that. I don't believe so.

3           Q     Are you the co-chairman of Wayfarer  
4     Studios?

5           A     I am.

6           Q     Do you hold any other titles with respect  
7     to Wayfarer Studios?

8           A     I do not.

9           Q     And what are your responsibilities as  
10     co-chairman of Wayfarer Studios?

11          A     Mostly thinking of the future direction  
12     of where I would like to see the company going. I  
13     assist with creative. That's -- that's pretty much  
14     it.

15          Q     Do you have any responsibilities with  
16     respect to the financials of Wayfarer Studios?

17          A     No.

18          Q     Do you have any responsibilities with  
19     respect to the day-to-day operation of Wayfarer  
20     Studios?

21          A     No.

22          Q     Would you say that Sarowitz is the money  
23     guy and you're the creative force behind Wayfarer  
24     Studios?

25          A     Sarowitz is quite creative, but I think

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1 A I can't think of any right now.

2 Q In any other role than an attendee?

3 A I started speaking in my 30s, and I don't  
4 know if I ever spoke at one or not.

5 Q Do you know a gentleman by the name of  
6 Labid Aziz?

7 A Yes.

8 Q Who is he?

9 A Labid?

10 Q Yes.

11 A was the original COO of Wayfarer  
12 Studios.

13 Q And when did he cease operating in that  
14 role?

15 A I think about a year into his role.

16 Q Was he a good COO?

17 A I'm not sure I'm qualified to judge what  
18 a good COO is.

19 Q Did you ever have any concerns personally  
20 with him in his role as COO?

21 A I did.

22 Q What were those concerns?

23 A I felt he would often promise things in  
24 dealmaking that weren't possible. He was a bit of a  
25 wheeler and a dealer, and there were certain

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1 instances where I did not feel he was telling the  
2 truth.

3 Q Can you identify any of those incidents  
4 for me?

5 A I just remember getting phone calls  
6 saying, like, Labid said this or Labid promised this  
7 and being very confused because that wasn't  
8 something that he could be promising. It was  
9 important to me that we were always honest and that  
10 we didn't enter into deals with people and make  
11 promises that we couldn't keep. And I didn't always  
12 feel that that integrity was -- was -- didn't always  
13 feel he operated with that -- that integrity.

14 Q Can you give me any specific examples?

15 A The one I can think of right now is my  
16 dad is also in the entertainment business. He was  
17 one of the founding fathers of what is called  
18 product placement. And I always wanted to work with  
19 my dad, and it's a sweet relationship. But I  
20 remember my dad told me that he had promised Labid  
21 -- or Labid had promised him that he could build out  
22 an entire product placement division of Wayfarer  
23 Studios and that he would put him on a salary.  
24 And -- and I think he got my dad's hopes up, which  
25 my dad, you know, was 70, and that wasn't ever part

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1 BY MS. SHAH:

2 Q I want to come back to the -- your use of  
3 Signal.

4 A Uh-huh.

5 Q I think you testified earlier this  
6 morning that you had never used Signal before  
7 Blake's complaint was filed in December of 2024.

8 A Am I getting that correct?

9 A I had the app, but I wasn't a  
10 participant, like, doing anything on the app.

11 Q Do you recall when you downloaded the  
12 app?

13 A I recall two different times that I had  
14 downloaded the app. The first time I ever heard of  
15 Signal was from Stephanie Jones. And I don't know  
16 how long ago that was. I feel like that was -- I  
17 close my eyes sometimes because I visualize so I  
18 understand where I am. I believe it was in 20 -- I  
19 think it was around 2020.

20 A She had told me that was her preferred  
21 method of communication, but we never communicated  
22 on Signal. And then -- and then I think your phone  
23 just gets rid of it when you don't use it. And then  
24 I downloaded it again. I joined a men's group and  
25 they had their group on Signal. But then I was

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1       unable to join officially the men's group so I never  
2       joined that group on Signal. And then so it was  
3       just kind of an app that was there.

4                   And then I downloaded it probably the day  
5       after or two days after the New York Times article  
6       and the lawsuit.

7                   Q       When you downloaded it a day or two after  
8       the New York Times article and the lawsuit, why did  
9       you do that?

10                  A       I believe it was a group decision to move  
11       all of our chats to Signal.

12                  Q       Who was in that group that made that  
13       group decision?

14                  A       My attorneys. I believe all the  
15       defendants here.

16                  Q       Melissa Nathan?

17                  A       Yes.

18                  Q       Jen Abel?

19                  A       Yes.

20                  Q       Jamey Heath?

21                  A       Yes.

22                  Q       Steve Sarowitz?

23                  A       I think he eventually joined, yes.

24                  Q       But not at first?

25                  A       Steve is always in his own world.

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1 Q Text messages with Blake?

2 A No.

3 Q Text messages with Stephanie Jones?

4 A I don't believe I shared any of those  
5 with Mitz. No.

6 Q Text messages with Jen Abel?

7 A No.

8 Q Text messages with Melissa Nathan?

9 A I didn't have any text messages with  
10 Melissa Nathan.

11 Q Text messages with whom then?

12 A My memory -- text messages with my -- my  
13 health coach. Text messages with Don Saladino.

14 Q Who is your health coach?

15 A Jennifer Benson.

16 Q What does she generally do for you?

17 A She's not my current health coach.

18 Q What should she generally do for you when  
19 she was your health coach?

20 A She tried to keep me healthy.

21 Q How?

22 A Supplements, peptides, helping my immune  
23 system.

24 Q What about your text messages with your  
25 health coach did you believe at that time would help

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1 you explain the truth of what happened?

2 A If my memory is correct, I was being  
3 accused of many things. But one of them was, like,  
4 putting Ms. Lively on a phone call with a dietitian,  
5 which was a lie and an extreme distortion of the  
6 truth.

7 Q Who is Dan [sic] Saladino?

8 A He's a personal trainer.

9 Q Is he Ms. Lively's personal trainer?

10 A I would assume so.

11 Q And what about your text messages with  
12 him did you believe at the time would help you  
13 demonstrate the truth of what had happened?

14 A The communication between him and myself  
15 that showed that he was also working with me.

16 Q How many screenshots do you recall  
17 sending to Mitz?

18 A I wish I could tell you. I don't know.

19 Q More than two?

20 A Yeah.

21 Q More than five?

22 A Probably.

23 Q More than ten?

24 A That was a very hard time. I will say  
25 yes.

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1 time. But I believe he thought she was very good at  
2 her job.

3 Q Do you know what led him to believe that?

4 A I don't.

5 Q Did you have any personal role in making  
6 the decision to hire Melissa Nathan over any of the  
7 other crisis PRs that may have been recommended?

8 A No.

9 Q Are you aware of where Jamey got the  
10 names for potential crisis communications  
11 professionals that he was considering?

12 A I imagine from --

13 MS. SHAPIRO: Mr. Baldoni, don't  
14 speculate.

15 THE WITNESS: No. I actually don't.

16 BY MS. SHAH:

17 Q You don't know?

18 A No.

19 Q Do you know if he or anyone else at  
20 Wayfarer asked Stephanie Jones for her views on  
21 crisis communications professionals that you should  
22 hire?

23 A I don't.

24 Q Do you know if she recommended  
25 Melissa Nathan or not?

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1           A     If Stephanie Jones recommended? I now  
2 know that she didn't.

3           Q     How did you come to that understanding?

4           MS. SHAPIRO: Mr. Baldoni, don't answer  
5 --

6           THE WITNESS: No --

7           MS. SHAPIRO: -- if the information came  
8 from your lawyers.

9           THE WITNESS: Yes, I can answer this.  
10 Stephanie had sent me a text about Melissa Nathan.

11 BY MS. SHAH:

12           Q     You knew at the time that Stephanie did  
13 not recommend that you hire Melissa Nathan, correct?

14           MS. SHAPIRO: Objection.

15           THE WITNESS: I knew that Stephanie did  
16 not like Melissa Nathan, yes.

17 BY MS. SHAH:

18           Q     And Stephanie warned you against hiring  
19 Melissa Nathan; isn't that right?

20           A     You could -- I think you could put it  
21 that way with my interaction with Stephanie. Yeah.

22           Q     And were you aware that Stephanie also  
23 warned Jamey Heath and Tera Hanks against hiring  
24 Melissa Nathan?

25           A     I was only aware of what she texted me.

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1 Q Jamey Heath and Tera Hanks never told you  
2 that Stephanie Jones had also warned them against  
3 hiring Melissa Nathan?

4 A Not that I recall.

5 Q Do you have an understanding as to why  
6 Stephanie Jones was warning you against hiring  
7 Melissa Nathan?

8 A I vaguely remember -- I think there was a  
9 text message that she sent that said she -- I'm  
10 reading it in my mind. There was something, there  
11 was a word "shady" in there and it was like a link  
12 to something that I never clicked on.

13 Q Other than the text message you're  
14 describing with Stephanie Jones, did you ever have a  
15 conversation with her about this issue, whether in  
16 person or on the phone?

17 A I don't know. I'm -- my memory of this  
18 time was that there was a lot of messages and it,  
19 like -- I might have spoken to Stephanie. I don't  
20 remember the conversation. But there was like a --  
21 there was like a -- felt like a frantic energy from  
22 Stephanie.

23 Q Did you give any credence to the  
24 information that she was giving you in terms of why  
25 you should not hire Melissa Nathan to be aligned

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1 with you?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: What do you mean by  
4 "credence" exactly?

5 BY MS. SHAH:

6 Q Did you take her concerns seriously?

7 A I believe I did.

8 Q Did you do anything to investigate them  
9 further before you hired Melissa Nathan?

10 A I didn't have any capacity at that time  
11 to do personal investigation, no.

12 Q Did you relay Stephanie's concerns to  
13 Jamey Heath or Tera Hanks at the time?

14 A I believe I did. Yes.

15 Q Tell me what you recall about the  
16 substance of those conversations or communications.

17 A I remember passing along that Stephanie  
18 doesn't like -- I didn't know who Melissa Nathan  
19 was -- one of the people. That's what I remember.

20 Q Do you remember Stephanie Jones telling  
21 you in sum or substance that Melissa Nathan and the  
22 tactics she uses as a crisis communications  
23 professional are not the kinds of tactics that you  
24 want to publicly associate yourself with?

25 A That sounds very familiar.

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1 Q Are you aware that Wayfarer and you  
2 decided to hire Melissa Nathan over Stephanie Jones'  
3 objections?

4 A I would imagine so, yes.

5 MS. SHAH: Okay. I'm going to show you  
6 what's marked as a document, Exhibit 5.

7 (Exhibit 5 marked for identification.)

8 BY MS. SHAH:

9 Q It's a text message between you and  
10 Stephanie Jones dated July 26, 2024, Bates stamped  
11 Jonesworks\_, several zeroes, 39735.

12 Is this the text message that you were  
13 referring to that Stephanie Jones sent you where she  
14 warned you against hiring Melissa Nathan?

15 A It appears to be.

16 Q And this was sent on July 26th, 2024.  
17 So does this refresh your recollection that you were  
18 considering bringing on crisis PR before  
19 July 26th, 2024?

20 A Yes.

21 Q Okay. And as you recall, Stephanie Jones  
22 sent you a link at the top of the text thread,  
23 right?

24 A Yes.

25 Q You said you never clicked on that; is

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1                   THE WITNESS: I don't know, no. I don't  
2 know.

3                   BY MS. SHAH:

4                   Q      Because you never asked her what she  
5 meant by that?

6                   MS. SHAPIRO: Objection.

7                   THE WITNESS: Unless you have a document  
8 that says I did, I don't feel like I did.

9                   MS. SHAH: Okay. I'm going to show you a  
10 document that's been marked Exhibit 6.

11                   (Exhibit 6 marked for identification.)

12                   THE WITNESS: You got it.

13                   BY MS. SHAH:

14                   Q      It's a text message between  
15 Stephanie Jones, Jamey Heath, Tera Hanks, and you --

16                   A      Uh-huh.

17                   Q      -- dated July 26th, Bates stamped  
18 Jonesworks\_JB\_, several zeroes, 1142.

19                   Do you see this?

20                   A      Yes.

21                   Q      Okay. Do you recall this text message  
22 when you received it?

23                   A      Vaguely, yes.

24                   Q      Okay. And in this text message,  
25 Stephanie Jones warns you, Tera Hanks, and

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1 Jamey Heath that you should not work with  
2 Melissa Nathan because "there's a lot of dirty work  
3 she has done" and "it's not someone that you should  
4 want in Justin's orb."

5 Do you see that?

6 A Yes.

7 Q Okay. And she goes on to say:

8 (As read):

9 "Or for Blake's PR to use as a weapon  
10 against him."

11 Do you see that?

12 A I do.

13 Q Did you ever have a conversation with her  
14 about what she meant by that?

15 A I did not have a conversation with  
16 Stephanie at all around this.

17 Q Okay. Do you have any understanding,  
18 whether from this text message or anything else that  
19 you knew at the time, about what she meant when she  
20 said, "I just downloaded Tera on some dark stuff"?

21 A I don't.

22 Q Did Tera ever relay the substance of that  
23 conversation to you?

24 A I think I had had a conversation with  
25 Tera and Jamey that I didn't want to be a part of

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1 any of this. So I trusted them to make the  
2 decision. I don't believe she told me anything.

3 Q Okay. Do you understand from this text  
4 message that Stephanie is telling you and Jamey and  
5 Tera that it might not be good for you to be  
6 associated with someone like Melissa Nathan based on  
7 the type of tactics that she has used in the past?

8 A That seems to be an accurate summary.

9 Q And that if people knew that you were  
10 associated with Melissa Nathan or specifically if  
11 Blake's PR came to find out that you had associated  
12 yourself with Melissa Nathan, they could use that  
13 against you because of who Melissa Nathan was,  
14 right?

15 MS. SHAPIRO: Objection. Objection.

16 THE WITNESS: I can't speculate to what  
17 she meant by that. But it seems to be she says  
18 "Blake's PR to use as a weapon" so...

19 BY MS. SHAH:

20 Q Okay. Now, Wayfarer and you --

21 A are you done with this one?

22 Q I think so.

23 A Here you go.

24 Q Wayfarer and you went ahead and hired  
25 Melissa Nathan after and despite Stephanie Jones's

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1       warnings, right?

2               MS. SHAPIRO: Objection.

3               THE WITNESS: I believe so.

4       BY MS. SHAH:

5               Q     And there came a time in August, after  
6     you had hired Melissa Nathan, that The Hollywood  
7     Reporter published an article about the fact that  
8     you had hired Melissa Nathan, right?

9               A     Yes.

10              Q     I'm going to show you that article.

11              MS. SHAH: It's a document we're going to  
12     mark as Exhibit 7.

13              (Exhibit 7 marked for identification.)

14              THE WITNESS: Thank you.

15       BY MS. SHAH:

16              Q     It's an article from The Hollywood  
17     Reporter, dated August 14th, 2024, that says  
18     "Justin Baldoni Hires Crisis PR Veteran Amid  
19     It Ends with Us Rift."

20              Do you see that?

21              A     Uh-huh.

22              Q     And it goes on to say:

23              (As read):

24              "The director and star has retained the  
25     services of Melissa Nathan who

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1 represented Johnny Depp during the  
2 Amber Heard trial."

3 Do you see that?

4                   A        Excuse me. On the second page, yes.

5 Q Okay. You were pretty upset when this  
6 article came out, right?

7 A I don't remember what I was feeling.

8 Q You were worried when this article came  
9 out that being publicly associated with  
10 Melissa Nathan might make it look like you had  
11 something to be guilty for, right?

12 MS. SHAPIRO: Objection.

17 BY MS. SHAH:

18 Q Why were you not happy that your crisis  
19 PR was publicized?

20           A     Because it felt like more of the -- kind  
21        of -- the kind of thing that felt like somebody  
22        would plant to draw more attention and fan a flame  
23        to something.

## 24 Q Fan a flame to what?

25 A To public speculation, the fan theories

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1 of why I wasn't doing press with anybody and...

2 Q What were the fan theories at the time  
3 about why you weren't doing press with anyone?

4 A I remember there being a lot of talk  
5 about all of the cast unfollowing me, why I wasn't  
6 doing press with any of the other cast members. I  
7 don't remember the date that this came out, but I  
8 don't know if I had already done the premiere or not  
9 at this point. But I had also never read an article  
10 or seen an article about somebody hiring crisis PR,  
11 so I found it odd.

12 Q And you thought it made you look bad,  
13 right?

14 A Yeah, I think I did.

15 Q You thought it made you look like you had  
16 something to hide?

17 A I think I had never been involved in  
18 anything like this, and I wasn't used to seeing my  
19 name in the press in this way at all. And I  
20 certainly -- I certainly didn't want my -- my name  
21 out there in a negative way.

22 Q You thought it made it look like you had  
23 something to hide that had to do with the  
24 allegations of on-set abuse, right?

25 MS. SHAPIRO: Objection.

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1                   THE WITNESS: I'm unaware of any  
2 allegations of on-set abuse.

3 BY MS. SHAH:

4                   Q To this day, you're unaware of any  
5 allegations against you of on-set abuse?

6                   MS. SHAPIRO: Objection.

7                   THE WITNESS: Abuse? I'm aware of  
8 allegations as were written in the New York Times  
9 article and in this lawsuit. Yeah.

10 BY MS. SHAH:

11                  Q What do you understand those allegations  
12 to be?

13                  A I understand that I have been alleged to  
14 sexually harass Mrs. Lively. And then that I have  
15 alleged to have launched a retaliation smear  
16 campaign.

17                  Q Do you recall articles coming out around  
18 this time that called your on-set behavior abusive?

19                  MS. SHAPIRO: Objection.

20                  THE WITNESS: I believe I do.

21 BY MS. SHAH:

22                  Q Okay. So you understand that that was  
23 one of the fan theories that was floating around  
24 about why you weren't involved in publicity and why  
25 all the cast had unfollowed you, right?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: Not necessarily.

3 BY MS. SHAH:

4 Q Well, yes or no?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: No.

7 BY MS. SHAH:

8 Q You're not aware of any fan theories at  
9 the time that one of the reasons that the cast  
10 unfollowed you and that you were not involved in a  
11 lot of the marketing of the film or publicity around  
12 the film was because you engaged in abusive or toxic  
13 behavior on set?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: I'm not aware those were  
16 fan theories, no.

17 BY MS. SHAH:

18 Q Any theories?

19 MS. SHAPIRO: Objection.

20 THE WITNESS: I'm aware that there were  
21 leaks to press that accused me of that, but I'm not  
22 aware of fan theories.

23 MS. SHAH: Okay. Thirty-nine, please.

24 (Exhibit 8 marked for identification.)

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1 BY MS . SHAH:

2 Q I'm going to hand you a document that's  
3 marked as Exhibit 8. It's a text thread between  
4 Benny Grace, Melissa Nathan, you. I think that's  
5 it.

6 A Uh-huh.

7 Q On August 14th, Bates-stamped NATHAN,  
8 several zeros, 3972.

9 Do you see that?

10 A I do.

11 Q Who is Benny Grace?

12 A That used to be my alias, but it's now  
13 become public, so...

14 Q No longer useful as an alias. All right.

15 So this is a text thread between you and  
16 Melissa Nathan; is that right?

17 A It appears to be, yes.

18 Q On August 14th, which is the day after  
19 The Hollywood Reporter article that we just looked  
20 at was published.

21 Do you see that?

22 A Yes.

23 Q Okay. And halfway down the page, at  
24 8:03 a.m., you write:

25 (As read):

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1                   "Talk to me about this - so I'm really  
2                   frustrated about this crisis PR leak -  
3                   and framing it as Johnny Depp's firm to  
4                   poise that I have something to hide and  
5                   also there was abuse."

6                   Do you see that?

7                   A    Uh-huh.

8                   Q    And so you were concerned about The  
9                   Hollywood Reporter article framing it specifically  
10                  with relation to Melissa Nathan's prior association  
11                  with Johnny Depp that it might mean that you had  
12                  something to hide and that there was abuse on set,  
13                  right?

14                  MS. SHAPIRO: Objection.

15                  THE WITNESS: Yes, actually. Yes.

16 BY MS. SHAH:

17                  Q    Okay. And then you say:

18                  (As read) :

19                  "I don't understand how we are letting  
20                  her continue to leak stories and do  
21                  this to us."

22                  Do you see that?

23                  A    Yes.

24                  Q    Who is "her"?

25                  A    I presume I meant Ms. Lively's team.

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1 Q Okay. And then you ask Melissa Nathan to  
2 walk you through it. And then I want you to read  
3 Melissa Nathan's response on the next page.

4 A Do you want me to keep reading past  
5 page 2?

6 Q No, you don't need to.

7 A Okay.

8 Q So she tells you at the top:

9 (As read) :

10 "Sure-firstly I am also incredibly  
11 frustrated."

12 Do you see that?

13 A I do.

14 Q Then she goes on to say:

15 (As read) :

16 "A PR should never be part of a story  
17 but- I also work with many people who  
18 are in trouble and protect them."

19 Do you see that?

20 A Uh-huh.

21 Q Was it your understanding from this text  
22 message or any other conversation you had with her  
23 about this topic, that she was also frustrated by  
24 the publication of The Hollywood Reporter article?

25 A I'm reading that here now so it appears

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1       she was frustrated.

2           Q     Do you remember conveying -- her  
3     conveying to you that she was frustrated by it?

4           A     I -- just here. I don't remember outside  
5     of this. I -- I was on a plane at the time, so we  
6     didn't speak.

7           Q     Okay. Did you speak to her outside of  
8     this text message about The Hollywood Reporter  
9     article?

10          A     I don't know.

11          Q     Do you recall any phone or in-person  
12     conversations with her about The Hollywood Reporter  
13     article?

14          A     Definitely not in person. I don't -- I  
15     don't remember any phone calls about it. I feel  
16     like -- I feel like this was me venting. So this  
17     was probably the conversation that we had.

18          Q     Okay. And you're essentially asking her,  
19     like, tell me why this isn't a bad look for me,  
20     right?

21           MS. SHAPIRO: Objection.

22           THE WITNESS: I think I'm trying to  
23     understand all of this. I oftentimes reach out to  
24     my team to say, help me understand this, I have a  
25     feeling about something. I don't like this. Make

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1 me feel better about it. What does this mean?  
2 What -- what is this? And I'm not -- I'm not a PR  
3 expert.

4 BY MS . SHAH :

5 Q And would you agree with me that she did  
6 try to make you feel better about it?

7 A It -- it appears that she did try.

8 Q She's essentially saying, this is not a  
9 huge deal, it doesn't look terrible for you, right?

10 A Yeah. She's saying it's very normal.  
11 But that people have crisis PR, but it seems to me  
12 that she also said that it's not normal for PR to be  
13 part of a story. So...

14 Q And if you look down to the fourth  
15 paragraph, starting "Jen knows."

16 A Do you see that?

17 Q "Jen knows," yes.

18 A She said:

19 (As read) :

20 "Jen knows - I spoke for an hour on the  
21 phone from 12-1 a.m. my time she swears  
22 she had nothing to do with it but I  
23 know someone placed this."

24 A Do you see that?

25 A I do.

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1           Q     Did you have a suspicion that Jen Abel  
2 had placed this?

3           A     No.

4           Q     Did you have a suspicion that  
5 Stephanie Jones had placed this?

6           A     I had a suspicion that this was Blake's  
7 team placing this.

8           Q     Did you have a suspicion that  
9 Melissa Nathan had placed this?

10          A     No.

11          Q     And here, she's essentially communicating  
12 to you, I'm frustrated by this, someone placed this,  
13 it wasn't me, right?

14          A     I think maybe when I first reached out to  
15 her, I may have     I may have been confused and  
16 wondered why my team might place this or if it was a  
17 leak. I don't really remember. I just remember it  
18 being such a weird headline. But no, I never  
19 suspected that Jen placed it.

20          Q     Did you ever suspect that Melissa placed  
21 it?

22          A     Not in a negative way. I think if I  
23 reached out, I was confirming that no one from my  
24 team would brag about me having crisis PR. I didn't  
25 think that was something worth bragging or making an

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1 announcement about.

2 Q Did you get confirmation from your team  
3 or comfort from your team that no one from your team  
4 had leaked this information?

5 A I believe I did. I believe this is part  
6 of that.

7 Q This message that Melissa is writing to  
8 you is part of the confirmation that you were  
9 getting that your team didn't have any part in  
10 leaking this information, right?

11 A I believe so.

12 Q Okay. And then she goes on to say:

13 (As read) :

14 "It doesn't make you look bad."

15 Do you see that?

16 A Yes.

17 Q You understood from this that she was  
18 trying to reassure you that this wasn't a bad look  
19 for you, right?

20 A I imagine that's what she was doing.

21 Q Okay. And then she said:

22 (As read) :

23 "All the reporters like and trust me,  
24 which is why when they called me, they  
25 took out all the social media stuff and

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1 did a straight story as they wouldn't  
2 kill it."

3 Do you see that?

4 A I do.

5 Q Do you have any understanding of what she  
6 meant by "they took out all the social media stuff"?

7           A       No, because even just reading it a second  
8 ago, I think I missed that too. Sometimes my  
9 reading comprehension isn't great. No, I have "all  
10 the reporters like and trust me, which is why they  
11 called me." I have no idea what she's talking  
12 about.

13 Q Did you have an understanding, as of this  
14 time, that she had spoken to reporters at THR or  
15 about this article?

16 A No.

17 Q Did you have any understanding about, at  
18 the time, that she had tried to influence the  
19 article or kill it?

20 A No, I think I missed that completely.

21 Q Okay. Is this the type of negative  
22 association with Melissa Nathan and her past clients  
23 and tactics that you think Steph was warning you  
24 about before she hired you -- before you hired  
25 Melissa?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: I can't speculate to what  
3 she was worried or warning me about.

4 BY MS. SHAH:

5 Q Because you never spoke to her about it  
6 yourself?

7 A Yeah, I never did.

8 Q Okay. Did Melissa Nathan ever tell you  
9 that she, in fact, was responsible for the leak that  
10 culminated in this story?

11 A She never did.

12 Q Did she ever tell you that she was lying  
13 to you when she thought -- when she told you that  
14 she was incredibly frustrated by this?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: She did not.

17 BY MS. SHAH:

18 Q Did she ever tell you when she said "I  
19 know someone placed this," that she actually knew  
20 who had placed it?

21 A She, obviously, did not.

22 Q Did she ever tell you that it was one of  
23 her friends?

24 A Like before, she didn't tell me anything  
25 except what I see here.

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1 Q Okay. If those things were true, are  
2 those things you would have wanted her to tell you  
3 at the time when you reached out to ask about it?

4 MS. SHAPIRO: Objection.

5 THE WITNESS: I would imagine so, yes.

6 BY MS. SHAH:

7 Q Okay.

8 MS. SHAH: I'm going to show you -- pull  
9 tab 40, please.

10 THE WITNESS: Do you want me to hold onto  
11 this?

12 MS. SHAH: You don't have to.

13 I'm going to mark this as Exhibit 9.

14 (Exhibit 9 marked for identification.)

15 THE WITNESS: Thanks.

16 BY MS. SHAH:

17 Q It's a text thread between you,  
18 Melissa Nathan, and Jen Abel, also dated  
19 August 14th, 2024, Bates-stamped NATHAN\_, several  
20 zeroes, 4552.

21 A Uh-huh.

22 Q Turn for me to page that's stamped at the  
23 bottom 4554, please.

24 A Can I just read before then, too?

25 Q Sure.

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1           A    What was the page you wanted me to look  
2    at?

3           Q    4554. It's the page you're on.

4           A    Uh-huh.

5                Okay.

6           Q    Okay. So you're sending a screenshot to  
7    Jen and Melissa of a text that your old assistant,  
8    Will, sent to you, right?

9           A    Yes.

10          Q    Did you read the text?

11          A    I did.

12          Q    And in that text, he's essentially  
13    expressing to you that it's a bad look for you what  
14    came out in The Hollywood Reporter story, right?

15                MS. SHAPIRO: Objection.

16                THE WITNESS: Yes.

17          BY MS. SHAH:

18          Q    Okay. And you were passing that along to  
19    Jen and Melissa to, what, seek their feedback on  
20    that text?

21          A    I don't remember why I sent it. I just  
22    remember it didn't feel good.

23          Q    Why didn't it feel good?

24          A    Who's on this text, by the way? Oh, it's  
25    Melissa.

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1                   I mean, I'm being talked about in public  
2 and that sucks. And he's telling me that he thinks  
3 that it looks like I'm trying to cover something up.  
4 And he wants to just share with me because he knows  
5 my heart and I -- you know, and I didn't want people  
6 to think that because it wasn't true.

7                   Q     And isn't this kind of association  
8 exactly what Stephanie Jones was warning you about  
9 when she advised you not to hire Melissa Nathan?

10                  MS. SHAPIRO: Objection.

11                  THE WITNESS: Again, I don't know what  
12 Stephanie Jones was exactly referring to so I can't  
13 answer that.

14 BY MS. SHAH:

15                  Q     You understood that she had said to you  
16 that being associated with a crisis communications  
17 professional like Melissa Nathan could be used  
18 against you because of that association, right?

19                  A     I remember it at one of the texts you  
20 showed me.

21                  Q     And here -- here is at least one  
22 independent source expressing that same view to you  
23 now, right?

24                  A     Yes.

25                  Q     Okay. Were you bothered by this?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: I think I was.

3 BY MS. SHAH:

4 Q Okay. Can you think of another example  
5 of a director of a film hiring crisis PR during the  
6 promotion and release of the film related to the  
7 promotion and release of the film?

8 A I don't -- I can't think of an article  
9 where anyone who hires crisis PR publicizes it.

10 Q My question was: Can you think of a  
11 single example of a director who hired crisis PR  
12 during the promotion and release of a film?

13 MS. SHAPIRO: Objection.

14 BY MS. SHAH:

15 Q In your industry?

16 A Do you mean that I know of a director who  
17 hired crisis PR, or that I read an article of a  
18 director who hired crises PR?

19 Q Either one. Can you think of any other  
20 example that you can think of where a director of a  
21 film hired crisis PR during the promotion and  
22 release of that film?

23 A A director of a film hired crisis PR. As  
24 I sit here right now, I can't think of a director  
25 that I would know that hired crisis PR.

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1 Q Okay. Pretty unique situation in the  
2 industry as far as you're aware?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: I'm sorry. What was the  
5 question?

6 BY MS. SHAH:

7 Q Is that a pretty unique situation in your  
8 industry as far as you're aware?

9 A For what?

10 Q That a director would hire a crisis PR in  
11 connection with the promotion and release of a film  
12 he was directing or she was directing?

13 A I don't know. Because I don't think  
14 normally people find out when people hire crisis PR.

15 Q But you can't think of a single other  
16 example?

17 A I can't right now. No.

18 Q Okay.

19 MS. SHAH: Tab 83, please.

20 THE WITNESS: Done with this one?

21 BY MS. SHAH:

22 Q Actually, let's look at it for a second  
23 more. Just flip forward to the pages ahead of what  
24 we were just talking about, from the beginning of  
25 the text thread. The pages ahead. Sorry.

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1 MS. SHAPIRO: What is the Bates number?

2 MS. SHAH: Start at the beginning of the  
3 document 4552.

4 THE WITNESS: Okay.

5 BY MS. SHAH:

6 Q And through 4553.

7 Am I correct that you and Jen and Melissa  
8 are talking about, generally speaking, what is going  
9 on with publicity around you and the film and this  
10 issue and how to handle it?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: I think there were more  
13 articles coming out that she was sharing and giving  
14 me context about. And here, we're talking about the  
15 trainer and my back. That's from what I see.

16 BY MS. SHAH:

17 Q Okay. At the -- on the first page, the  
18 first text, you wrote:

19 (As read):

20 "Just woke up, texting Jennifer. With  
21 all the texts I'm getting worried about  
22 me. I imagine this truce didn't last?"

23 Do you see that?

24 A Uh-huh.

25 Q Do you recall getting texts that morning

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1 or the day before that were concerned about you?

2 A I remember going to sleep. I don't know  
3 if I was on a plane or where -- I don't remember  
4 where I was. But there were a lot of people asking  
5 if I was okay.

6 Q And they were asking if you were okay  
7 because they had read The Hollywood Reporter article  
8 about you hiring Johnny Depp's crisis publicist,  
9 right?

10 A I don't know what they were -- what they  
11 had read. I don't know how many articles there  
12 were. But I know that people were worried about me.

13 Q Was it your understanding that that was,  
14 at least in part, generated from The Hollywood  
15 Reporter article or you think it was just a  
16 coincidence and out of the blue?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: I had no idea what it was  
19 about. That's why I think that's why I was texting  
20 Jennifer. And I make reference to a truce between  
21 the two PR teams.

22 BY MS. SHAH:

23 Q And what did you understand about that  
24 truce?

25 A That they would not be planting any

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1 negative or untrue stories and that we would not be  
2 talking to any media.

3 Q Okay. And you understood that that's a  
4 truce that had been made between Melissa Nathan and  
5 Leslie Sloane; is that right?

6 A That's what was told to me.

7 Q Okay. And you understood as of this time  
8 that both Melissa Nathan and the TAG team and  
9 Jennifer Abel and the Jonesworks team were  
10 interfacing with reporters about the incoming or  
11 published stories that were happening around the  
12 film and you; is that right?

13 A I'm sorry. Can you repeat that one more  
14 time?

15 Q Sure. I'm trying to get a sense of what  
16 you understood the TAG team and Melissa Nathan and  
17 Jennifer Abel to be doing around this time vis-a-vis  
18 publicity. You understood that Melissa Nathan had  
19 reached out to Leslie Sloane and formed some sort of  
20 truce; is that right?

21 A Yes.

22 Q Okay. You understood that Melissa Nathan  
23 was monitoring and handling any incoming PR  
24 inquiries; is that right?

25 A I think I had believed that both her and

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1 Jen were doing that.

2 Q Okay. You understood that Melissa Nathan  
3 was interfacing with reporters as necessary on any  
4 of these stories, right?

5 A Interfacing, like -- communicating with?  
6 (Cross talk.)

7 Q Communicating with? Sure.

8 A Yeah. Yeah. My understanding was that  
9 if someone reached out to her, then she would  
10 obviously answer that or communicate with them in  
11 whatever way a PR person communicates.

12 Q And by "someone," you meant a reporter?

13 A I would imagine.

14 Q And by "she", you meant Melissa Nathan?

15 A Or Jennifer Abel.

16 Q Okay. Did you understand that  
17 Melissa Nathan and/or Jennifer Abel were actually  
18 speaking to reporters whether on background or  
19 otherwise around this time?

20 A In what capacity?

21 Q On your behalf.

22 A Well, I imagine so. There was a -- we  
23 were still promoting the movie so...

24 Q And you understood that both  
25 Melissa Nathan and Jennifer Abel were speaking to

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1 reporters on your behalf at this time?

2 A I'm not sure if I ever thought about who  
3 was speaking to who.

4 Q Okay.

5 A Did you want me to finish -- was there  
6 something I didn't answer?

7 Q No.

8 A Okay.

9 Q Were you finished with your answer?

10 A I believe so.

11 MS. SHAH: Okay. Eighty-three, please.

12 THE WITNESS: Now we're done with this?

13 BY MS. SHAH:

14 Q Fair to say that you did not view The  
15 Hollywood Reporter article as a positive for you  
16 when it came out?

17 A I think that's fair to say.

18 Q Fair to say you would have been pretty  
19 pissed if you had learned that Melissa Nathan had,  
20 in fact, leaked the information that resulted in  
21 that article, right?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: I can't imagine I would  
24 have been happy about that.

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1 MS. SHAH: All right. I'm going to show  
2 you what's been marked as Exhibit 10. It's a text  
3 thread between Melissa Nathan, Ashlea, and Amy  
4 Chozick dated August 13th, 2024, Bates stamped  
5 Nathan\_, several zeroes, 1221. Flip through this  
6 for me and tell me if you've ever seen this before.

7 (Exhibit 10 marked for identification.)

8 THE WITNESS: No, I have never seen this.  
9 I don't have to flip through it.

10 BY MS. SHAH:

11 Q Sorry. I gave you the wrong one.

12 Do you know who Amy Chozick is?

13 A I do not.

14 Q Do you know if she's a reporter?

15 A I do not.

16 Q Okay. Do you know who Ashlea is?

17 A I do not.

18 Q Do you know if she's one of

19 Melissa Nathan's good friends?

20 A I do not.

21 Q Okay. On the first page of this, there's  
22 a text from Amy Chozick and then a text from  
23 Melissa Nathan that says:

24 (As read):

25 "I am on Zoom but we need to pin Amy

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1 Q Now, this text thread is on the same day  
2 as The Hollywood Reporter article was published.

3 MS. SHAPIRO: Is that a question?

4 MS. SHAH: No.

5 BY MS. SHAH:

6 Q Are you aware of whether or not they're  
7 talking about The Hollywood Reporter article that  
8 named Melissa as your crisis PR?

9 MS. SHAPIRO: Objection. He just said  
10 that he's never seen this before.

11 THE WITNESS: I've never

12 MS. SHAPIRO: Can you move to something  
13 that he actually has knowledge of?

14 MS. SHAH: No. I'm going to ask him the  
15 questions I'm going to ask him.

16 THE WITNESS: Is it okay if I read the  
17 document?

18 MS. SHAH: Of course.

19 THE WITNESS: Okay. I've read it.

20 BY MS. SHAH:

21 Q Do you now understand that they were  
22 joking about The Hollywood Reporter article that  
23 identified Melissa as your crisis PR?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: It appears to be the case.

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1 BY MS. SHAH:

2 Q Okay. Flip with me to the page marked  
3 1222 at the bottom.

4 A Okay.

5 Q Do you see where Amy Chozick at around  
6 7: 40 says:

7 (As read) :

8 "I told our friend Josh that Melissa is  
9 a boss and has a cool client. Josh  
10 told his wife who is a very prominent  
11 publicist. Sarah somehow told The  
12 Hollywood Reporter and now they are  
13 doing a story on Mel."

14 Do you see that?

15 A I do.

16 Q You understand this is how The Hollywood  
17 Reporter got that story?

18 A It appears that is what Amy is saying.

19 Q Flip the page to 1223. You see a  
20 screenshot texted by Melissa of a conversation  
21 between her and Pam. Do you see that?

22 A I do.

23 Q You don't need to flip back to the  
24 article. But I'll represent to you that Pam is Pam  
25 McClintock who wrote The Hollywood Reporter story on

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1       Melissa.

2           A    Okay.

3           Q    Okay. And you see they're texting.

4                   (As read) :

5                           "Good to chat."

6                   Melissa says:

7                           "Just checking in to see if I need to  
8                           look out for this article and if so,  
9                           when."

10                   And then Pam says:

11                           "Was just texting you. Story is very  
12                           fair and going soon."

13                   Melissa says:

14                           "Thank you."

15                   Do you see that?

16           A    Yes.

17           Q    Were you aware that Melissa had spoken on  
18                   background with The Hollywood Reporter ahead of the  
19                   story being published?

20           A    I was not.

21           Q    Were you aware that she was managing  
22                   coverage in The Hollywood Reporter story about her  
23                   before the story was being published?

24           A    I was not.

25           Q    Amy Chozick writes:

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1 | "Perfect."

2 Do you see that?

3 A Oh, sorry, down here. Yes.

4 Q And if you flip the page, they are  
5 talking about:

6 (As read) :

## 7 "What publication?"

8 "THR. 11

9 "Ooh exciting."

10 "I think so!"

## 11 Do you see that?

12 A Yes.

13 Q Were you aware that Melissa and her  
14 friends were boasting and joking about how good this  
15 article was going to be for Melissa at the time?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: I wasn't aware of this, so  
18 no.

19 BY MS. SHAH:

20 Q Because Melissa never told you any of  
21 this, did she?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: I think I testified to what  
24 Melissa told me earlier. Which was not this. So ...

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1 BY MS . SHAH :

2 Q Okay. If you flip the page to 1225,  
3 you'll see that Melissa texts The Hollywood Reporter  
4 story to this group thread when it goes up.

5 Do you see that?

6 A Uh-huh.

7 Q Okay. And then Ashlea says:

8 (As read) :

9 "Oh, that's really good, Mel. Like  
10 really good."

11 Do you see that?

12 A I see it.

13 Q And then Amy says:

14 "Boom! This is good."

15 Right?

16 A I -- yes, I see it.

17 Q And then Amy, lower below, says:

18 (As read) :

19 "You are going to hear from all the  
20 problematic men! Dick pic-a-palooza."

21 Ashlea says:

22 "Men are always the problem. You're in  
23 the right game."

24 Do you see that?

25 A I do.

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1 Q What do you think of this seeing it now?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: I think it sounds like a  
4 group of female friends talking to each other about  
5 an article.

6 BY MS. SHAH:

7 Q Are you pleased to see that Melissa was  
8 joking with her friends about the article that was  
9 causing you consternation at the time?

10 MS. SHAPIRO: Objection.

11 THE WITNESS: I'm not pleased. I don't  
12 think that's the word but...

13 BY MS. SHAH:

14 Q Are you pleased by the fact that when you  
15 asked her to explain this article for you and what  
16 it meant, she didn't tell you any of this?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: I'm sorry, can you?

19 BY MS. SHAH:

20 Q Are you pleased by the fact that when you  
21 asked Melissa, explain this article to me and what  
22 it means, she didn't tell you any of this?

23 MS. SHAPIRO: Objection.

24 THE WITNESS: Again, I wouldn't say I'm  
25 pleased. No.

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1 BY MS. SHAH:

2 Q Are you pleased to be lumped in, among  
3 Melissa's friends, with a group of all the  
4 problematic men that need Melissa's help?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: I would hope that they  
7 weren't thinking I was one of the problematic men,  
8 but that she was going to hear from all of the  
9 problematic men. Then it says:

10 (As read):

11 "Dick pic-a-palooza."

12 So, whatever that means.

13 BY MS. SHAH:

14 Q Do you understand from this that  
15 essentially what they're saying is, this is an  
16 article about how Melissa has helped Johnny Depp in  
17 his abuse trial against Amber Heard and is now  
18 helping you in relation to the allegations by  
19 Blake Lively against you, and so now she's going to  
20 be hearing from all of the problematic men?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: I believe one could infer  
23 that that was what they were talking about.

24 BY MS. SHAH:

25 Q Do you see Melissa anywhere in this text

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1       thread saying, what are you talking about, Justin is  
2       not a problematic man?

3                    MS. SHAPIRO: Objection.

4                    THE WITNESS: Not in the pages that you  
5       gave me.

6       BY MS. SHAH:

7                   Q       Instead, if you look at 1226, you will  
8       see that Ashlea says:

9                           (As read):

10                           "Blake Lively noting Melissa's name.

11                           Haha."

12                           Then Amy says:

13                           (As read):

14                           "Joaquin Phoenix is calling."

15                           And then Melissa says:

16                           (As read):

17                           "I fucking wish."

18                           Right?

19                           A       I see that.

20                           Q       Do you have a view from this text thread  
21       about whether or not Melissa thought the publication  
22       of this article was going to be good for her  
23       business?

24                           MS. SHAPIRO: Objection.

25                           THE WITNESS: I can't guess on what

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1       Melissa was thinking or feeling at that time.

2       BY MS. SHAH:

3           Q     Do you think it would have been fair for  
4     people to infer from the fact that you chose to hire  
5     Melissa Nathan, that you were now one of a group of  
6     problematic men that she tended to work with?

7           MS. SHAPIRO:   Objection.

8           THE WITNESS:   Do I think it would be fair  
9     for people to infer?   I think people's opinions are  
10    fair.  I mean, I -- I can't control people's  
11    opinions.

12       BY MS. SHAH:

13           Q     Do you think that would be a fair  
14    inference for people to draw from the fact that you  
15    had hired Melissa Nathan who had also worked with  
16    other problematic men?

17           MS. SHAPIRO:   Objection.

18           THE WITNESS:   I think -- yeah.  I think  
19    that would be fair.  I think in this case, yeah.

20       BY MS. SHAH:

21           Q     Do you think you're a problematic man?

22           MS. SHAPIRO:   Objection.

23           THE WITNESS:   I don't.

24       BY MS. SHAH:

25           Q     Not in any respect?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: I'm not sure how to answer  
3 that.

4 BY MS. SHAH:

5 Q With a yes or no.

6 A I don't.

7 Q Okay.

8 Do you think that this is the type of  
9 association, looking back with hindsight, that  
10 Steph Jones was trying to warn you about when she  
11 warned you not to hire Melissa Nathan?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: Again, I -- I don't know  
14 everything that was in Stephanie Jones's head, but I  
15 think that could be a fair thing to think.

16 BY MS. SHAH:

17 Q You said you felt at the time that  
18 Stephanie Jones had an agenda in warning you against  
19 Melissa Nathan. Do you remember that?

20 A I do.

21 Q Seeing this and in hindsight, do you  
22 still think she had an agenda or do you think she  
23 was trying to protect your interests?

24 A I don't -- I can't know what she was  
25 truly doing. I just know that the feeling that I

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1 BY MS. SHAH:

2 Q Which part do you not agree with?

3 A Can you ask me again?

4 Q You left Jonesworks to go with  
5 Jennifer Abel as a publicist after Jennifer Abel was  
6 fired from Jonesworks, right?

7 MS. SHAPIRO: Objection.

8 THE WITNESS: I don't know the -- the  
9 sequence. I -- I know that Jennifer had put in her  
10 notice, so I'm -- I'm confused by the way the  
11 question is asked.

12 BY MS. SHAH:

13 Q Let me ask it a different way.

14 You left Jonesworks to go with  
15 Jennifer Abel as a publicist after she left  
16 Jonesworks, right?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: Yeah. Yes.

19 BY MS. SHAH:

20 Q Why?

21 A Because she was my publicist for years  
22 before, and I -- I trusted her.

23 Q Do you still trust her?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: I do.

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1 BY MS. SHAH:

2 Q Okay. Have you seen any documents or  
3 text messages in this case, or otherwise, where  
4 Stephanie Jones is talking shit about you the way  
5 Jen Abel was?

6 A I haven't seen any documents about  
7 Stephanie Jones in general to my knowledge.

8 Q Okay.

9 A Are we done with this one?

10 Q Yes.

11 A Okay.

12 Q Are you aware that after Wayfarer  
13 onboarded TAG as its crisis publicist, Katie Case  
14 and Melissa Nathan were joking about whether your  
15 faith was a cult?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: I was not aware.

18 BY MS. SHAH:

19 Q What do you think about that?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: Well, I think anytime  
22 somebody makes a religious joke, I think that's not  
23 okay. It seems to have happened a lot in this case.

24 BY MS. SHAH:

25 Q Including from your own publicist, it

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1       seems.

2               MS. SHAPIRO: Objection.

3               THE WITNESS: If you want to show it to  
4       me, I'd be happy to see it. I haven't heard  
5       anything. This is the first I'm hearing about it.

6       BY MS. SHAH:

7               Q       Sure.

8               MS. SHAH: Tab 139, please.

9               I will show you a document that's marked  
10      as exhibit?

11               THE STENOGRAPHIC REPORTER: Thirteen.

12               MS. SHAH: Thirteen.

13               (Exhibit 13 marked for identification.)

14       BY MS. SHAH:

15               Q       It's a text thread between Katie Case and  
16       Melissa Nathan from August 4th, 2024 with the Bates  
17       stamp NATHAN, several zeroes, 2938.

18               A       Okay. Sorry, there is one more page.

19               Q       Have you seen this before?

20               A       I have not.

21               Q       Were you aware that Katie Case and  
22       Melissa Nathan were texting things like this about  
23       you while they were on a call with you?

24               MS. SHAPIRO: Objection.

25               THE WITNESS: I was not.

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1 revised at any point in time?

2 A I don't.

3 Q Okay. To your best recollection, you  
4 only recall seeing one version of a scenario  
5 planning document; is that correct?

6 A I -- yes. Yes.

7 Q Do you remember that you didn't see any  
8 other versions or you just don't remember one way or  
9 another?

10 MS. SHAPIRO: Objection.

11 THE WITNESS: I don't believe I saw a  
12 second version.

13 BY MS. SHAH:

14 Q Okay. After you were provided with the  
15 scenario planning document, describe for me the  
16 series of events, to your recollection, in terms of  
17 how you came to hire TAG?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: Forgive me.

20 Can you ask one more time?

21 BY MS. SHAH:

22 Q Sure. At some point after you received  
23 the scenario planning document for TAG, you  
24 ultimately hired TAG, right?

25 A The company did, yes.

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1 Q Yes. Is it your testimony that Wayfarer  
2 hired TAG?

3 A Yes, I believe so.

4 Q Okay. Do you have an understanding of  
5 whether you personally also hired TAG?

6 A I don't think I personally hired anyone.

7 Q Okay. And when Wayfarer hired TAG, what  
8 was your understanding of what TAG was being brought  
9 on to do?

10 A My understanding was that TAG was being  
11 brought on to be crisis public relations  
12 representatives.

13 Q Was -- to your understanding, was TAG  
14 given any instructions by you or by Wayfarer in  
15 terms of how to proceed once you had hired them?

16 A I believe so. I believe that Jamey was  
17 in communication with them.

18 Q And do you know what those instructions  
19 were?

20 A I can only speak to the instructions that  
21 I gave Jamey or at any time spoke to Jen or on the  
22 calls, which was to plan and to just try to get good  
23 press out there for the movie.

24 Q How involved were you personally in  
25 discussing with anyone at TAG the type of PR

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1 strategy you all should be employing?

2 A I don't know. I think I had ideas. I'm  
3 not -- I'm not sure how many conversations were  
4 happening versus what ideas I was sharing. I was  
5 kind of in and out.

6 Q Do you have any recollection of any ideas  
7 you had that you shared with TAG?

8 A I mean I really wanted to focus, not just  
9 TAG, but also Jennifer Abel, I really wanted to  
10 focus on amplifying the voices of survivors. I  
11 wanted to focus on the DV. I wanted to focus on the  
12 movie and not all of this speculation and drama.

13 Q Did you personally ever have any  
14 conversations with Stephanie Jones about the  
15 instructions that Wayfarer was giving TAG in terms  
16 of how to proceed?

17 A I don't think I had any real  
18 conversations with Stephanie Jones outside of  
19 texting through July and August.

20 Q Do you recall ever communicating with  
21 Stephanie Jones, whether on text or in conversation,  
22 about the instructions that Wayfarer had given TAG  
23 about how to proceed?

24 A I don't believe so. My memory of texts  
25 with Stephanie Jones were focused on letting her

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1 (Exhibit 18 marked for identification.)

2 BY MS. SHAH:

3 Q Is this the idea from your partner,  
4 Steve Sarowitz, about flipping the narrative that  
5 you were just testifying discussing flipping the  
6 narrative about?

7 A Can I have a second to read it, please.

8 Q Of course.

9 A Okay.

10 Q So is this the substance of the idea that  
11 you were just talking about that came from your  
12 partner, Steve Sarowitz, about flipping the script?

13 A Yes.

14 Q And that included flipping the script  
15 from Ryan saying:

16 (As read):

17                   "Script was a disaster and he saved the  
18                   movie, to something about Ryan claiming  
19                   the female hired was a feminist writer,  
20                   didn't know how to tackle a female film  
21                   etc."

## 22 Do you see that?

23 A Yes .

24 Q This idea that this was a female writer  
25 and a female film and that what Ryan Reynolds was

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1 saying was essentially misogynistic, did that come  
2 from Steve Sarowitz?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: I think I said here that my  
5 partner, Steve, has asked about this. So I was  
6 passing that along.

7 BY MS. SHAH:

8 Q So this idea, something about Ryan  
9 claiming the female hired was a feminist writer,  
10 didn't know how to tackle a female film, etc., came  
11 from Steve?

12 A That was what was passed on to me.

13 Q Did you use any judgment about whether or  
14 not that was a good idea before you passed it along?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: I think it's implied in him  
17 saying the script was a disaster, so I just pass it  
18 along. I didn't disagree with him.

19 BY MS. SHAH:

20 Q You didn't disagree with Mr. Sarowitz's  
21 idea? Is that what you mean?

22 A I didn't disagree with what Mr. Sarowitz  
23 was -- was saying in terms of what Ryan was  
24 inferring when he called the script a disaster.

25 Q Meaning, that Ryan was essentially acting

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1           A    I don't know.

2           Q    Okay. Other than the reporting that was  
3   going on at the time about what Mr. Reynolds or  
4   Ms. Lively had said about this, do you have any  
5   other basis to understand what they had actually  
6   said?

7           A    I'm not sure.

8           Q    Okay. Was this also part of this  
9   scenario planning that you were discussing?

10          A    I am unsure.

11          Q    How does flipping the narrative in the  
12   way that is suggested here reconcile with the view  
13   that you should be putting out only positive  
14   stories?

15          A    Because it has to do with a defensive  
16   measure. So if we're talking about something that  
17   was an offensive measure, then flipping an existing  
18   narrative would not be us doing anything  
19   offensively. It would be us defending. And again,  
20   this was me passing something on.

21          Q    Do you recall testifying earlier about  
22   whether Melissa Nathan ever encouraged you to leave  
23   Jonesworks with Jen Abel when Jen Abel left?

24          A    At this point, I remember some of that,  
25   and I would love for you to refresh my memory more.

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1 think she represented The Rock. And she had said on  
2 that call that Mr. Reynolds had, like, terrorized  
3 The Rock or something to that extent. Something  
4 about a -- something about a letter. I don't  
5 remember the details but something about, like, he  
6 had written a letter and it was, like, they wouldn't  
7 do press together. I don't know. She was -- it was  
8 a lot of gossip. But that's why I remember laughing  
9 because I was just like, oh.

10 Q Did you feel supported by her on that  
11 call?

12 A Yeah, as I said earlier, it kind of felt  
13 like, oh, don't worry. She's this and that. It  
14 will be fine. The movie's going to come out, and it  
15 will be awesome. And everybody's had a bad  
16 experience with her. It was like that kind of call.

17 Q And did you feel like she believed what  
18 you were relaying to her about your experiences on  
19 set?

20 A Yes. I don't remember sharing much, but  
21 what I did share, I just shared the truth. And  
22 she -- yeah. Yeah.

23 Q What do you remember sharing with her  
24 about your experiences on set?

25 A I specifically remember sharing the

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1 situation with our trainer and -- and asking him  
2 about what he thought Ms. Lively might weigh when we  
3 shot the scene where I had to pick her up, because  
4 of my back. And how then they confronted me the  
5 next day and how this trainer evidently then went  
6 and told her that I was asking about her weight or  
7 something. And then how that became this big thing.  
8 And they sat me down, and I just remember her kind  
9 of not being able to believe that that was even a  
10 thing.

11 I -- I believe I shared with her that  
12 I -- I had made a comment about the way Jenny Slate  
13 looked in her wardrobe. And then I used the word  
14 "sexy," and I think she started responding by joking  
15 about how -- again, I'm not going to -- I don't want  
16 to, if it's okay, repeat the words that she said --  
17 but describing, generalizing the women and their  
18 fragility. And then I shared -- I think I talked  
19 about the wardrobe, how hard it was with the  
20 wardrobe. And just that it felt like it was just a  
21 very hard experience. Like, that's kind of what I  
22 remember.

23 Q Do you remember sharing with her any --  
24 anything else regarding your experiences on set in  
25 that call?

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1 myself.

2 Q And can you describe that journey for me  
3 briefly here?

4 A Do you want me to describe my whole book  
5 journey briefly?

6 Q Is it possible?

7 A I'm happy to try. I just don't know what  
8 "briefly" is.

9 Q I'm just trying to understand, what was  
10 the idea behind that book and the podcast?

11 A Well, the book was really a  
12 self-exploration of looking at all the unconscious  
13 messages that I've taken on as a man but, more  
14 importantly, as human in my life -- all the mistakes  
15 I've made, the social constructs and kind of  
16 invisible scripts that I maybe have been living by  
17 that I wasn't even aware of -- and putting them in a  
18 form that I was hopeful could help other men.

19 And the podcast, I think was -- to answer  
20 your question -- was a way to have a conversation  
21 around those same topics that, oftentimes, were  
22 uncomfortable so that we could have something for  
23 men outside of -- outside of the book.

24 Q Did the book or the podcast deal with  
25 notions of toxic masculinity? Was that part of it?

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1           A     I actually say in the book that I don't  
2 like to use that phrase "toxic masculinity," so I  
3 will answer your question "no." But I think that  
4 would be more of a perception based on who was  
5 listening.

6           Q     What phrase do you prefer than "toxic  
7 masculinity," or why do you not like using that  
8 phrase?

9           A     As I wrote about, I think that the phrase  
10 "toxic masculinity" was inherently divisive. I  
11 believed it became political, and a lot of men felt  
12 attacked by the use of the word. And I didn't feel  
13 that it made any sense to use a term that would  
14 immediately make men defensive, especially because  
15 those were the very men that I wanted to reach. And  
16 I also don't believe that masculinity is inherently  
17 toxic. I never have. I was very proud to be a man.  
18 I never felt like I needed to apologize for being a  
19 man, and I know that was -- that was something that  
20 was going around a lot with the phrase "toxic  
21 masculinity."

22                   And that said, there were a lot of people  
23 that maybe kind of lumped in this idea that because  
24 I was doing a podcast and writing a book about  
25 masculinity, that I was saying that masculinity was

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1       toxic. But generally, those were people that didn't  
2       read my book or listen to the podcast. I just  
3       wanted to help men and help men embrace all the  
4       parts of them that made them human. And that also  
5       means the stuff that sucks and that you never want  
6       to look at and that maybe you've been hiding or you  
7       don't even realize you're hiding. And it was just  
8       about confronting those parts of ourselves and just  
9       holding ourselves accountable to try to be better  
10      men.

11           Q      What are some --

12           A      I'm sorry. That wasn't very brief.

13           Q      It's all right. And you'll forgive me if  
14       I'm using the wrong terminology around this stuff,  
15       but feel free to use whatever you think are the  
16       appropriate words. But you said --

17           A      A lot.

18           Q      Yeah. When you said "the stuff that  
19       sucks that you never want to look at or maybe you've  
20       been hiding or you don't even realize you've been  
21       hiding," can you give me some examples of what kind  
22       of "stuff" you're talking about?

23           A      Sure. I mean, a lot of men deal with  
24       shame. A lot of men -- I mean, suicide among men is  
25       increasing yearly, and many more men take their own

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1   lives than women. And there is a belief in -- and I  
2   don't say this as an expert, this is just from my  
3   own research and experience. There's a belief in  
4   this specific world that this happens because men  
5   don't have a support system, because men have been  
6   taught to not share their pain and their trauma  
7   because it's oftentimes used against them and  
8   weaponized against them by both men and women. So  
9   an example could be a man that was abused as a child  
10   who never spoke to anybody about it.

11            In this case, I will give you an example  
12   of a man that was maybe abused by an older man, but  
13   this man identifies as being heterosexual. But  
14   because he was abused by an older man, struggles  
15   with the abuse itself and being taken advantage of.  
16   But also the fact that he was abused by a man, he's  
17   also questioning his sexuality or his gender. And  
18   also, there is a preconceived notion that as a man,  
19   you don't want to go to therapy because it makes you  
20   less of a man.

21            So perhaps this man didn't get the help  
22   that he needed, and he was, as we say, suffering in  
23   silence. And he didn't know who to reach out to.  
24   And instead, that man took out all of these feelings  
25   of shame and unworthiness and confusion about what

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1       happened to him and blamed himself and would take  
2       that out on other people -- maybe other men, maybe  
3       other women, maybe this man himself became an  
4       abuser. And the whole idea is that this is  
5       something that as a man, you would find embarrassing  
6       and shameful because it's not something that is  
7       socially accepted or acceptable to talk about.

8           So the hope was to normalize getting the  
9       help you need to normalize vulnerability. Let men  
10       know that they're not alone. And that there is all  
11       kinds of examples of these types of things. I'm  
12       happy to name another one if you want me to. And  
13       again, this is just a hypothetical man. And many of  
14       these men end up eventually taking their own lives,  
15       and that breaks my heart, and hurting women in the  
16       process, which also breaks my heart.

17       Q       Did any of your work on the podcast or in  
18       this book around this idea of "Man Enough" have to  
19       do with gender norms or gender relations as between  
20       men and women?

21       A       I mean, I think the entire book was  
22       inherently about gender and masculinity  
23       specifically. But as I said in the book, I'm not an  
24       expert and the book was much more my personal  
25       journey in trying to use as many anecdotes and

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1 stories that I could find in my life to point men to  
2 a -- to a direction of maybe them being able to look  
3 at themselves. I'm sure some of that was -- it was  
4 discussed either on the podcast or in the book as  
5 just it's a -- like, this is a large, large  
6 conversation. And my book was meant to be just a  
7 tiny little piece of a personal journey meant for --  
8 mostly meant for men. But as we know, many women  
9 read it and then gave it to their men.

10 Q Have you seen reporting around you that  
11 identifies you as an ally of women or a feminist  
12 ally?

13 A I would say so, yeah.

14 Q Do you believe yourself to be an ally of  
15 women or a feminist ally?

16 A I certainly have attempted to be.

17 Q You're aware of the Me-Too movement, I'm  
18 assuming?

19 A I am.

20 Q Are you aware of an idea that came out of  
21 the Me-Too movement that one should believe women,  
22 both believe women when they speak out about  
23 misconduct against them?

24 A Yes, I'm aware.

25 Q Do you agree with that idea?

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1 interview with Glamour magazine; is that right?

2 A I don't know which magazine it was. I  
3 remember talking about it only once, and it was  
4 right after a speech that I gave.

5 Q Okay. After that TED talk that you gave?

6 A Yes, at TEDWomen.

7 Q Do you recall being asked the question  
8 prompting that answer: Did you ever feel like you  
9 were harassed or victimized on set?

10 A I don't remember that.

11 Q Okay. But as you sit here today, this is  
12 the first example that you have brought up in  
13 response to my question of whether you've ever been  
14 sexually harassed?

15 A That's the first response that -- I think  
16 you asked me if I've talked about it publicly.

17 Q Okay.

18 A Yeah.

19 Q Why did you feel harassed by what this  
20 producer did?

21 A Well, he was asking me to get naked in  
22 the hot tub with him and standing very close to me  
23 with his naked genitals, like intentionally walking  
24 close to my face. It was just him and I in there.  
25 And he was using -- like, he was using the idea that

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1 A No.

2 Q So he didn't assault you?

3 A I wouldn't call it assault. I don't  
4 believe I characterized it as assault.

5 Q I didn't say you did, sir.

6 A Yeah.

7 Q You were bigger and stronger than this  
8 guy, right?

9 A I would imagine I was.

10 Q This wasn't someone the size of Dwayne  
11 Johnson or The Rock or something like that?

12 A It was not.

13 Q So if it had come to it, you probably  
14 could have knocked the guy out?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: I'm not much of a fighter.  
17 I would have left.

18 BY MR. GOTTLIEB:

19 Q You didn't work for the guy, right?

20 A No.

21 Q So you had no employment relationship  
22 with him?

23 A No, I didn't.

24 Q Okay. Did you -- do you know who he was?

25 A I think he told me his name. But...

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1 Q Did you try and find him after the  
2 incident and talk to him about it?

3 A No.

4 Q Did you find him before you talked about  
5 this event in Glamour magazine?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: No.

8 BY MR. GOTTLIEB:

9 Q You didn't want to give him an  
10 opportunity to take accountability for his actions  
11 and make it right?

12 A I didn't name him.

13 Q But you described him and described who  
14 he was friends with and the spa you were in?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: I don't know if I described  
17 who his friends were.

18 BY MR. GOTTLIEB:

19 Q Do you know his name as you sit here  
20 today?

21 A No.

22 Q I think you've already talked about your  
23 experience with your college girlfriend; is that  
24 right?

25 A Yes.

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1                   THE WITNESS: No.

2 BY MR. GOTTLIEB:

3                   Q     Did you ever go back to talk to any of  
4     your college friends or people that you might have  
5     hung out with mutually to tell them what you were  
6     going to do?

7                   A     I don't know anybody from back then.

8                   Q     Do you have any idea whether or not your  
9     college girlfriend would agree with the way you have  
10    remembered the events relating to the losing of your  
11    virginity?

12                  MS. SHAPIRO: Objection.

13                  THE WITNESS: I don't know what she would  
14    think. I don't know who she is anymore.

15 BY MR. GOTTLIEB:

16                  Q     But you thought it was okay to go on TV  
17    and tell the world that your college girlfriend had  
18    sexually abused you without ever talking to her  
19    about it?

20                  MS. SHAPIRO: Objection.

21                  THE WITNESS: I wasn't aware I needed to  
22    ask her permission to share my story.

23 BY MR. GOTTLIEB:

24                  Q     Am I right that one of the things that  
25    was most traumatic about this to you is that you

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1 A A set with all Baha'i's? I don't know.

2 Q Well, so you're the director, and you're  
3 the co-founder of the studio. And I'm here and I'm  
4 asking you, okay?

5 A Yeah. Yeah.

6 Q Okay. Someone has told me that your set  
7 is a Baha'i set. Okay?

8 A Are you -- sorry. Are you giving me a --

9 MS. SHAPIRO: Objection.

10 BY MR. GOTTLIEB:

11 Q Just let me finish my question.

12 A Okay.

13 Q So let's establish some principles.

14 You're the cofounder of Wayfarer Studios, correct?

15 A Correct.

16 Q You were the director of It Ends with Us,  
17 correct?

18 A Correct.

19 Q Producer?

20 A No.

21 Q Lead actor?

22 A Second lead actor.

23 Q Second lead actor. And I come to you now  
24 and I say, Mr. Baldoni, you're the director of this  
25 film, you're the cofounder of this studio. Someone

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1       we've become numb to it -- and I'm speaking  
2       generally as a "we", collective "we" -- in order to  
3       have more of a shock effect than I think that's  
4       where Hollywood has gone and made, like -- like sex  
5       has just become just something that you expect to  
6       see oftentimes, that doesn't actually have to do  
7       with the storyline or -- or I don't know if it  
8       necessarily moves the plot forward.

9                   So in that sense, I guess I would agree.  
10          And I think that in general, Hollywood doesn't make  
11          movies for the soul much anymore. It does -- I  
12          mean, there are certain people that do. But I'm  
13          just saying it's definitely become much more about  
14          attention and money and just competing with other  
15          places for people's attention in whatever can shock  
16          them the most is what wins.

17          BY MR. GOTTLIEB:

18                  Q       And you founded Wayfarer to be different  
19          from what you just described; is that right?

20                  MS. SHAPIRO: Objection.

21                  THE WITNESS: I did.

22          BY MR. GOTTLIEB:

23                  Q       You founded Wayfarer to be lights in the  
24          darkness; is that correct?

25                  A       That was a part of the mission.

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1 Q You, in founding Wayfarer, said that in  
2 Steve Sarowitz you had resources and a partner who  
3 shared values and beliefs; is that fair?

4 A Yeah.

5 Q Do you recall saying about Wayfarer  
6 Studios that you and Mr. Heath "were making a  
7 concerted effort to build a spiritual enterprise in  
8 every sense of the word, where everybody is free to  
9 have their own beliefs and express opinions that may  
10 be different from the executives or the  
11 shareholders, where there is true unity and equality  
12 across the board, and where we're mindful of the  
13 positions of power and how those power dynamics  
14 work"?

15 A Was the question do I remember saying  
16 that?

17 Q Do you remember saying that?

18 A It sounds more like something I've  
19 written. I'm not sure if it --

20 Q Does it sound like something you would  
21 write or say?

22 A I don't know if I'm that eloquent when I  
23 speak. But it sounds like it's definitely in line  
24 with something that I believe or aspire to.

25 Q If I told you that that quote appeared

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1 out of a publication on Baha'iteachings.org entitled  
2 "Wayfarer Studios Aims to be a Light in the  
3 Darkness," would that refresh your recollection at  
4 all?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: That would confirm it was  
7 probably something that I wrote versus I said.

8 BY MR. GOTTLIEB:

9 Q Okay. And do you believe that you have  
10 created a spiritual enterprise where everyone is  
11 free to have their own beliefs and express their own  
12 opinions that may be different from the executives  
13 or the shareholders?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: Do I believe I've created  
16 it?

17 BY MR. GOTTLIEB:

18 Q Along with others. Do you believe in  
19 Wayfarer Studios, you've achieved that objective?

20 A To be very frank, I don't know that it's  
21 something that could ever be fully 100 percent  
22 achieved. I know we strive for it, but I wouldn't  
23 be comfortable saying we've achieved it.

24 Q Okay. You've strived for it?

25 A Strived, yeah.

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1 Q And in creating the culture at Wayfarer  
2 Studios, do you believe that you have tried to be  
3 mindful of the positions of power and how those  
4 power dynamics work?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: Again, it's something that  
7 we strive for. Not perfect at, but strived.

8 BY MR. GOTTLIEB:

9 Q As the director of It Ends with Us, do  
10 you believe you had more power than members of the  
11 cast or crew that were not directors?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: In thinking about power  
14 dynamics, yes.

15 BY MR. GOTTLIEB:

16 Q And you supervised essentially everyone  
17 who was on the set, directly or indirectly; is that  
18 right?

19 MS. SHAPIRO: Objection.

20 THE WITNESS: I'm not sure if I would  
21 consider that my role as a director.

22 BY MR. GOTTLIEB:

23 Q Were you ultimately responsible for what  
24 happened on the set of It Ends with Us?

25 MS. SHAPIRO: Objection.

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1                   THE WITNESS: I wouldn't put that solely  
2 on the director, no. But I was partly --

3 BY MR. GOTTLIEB:

4                   Q      I didn't ask if you --

5                   A      -- responsible.

6                   Q      I didn't ask if you were the only person.

7                   MS. SHAPIRO: Can you not interrupt his  
8 answer?

9                   MR. GOTTLIEB: You're right. You're  
10 right. Finish your answer. I apologize.

11                  THE WITNESS: Oh, I just said I wasn't --  
12 I don't think I was the only person responsible.  
13 But I was a part of that responsibility, of course.

14 BY MR. GOTTLIEB:

15                  Q      Okay. So I'm not asking if you were the  
16 only person who was responsible. But as the  
17 director, are you ultimately responsible for what  
18 occurs on the set of your movies?

19                  MS. SHAPIRO: Objection.

20                  THE WITNESS: I'm not sure that I would  
21 completely agree with that, the way that question is  
22 framed.

23 BY MR. GOTTLIEB:

24                  Q      Okay. What is it about the question that  
25 you disagree with, the framing of the question?

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1 A I just think the premise is off.

2 Q What piece of the premise is off?

3 A One of the director's jobs is to bring on  
4 a great team and each of those team members have  
5 responsibilities. I think it would be impossible  
6 for a director to manage everybody. So there are  
7 department heads and producers and executive  
8 producers and all kinds of various jobs that each  
9 have people reporting under them and that each have  
10 their own responsibility.

11 So like if, you know, something happened  
12 to an extra, I don't know if that's ultimately the  
13 director's responsibility. If the catering was cold  
14 that day, I don't know if that's the director's  
15 responsibility.

16 If a stunt person was killed, I don't  
17 know if that's the director's responsibility. There  
18 is a stunt department. So that's what I mean by the  
19 premise. At least my understanding of what you were  
20 asking.

21 Q What about what the director does?

22 MS. SHAPIRO: Objection.

23 BY MR. GOTTLIEB:

24 Q Who is responsible for that?

25 A Could you be more specific?

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1 Q Well, the director is not responsible for  
2 the caterers or the stunt doubles, but what about  
3 the director? Is the director responsible for what  
4 the director does?

5 A Yes, of course. I was just answering  
6 your question to the best that I could.

7 Q Okay. So we can at least agree that as  
8 the director of *It Ends with Us*, you were  
9 responsible for what you did on the set?

10 A I was responsible for a lot, yeah.

11 Q What you did, what some other people did,  
12 that we'll have to define as we go through the day,  
13 but not everything; is that fair?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: Not solely responsible for  
16 everything, but responsible, of course. I'm the  
17 director.

18 BY MR. GOTTLIEB:

19 Q Okay. Did Wayfarer Studios have policies  
20 and procedures that were in place during the filming  
21 of *It Ends with Us*?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: Policies and procedures?

24 BY MR. GOTTLIEB:

25 Q Any policies and procedures that were in

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1 place?

2 A I believe so.

3 Q And were those policies and procedures  
4 applicable to you as the director of the film, to  
5 the best of your knowledge?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: You have to be more  
8 specific on what policies and procedures that you  
9 mean.

10 MR. GOTTLIEB: Okay.

11 THE STENOGRAPHIC REPORTER: Exhibit 20  
12 for the record.

13 (Exhibit 20 marked for identification.)

14 BY MR. GOTTLIEB:

15 Q Mr. Baldoni, you've been handed a  
16 document marked as Exhibit 20. It's a document  
17 bearing the Bates Nos. WAYFARER\_139046 through  
18 139076.

19 And you can take a look. It's a lengthy  
20 document.

21 A Am I on this document?

22 Q Take a look through the first few pages,  
23 and the first thing I'm going to ask you is if you  
24 recognize it, and then I will ask you some more  
25 questions.

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1                   Mr. Baldoni, I think you've now had a  
2 chance to look at the cover letter --

3                   A      Yes.

4                   Q      -- and the Table of Contents.

5                   A      I haven't looked at all the Table of  
6 Contents of it.

7                   Q      You flipped through it?

8                   A      Would you like me to look at them?

9                   Q      There is not going to be a quiz on it, I  
10 promise.

11                  A      Sure.

12                  Q      The main thing -- the first thing I  
13 want -- the first thing I want to ask you is: Have  
14 you ever seen this? Not the text chain that's on  
15 the front, but the employee handbook that begins on  
16 the page with the Bates No. 139049 on it?

17                  A      I believe years ago, yes.

18                  Q      Okay. And you and Mr. Sarowitz sign off  
19 on the introductory letter to this handbook; is that  
20 correct?

21                  A      Our names are on there. So yes, we do.

22                  Q      You are the co-chairman of the studio; is  
23 that correct?

24                  A      That is correct.

25                  Q      There is no other chairman of the studio

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1 you're aware of?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: Just Steve Sarowitz and  
4 myself.

5 BY MR. GOTTLIEB:

6 Q What are the responsibilities that go  
7 along with being, to the best of your understanding,  
8 the co-chairman of Wayfarer Studios?

9 A My responsibilities?

10 Q Any responsibilities that you believe  
11 apply to you?

12 A My responsibilities are to -- to help  
13 select and pick who I believe, along with my  
14 co-chairman, to be the best managers for the  
15 company. To help the company in its creative  
16 direction. More bird's-eye view of ideally  
17 hopefully where we're going. And then to consult  
18 with -- with the CEO, and president, and upper  
19 management. And my specific responsibilities are  
20 also to help with creative for the various projects  
21 that we have.

22 Q Okay.

23 A Based on my time.

24 Q You see in the cover letter that you and  
25 Mr. Sarowitz have written for this handbook, a

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1 reference to Wayfarer Studios being a  
2 Baha'i-inspired organization?

3 A I see that. Yes.

4 Q We were talking a little bit about that  
5 before. It's not a --

6 A Yes.

7 Q This is consistent with what you  
8 previously testified to?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: Yeah, I -- I did not  
11 remember -- we had many conversations about actually  
12 not calling it a Baha'i-inspired organization. So I  
13 think legally we did not. And that was mostly  
14 because we didn't ever want to make anybody feel  
15 like they were working at a religious company. So I  
16 believe an early version of this did not have it on  
17 there, which is where my memory was coming from.  
18 But I do see it here, and I don't deny that.

19 BY MR. GOTTLIEB:

20 Q Okay. Are you aware of a later version  
21 of this handbook in which that was removed?

22 A I'm not aware of a later version. I  
23 imagine this is the most recent version. I believe  
24 there have been different versions of this various  
25 letter over the years.

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1 Q And when you say legally you were not a  
2 Baha'i-inspired organization, I'm not going to be  
3 asking you for your legal opinions during this  
4 deposition.

5 A No, no, no.

6 Q What are you saying?

7 A It was just in the starting of an  
8 organization as it relates to the Baha'i faith, we  
9 did not want our company to, in any way, be a part  
10 of the Baha'i faith as an organization.

11 Q I see.

12 A So that's essentially what I mean, is  
13 that because the Baha'i faith's internal government,  
14 if you will, is different than maybe like the  
15 Catholic church or other Christian organizations,  
16 there is a Baha'i organization that actually is a  
17 government in the Baha'i faith. And we did not want  
18 a company to legally be tied or associated with an  
19 official Baha'i organization.

20 Q I understand.

21 A So that was the debate and the  
22 conversation around like a Baha'i-inspired  
23 organization and what that actually means.

24 Q Okay. Do you see where you've written,  
25 with Mr. Sarowitz, "This handbook has been written

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1 to serve as the guide for our relationship and the  
2 various work rules"?

3 A Yes.

4 Q And then do you see, if you flip a page  
5 over, in the Table of Contents, there is a series of  
6 categories. I'm looking, sir, at page 139050, there  
7 is a list of categories of different types of -- of  
8 rules that apply to employees of the company?

9 A Are you looking at employment --  
10 underneath "Employment"?

11 Q I'm just seeing -- asking you if you see  
12 in the Table of Contents a bunch of different  
13 categories of policies, procedures and rules --

14 A Yes, I do --

15 Q -- that apply to the company?

16 A -- I do see that.

17 Q Okay. If you flip ahead to page 5 of  
18 this document, which is WAYFARER\_139053. Do you see  
19 at the top of that page, "Equal Employment  
20 Opportunities, Anti-Discrimination, Anti-Harassment,  
21 and Anti-Retaliation Policy" at the top?

22 A Yes, I do.

23 Q And have you ever read this, this policy?

24 A I don't know if I've read this one, no.

25 Q You don't know or you think you haven't?

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1           A     The policy that is directly in front of  
2 me, I don't know if I have read this policy.

3           Q     Okay. So do you know if you've ever had  
4 any kind of training on this policy, this  
5 anti-discrimination, anti-harassment, and  
6 anti-retaliation policy?

7           A     Yes, I believe I have.

8           Q     When was that?

9           A     I think every couple years.

10          Q     When was the last time you attended one?

11          A     In person?

12          Q     At all. Virtually or in person?

13          A     Virtually -- virtually, I completed mine  
14 last week --

15          Q     Okay.

16          A     -- for this year.

17          Q     For the year 2025?

18          A     Yes.

19          Q     Prior to that, do you recall the last  
20 time you had training on this policy?

21          A     I imagine it was two years before that.

22          Q     Do you recall there ever being a training  
23 on anti-discrimination, anti-harassment and  
24 anti-retaliation during the production of  
25 It Ends with Us?

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1           A     Yes.

2           Q     Did you attend that training?

3           A     I did.

4           Q     Did you attend that training in person?

5           A     Yes.

6           Q     Where was it?

7           A     In our production offices.

8           Q     On the set in New Jersey?

9           A     Not a set, but the production offices in

10          New Jersey.

11           Q     Okay. The production offices in New

12          Jersey near where the -- strike that.

13           A     Yeah --

14           Q     Strike that.

15           A     All right.

16           Q     It's a bad question.

17           Okay. We'll come back to that.

18           During that training, do you remember

19          going through examples or scenarios of types of

20          conduct that would be a violation or a potential

21          violation of this anti-discrimination,

22          anti-harassment, and anti-retaliation policy?

23           A     I can't remember specifics, but I do --

24          that was the -- the bulk of the harassment training.

25           Q     Was there a presentation?

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1 A Yes.

2 Q Do you agree with it?

3 A Yes.

4 Q You've done your best to follow it?

5 A I have done my best to follow it, yes.

6 Q Do you see a long list of characteristics  
7 that under the Wayfarer Studios policy are  
8 protected?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: May I read it?

11 BY MR. GOTTLIEB:

12 Q Sure thing.

13 A I've read this paragraph.

14 Q Okay. You've read the paragraph that  
15 lists out the protected characteristics, correct?

16 A Yes.

17 Q So you see that gender is protected?

18 A I do.

19 Q You see that sex is protected?

20 A Yes.

21 Q And you see that further includes  
22 pregnancy, breastfeeding, childbirth?

23 A I do.

24 Q Do you see that height and weight are  
25 also protected characteristics?

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1 A Height, weight and -- yes.

2 Q And do you see in the next line down  
3 after that paragraph, the sentence that says:

4 (As read) :

5 "All Wayfarer Studios employees,  
6 officers, principals, agents, workers  
7 and representatives are prohibited from  
8 engaging in unlawful discrimination,  
9 harassment and/or retaliation"?

10 A Yes.

11 Q And you were an officer of Wayfarer  
12 Studios; is that correct?

13 A As co-chairman, I believe I am.

14 Q And you were also an agent or an employee  
15 because you were hired to be the director of  
16 It Ends with Us?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: Yes.

19 BY MR. GOTTLIEB:

20 Q And you certainly represented Wayfarer  
21 Studios in your role as co-chairman, right?

22 A I believe I am.

23 Q And, in fact, you and Mr. Sarowitz are  
24 the highest people in the hierarchy of Wayfarer; is  
25 that right?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: Yeah.

3 BY MR. GOTTLIEB:

4 Q Ultimately, the CEO and upper management  
5 answer to you and Mr. Sarowitz; is that right?

6 A Ultimately, yes.

7 Q In other words, if you and Mr. Sarowitz  
8 decide that, you know, you had it with Mr. Heath,  
9 it's your decision whether to get rid of him, right?

10 A Yes. Do you want to tell him or should  
11 I?

12 Q I think you should. It would go over  
13 smoother.

14 So do you see that one paragraph down  
15 from the sentence I just read, the anti-harassment  
16 policy?

17 A I see that.

18 Q And do you see where it says --

19 A I have not read this, so...

20 Q Okay.

21 A Can I read it?

22 Q Why don't you read that -- I'm going to  
23 ask you questions about the next three paragraphs,  
24 so if you want to read the next three paragraphs,  
25 then I will ask you questions about them.

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1 A I think I've gotten through them now.

2 Q Okay. So back on the previous page,  
3 page 5 of this document, in the start of the  
4 anti-harassment policy, do you see the sentence that  
5 reads:

6 (As read) :

7 "Wayfarer Studios prohibits harassment,  
8 disrespectful or unprofessional conduct  
9 by any employee of the company,  
10 including supervisors, managers and  
11 co-workers."

12 Do you see that?

13 A I do.

14 Q Do you understand what that means?

15 A That we prohibit harassment by anybody at  
16 the company.

17 Q Okay. Do you see then the sentence that  
18 starts with "Harassment may be verbal, written, or  
19 physical conduct"?

20 A I do.

21 Q Okay. So if you carry that sentence over  
22 to the next page:

23 (As read) :

24 "Harassment may be verbal, written, or  
25 physical conduct."

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1                   Go to the -- in front of the A, B and C:  
2                   (As read) :  
3                   "That, A, has the purpose or effect of  
4                   creating an intimidating, hostile or  
5                   offensive work environment; or, B, has  
6                   the purpose or effect of unreasonably  
7                   interfering with an individual's work  
8                   performance; or, C, otherwise adversely  
9                   affects an individual's employment  
10                   opportunities."

11                   Do you see that sentence?

12                   A     I do.

13                   Q     Do you recall ever receiving training  
14                   with respect to any of those concepts in the  
15                   sentence I just read to you?

16                   A     I believe I do.

17                   Q     Do you recall receiving training that  
18                   discussed that harassment can be conduct that has  
19                   either the purpose or the effect of creating a  
20                   hostile or offensive work environment?

21                   A     I do.

22                   Q     Okay. And do you see the -- in the next  
23                   paragraph, the sentence that reads:

24                   (As read) :

25                   "Sexual harassment includes harassment

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1                   that is not necessarily sexual in  
2                   nature."

3                   Do you see that?

4                   A    Yes.

5                   Q    You've been trained on that concept?

6                   A    I believe I have.

7                   Q    And you see further down there is another  
8                   A, B, and C here because, of course, we lawyers love  
9                   to put A, Bs and Cs into our -- into our documents.

10                  Do you see subsection C says:

11                  (As read) :

12                  "Such conduct has the purpose or effect  
13                  of substantially and unreasonably  
14                  interfering with an individual's work  
15                  performance by creating an  
16                  intimidating, hostile, or offensive  
17                  working environment."

18                  Do you see that?

19                  A    I do.

20                  Q    Do you understand what that means?

21                  A    I believe I do.

22                  Q    And you've been trained on that as well?

23                  A    I believe I have.

24                  Q    Okay. Do you see where it says:

25                  (As read) :

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3 A Yes.

4 Q And it can include:

5 (As read) :

6 "Sexual jokes or innuendo, commentary  
7 about an individual's body, sexual  
8 prowess or sexual deficiencies or  
9 touching"?

10 MS. SHAPIRO: Objection.

11 BY MR. GOTTLIEB:

Q I know I left some words out.

13 A Yeah, yeah, yeah.

Q      But do you see the words that I read

15 there --

16 A Yes.

17 Q -- in this policy?

18 A Yes.

19 Q And you've been trained on this as well?

20 A I believe I have.

21 Q And because of that training, you

22 understand that the policy prohibits behavior that  
23 has these effects on employees regardless of whether  
24 those effects were intended; is that right?

25 MS. SHAPIRO: Objection.

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1                   THE WITNESS: I believe so, yes.

2 BY MR. GOTTLIEB:

3                   Q     Okay. If you turn -- sorry. If you look  
4 then at "Supervisor and Manager Responsibilities."  
5 Do you see where it reads:

6                   (As read) :

7                   " If any supervisor or manager becomes  
8 aware of a violation of this policy,  
9 they are obligated to report the  
10 violation to human resource management  
11 so Wayfarer Studios can investigate  
12 and, if appropriate, take corrective  
13 action"?

14                  A     Yes.

15                  Q     You understood that was your  
16 responsibility as a supervisor or manager?

17                  MS. SHAPIRO: Objection.

18                  THE WITNESS: Yeah.

19 BY MR. GOTTLIEB:

20                  Q     And that was Mr. Heath's responsibility  
21 as a supervisor or manager?

22                  A     Yes.

23                  Q     On the next page, do you see the section  
24 entitled "Investigation"?

25                  A     Yes.

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1 Q Do you see where it reads:

2 (As read):

3 "Any reported allegations of  
4 harassment, discrimination, or  
5 retaliation will be promptly and  
6 thoroughly investigated by qualified  
7 personnel in an impartial manner."

8 Do you see that?

9 A I do.

10 Q Do you see it says:

11 (As read):  
12 "Wayfarer Studios will ensure that  
13 these personnel will use the evidence  
14 to reach reasonable conclusions"?

15 A Yes.

16 Q And then one more sentence down after  
17 that.

18 (As read):

19 "Wayfarer Studios will maintain  
20 appropriate documentation and tracking  
21 to ensure reasonable progress is made."

22 Do you see all that?

23 A Uh-huh.

24 Q And then there is a discussion of what  
25 happens at the close of investigation.

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1                   Do you see that?

2                   A    Yes.

3                   Q    And you see that depending on what's  
4    found in an investigation, "Wayfarer Studios will  
5    consider appropriate options for remedial actions  
6    and resolution and if misconduct is found, Wayfarer  
7    Studios shall take prompt, corrective action as  
8    appropriate."

9                   Do you see that?

10                  A    Yes.

11                  Q    Was any investigation of the type  
12   described here in this paragraph conducted for the  
13   conduct that is at issue in this litigation?

14                  MS. SHAPIRO: Objection.

15                  THE WITNESS: Not until this lawsuit was  
16   filed and we were made aware of the conduct.

17   BY MR. GOTTLIEB:

18                  Q    So I think your testimony is, this  
19   lawsuit was filed --

20                  A    Uh-huh.

21                  Q    -- you were made aware of conduct?

22                  A    We were made aware of allegations of  
23   misconduct.

24                  Q    Okay. And then you launched an  
25   investigation?

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1       unaware of the incidents that were described in the  
2       complaint? Or is it your testimony that you were  
3       unaware that Ms. Lively thought that those incidents  
4       constituted sexual harassment and retaliation?

5               MS. SHAPIRO: Objection.

6               THE WITNESS: My testimony is that this  
7       lawsuit and The New York Times article and the CRD  
8       complaint was the first that I had heard of many of  
9       these allegations that evidently I was at or a part  
10      of, which I completely disagree with whether or not  
11      they happened.

12              That said, the reason we launched an  
13       investigation was because this was the first  
14       official complaint, lawsuit against us. So that  
15       investigation happened because it was past the HR  
16       complaint situation. It was now an official, very  
17       public situation.

18       BY MR. GOTTLIEB:

19              Q       Is it your understanding of the Wayfarer  
20       policy that in order to investigate allegations of  
21       sexual harassment and retaliation, that an official  
22       HR complaint needs to be filed by the complainant?

23              A       I'm not sure.

24              Q       In fact, didn't we just look at on page 6  
25       of the policy in the section entitled "Supervisor

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1 and Manager Responsibilities," there's a line that  
2 says:

3 (As read) :

4 "If any supervisor or manager becomes  
5 aware of a violation of this policy,  
6 they are obligated to report the  
7 violation to human resources/management  
8 so Wayfarer Studios can investigate  
9 and, if appropriate, take corrective  
10 action"?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: I see that, yes.

13 BY MR. GOTTLIEB:

14 Q So it is actually under your -- Wayfarer  
15 Studios' policy, it's not incumbent upon the person  
16 who feels that they have been harassed to come  
17 forward with a formal HR complaint; is that right?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: I don't know if there is  
20 another part of this that says there needs to be a  
21 formal HR complaint or not, so I don't know.

22 BY MR. GOTTLIEB:

23 Q Okay. You don't see one as you're  
24 sitting here looking at this page, do you? Under  
25 the box that says "Supervisor and Manager

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1 Responsibilities"?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: No, I don't see one.

4 BY MR. GOTTLIEB:

5 Q Okay. You testified yesterday, I  
6 believe, that you've never read The New York Times  
7 article; is that correct?

8 A Never personally read it, no.

9 Q You've never sat down to read the article  
10 published by The New York Times written by Megan  
11 Twohey about the incidents in this case?

12 A I did not personally sit down to read it.

13 Q So as you sit here today, you do not know  
14 personally anything that that article says?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: No, I would not say that  
17 that's true.

18 BY MR. GOTTLIEB:

19 Q You have no personal knowledge from your  
20 own experience of what that article says; is that  
21 right?

22 A I have personal firsthand knowledge from  
23 my attorneys giving me point by point all that was  
24 in the article.

25 Q Okay. So let me try it this way because

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1 BY MR. GOTTLIEB:

2 Q Okay. I'm most interested in what you  
3 said publicly about how in your view being exposed  
4 to pornography repetitively affects one's view of  
5 consent. Do you recall giving a talk called "Boys  
6 Will Be Human: A Talk on Healthy Masculinity with  
7 Justin Baldoni"?

8 A I wrote a book called Boys Will Be Human,  
9 and I imagine I've done a talk or two, yeah.

10 Q Some interviews about the subject of the  
11 book?

12 A Is this a speech that I gave or is this  
13 an interview that I gave?

14 Q This is during an interview, and I want  
15 to read you what you said. You said:

16 (As read) :

17 "When you hit 11 or 12-years-old and  
18 your friends have a phone and maybe you  
19 don't and you're being shown things for  
20 the first time and then you start to  
21 think, that is what women want, and in  
22 porn, as we know, no means yes or try  
23 harder. It starts to become very  
24 confusing, which is definitely  
25 something that happened to me."

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1 consent. But what I'm essentially saying is,  
2 there's even a possibility that in my teens and 20s,  
3 I wasn't aware.

4 Q Well, literally what you said is:

5 (As read) :

6 "I'm sure I have crossed boundaries and  
7 lines in my teens and 20s not even  
8 thinking about it simply because of the  
9 porn I was consuming."

10 So that's what you said. And my question  
11 to you is: Do I understand your testimony to be  
12 that you were essentially making that up in order to  
13 make other men feel that you were relatable to them?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: No. I'm sure I had crossed  
16 boundaries in my teens and 20s. I'm sure I have.

17 BY MR. GOTTLIEB:

18 Q And do you think that was because of the  
19 exposure that you had to this kind of toxic  
20 pornography?

21 A I'm sure that that was a part of it. It  
22 was also a different time and part of why I wrote  
23 the book, was that consent wasn't taught to boys.  
24 And I wanted to make sure that we taught consent to  
25 boys and men.

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1       they were women, I said women. I hope that answers  
2       your question.

3       BY MR. GOTTLIEB:

4           Q     It does.

5                   Did you support Mr. Sarowitz's decision  
6       about the employment action to take with respect to  
7       Mr. Norman?

8           A     I did.

9           Q     And you know that that employment action  
10      meant that he remained on with Man Enough in a  
11      consulting or part-time position for a number of  
12      months?

13       A     Yes.

14       Q     And he continued to be paid?

15       A     Yes.

16       Q     And you supported that?

17       A     I did.

18       Q     Who is Liz Plank?

19       A     Liz Plank is my former co-host of the Man  
20      Enough podcast.

21       Q     How long was she your co-host?

22       A     Maybe three years.

23       Q     What changed?

24       A     What changed?

25       Q     What changed that caused her to not be

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1       your co-host anymore?

2           A       The -- I imagine The New York Times  
3       article and the entire world thinking I was a bad  
4       man.

5           Q       Did she tell you that?

6           A       No.

7           Q       Did you talk to her when she quit?

8           A       No.

9           Q       Did you read anything that she wrote  
10      about why she didn't want to be a co-host anymore?

11          A       I believe it was shown to me, yes.

12          Q       Do you recall what it said?

13          A       I can't recall exactly what it said, no.

14          Q       Was it not important to you to understand  
15      why Ms. Plank wanted to discontinue a  
16      three-year-long professional relationship at that  
17      point in time?

18                MS. SHAPIRO: Objection.

19                THE WITNESS: Can you ask the question a  
20      different way?

21      BY MR. GOTTLIEB:

22          Q       I can try. You said you didn't talk to  
23      her after she quit?

24          A       No.

25          Q       And you didn't reach out to her to talk

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1 Q Okay. You hugged Ms. Lively on multiple  
2 occasions on the set, right?

3 A Yes.

4 Q Every day?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: No.

7 BY MR. GOTTLIEB:

8 Q How many times would you estimate?

9 A That I hugged Ms. Lively?

10 Q On the set. So not outside of the set  
11 environment, but at work on the set?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: Are these hugs -- I'm so  
14 sorry --

15 BY MR. GOTTLIEB:

16 Q Sorry. This is --

17 A Are these hugs that I initiated, or are  
18 these hugs that I was a recipient of?

19 Q You can characterize it however you'd  
20 like.

21 A I just want to be as accurate in my  
22 testimony as possible --

23 Q Okay.

24 A -- as it relates to the hugging. That  
25 was my question -- that was the question. Which

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1 one?

2 Q You can include hugs that you believe you  
3 initiated and hugs you believe Ms. Lively initiated.

4 MS. SHAPIRO: Objection.

5 THE WITNESS: Like lump them all  
6 together?

7 BY MR. GOTTLIEB:

8 Q Sure. Your best estimate.

9 A Okay.

10 Q Number of times.

11 MS. SHAPIRO: Objection.

12 THE WITNESS: Maybe a greeting and an  
13 exit. So at the most maybe -- again, I don't know.  
14 I don't know. I don't know. That's my answer to  
15 you, Mr. Gottlieb. I don't know.

16 BY MR. GOTTLIEB:

17 Q Fair enough. And when you don't know,  
18 that's what I always want your answer to be.

19 A I don't know.

20 Q Do you know who Vivian Baker is?

21 A Vivian Baker is Ms. Lively's makeup  
22 artist, I believe.

23 Q Do you know that she testified under oath  
24 in this case?

25 A I assume her testimony would be under

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1       oath.

2           Q     Do you know that she testified under oath  
3     in this case?

4           A     Yes.

5           Q     Are you aware that she testified that  
6     there was a culture of hugging on the set of  
7     It Ends with Us?

8           A     I am now.

9           Q     Are you aware that she said that that  
10    made a number of people uncomfortable?

11          A     I find that odd.

12          Q     You find that odd, why?

13          A     Because Mrs. Baker was often the one that  
14    would run up and give me a hug.

15          Q     And because of that, you find it odd that  
16    she testified that a number of people felt  
17    uncomfortable with the culture of hugging on the set  
18    of It Ends with Us?

19          A     Correct.

20          Q     Do you remember earlier when you  
21    testified about the hot tub?

22          A     You're referring to what? Sexually  
23    harassed?

24          Q     When you were sexually harassed in the  
25    hot tub?

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1       uncomfortable because of the culture of hugging on  
2       the set of It Ends with Us?

3               MS. SHAPIRO: Objection.

4               THE WITNESS: I'm not sure how my  
5       assumption of Ms. Baker's testimony would lead to  
6       perjury.

7       BY MR. GOTTLIEB:

8               Q       Do you or do you not think she was being  
9       truthful when she said that multiple people felt  
10      uncomfortable about a culture of hugging on the set  
11      of It Ends with Us?

12              MS. SHAPIRO: Objection.

13              THE WITNESS: I think she was being  
14       truthful. That's not why I said I thought it was  
15       odd.

16       BY MR. GOTTLIEB:

17              Q       Okay. Did you ever hear from anyone on  
18       the set of It Ends with Us that hugging, daily  
19       hugging, was making them uncomfortable?

20              A       There was a point in time that I heard  
21       that, yes.

22              Q       And when was that?

23              A       That was from Ange Giannetti and, I  
24       believe, Alex Saks.

25              Q       Do you recall when that was?

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1           A     It was early on in production. Maybe  
2     first week or two.

3           Q     Okay. So that's in May of 2023?

4                   MS. SHAPIRO: Objection.

5                   THE WITNESS: I have a feeling you know  
6     the date better than me. So, yes.

7     BY MR. GOTTLIEB:

8           Q     And what did you do when Ms. Saks and  
9     Ms. Giannetti told you that certain people felt  
10    uncomfortable with the hugging on the set of  
11    It Ends with Us?

12                   MS. SHAPIRO: Objection.

13                   THE WITNESS: I stopped hugging.

14     BY MR. GOTTLIEB:

15           Q     Did you perform an investigation?

16           A     Because people didn't want there to be as  
17    much hugging?

18           Q     That's my question.

19           A     No.

20           Q     Did you inform anybody in HR?

21           A     I did not.

22           Q     Even though hugging is one of the items  
23    that appears in your sexual harassment policy?

24                   MS. SHAPIRO: Objection.

25                   THE WITNESS: I was unaware of any

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1 official complaint of the hugging. In fact, quite  
2 the opposite.

3 BY MR. GOTTLIEB:

4 Q Again, and we did this before, you  
5 understand, because we had this exchange before,  
6 that an official complaint does not need to be filed  
7 in order for something to violate the Wayfarer  
8 Studios sexual harassment policy, right?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: Correct.

11 BY MR. GOTTLIEB:

12 Q And you understand that there are  
13 supervisor responsibilities that apply --

14 MS. SHAPIRO: Objection.

15 BY MR. GOTTLIEB:

16 Q -- that do not depend upon the filing of  
17 an official HR complaint, right?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: Correct.

20 BY MR. GOTTLIEB:

21 Q Okay.

22 A But just to point you back to 9054,  
23 page 6, paragraph 1, 2, 3, 4, 5, 6. It says:

24 (As read):

25 "If any supervisor or manager becomes

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1 A Not myself.

2 Q Did Wayfarer Studios pay for people's  
3 salaries, compensation, on the film It Ends with Us?

4 A I would imagine so.

5 Q And you as the director and co-studio  
6 head had the authority to hire, fire, remove, and  
7 discipline people on the set if you chose to do so?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: Yes.

10 BY MR. GOTTLIEB:

11 Q And then you see a reference at 3:05 p.m.  
12 by Ms. Saks saying:

13 (As read):

14 "Do you remember when I called  
15 Andy Davis a few weeks in and was like,  
16 'Andy, he's inviting the department  
17 heads to go to Russian baths with  
18 him.' "

19 Do you see that?

20 A Yes.

21 Q Who is Andy Davis?

22 A I believe Andy Davis is the -- he might  
23 be the head of production at Sony Studios.

24 Q Okay. And on the next --

25 A The person in charge of production at

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1                   "Russell said when he wrapped, he felt  
2                   like he left a cult"?

3                   A    I do see that.

4                   Q    Do you find that offensive?

5                   MS. SHAPIRO: Objection.

6                   THE WITNESS: It wouldn't be the first  
7                   time people around this case have said I was in a  
8                   cult.

9                   BY MR. GOTTLIEB:

10                  Q    I think you testified earlier about  
11                  meetings with Ms. Lively that occurred in her  
12                  apartment; is that right?

13                  A    Yes.

14                  Q    Is that the first place that you met with  
15                  Ms. Lively?

16                  A    The first place -- it was in the same  
17                  building, yes.

18                  Q    In the same apartment building?

19                  A    In the building.

20                  Q    Different room but same building?

21                  A    Different apartment.

22                  Q    Different apartment, same building?

23                  A    Yes.

24                  Q    Okay.

25                  A    Am I done with this?

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1 Q Sure.

2 When was that meeting, the first meeting?

3 A Sometime in December before Christmas.

4 Sorry. I think it was December 22.

5 Q And when you first met with Ms. Lively,  
6 she had not yet agreed to play the role of Lily in  
7 the film; is that right?

8 A Yes.

9 Q And you had not yet decided whether you  
10 were sure if you wanted her to play the role of Lily  
11 in the film, right?

12 A Correct.

13 Q You thought you did, though, right?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: I thought I did what?

16 BY MR. GOTTLIEB:

17 Q When you went to that meeting, traveled  
18 to the meeting --

19 A Yes.

20 Q -- you prepared for the meeting?

21 A Yes.

22 Q And you discussed the meeting in advance  
23 with certain people?

24 A Yes.

25 Q Like Mr. Heath?

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1 A Yes.

2 Q And others?

3 A (Witness nods head.)

4 Q And is it fair to say that you were  
5 hopeful that you and Ms. Lively would reach an  
6 understanding and she would agree to play the role  
7 of Lily in the film?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: Yes.

10 BY MR. GOTTLIEB:

11 Q And at that point in time, you had made  
12 the decision that along with directing the film, you  
13 would play the co-lead role in the film?

14 A Yes.

15 Q Is that the role of Ryle?

16 A Yes.

17 Q And before, I asked you if you were a  
18 producer and you said no, you're an executive  
19 producer; is that correct?

20 A Yes.

21 Q Okay.

22 A I was, but eventually I -- I wasn't.

23 Q You were for some period of time?

24 A Yes.

25 Q Okay. In the first meeting, along with

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1 other topics, you and Ms. Lively discussed your  
2 families; is that right?

3 A Yes.

4 Q And at the time, Ms. Lively was pregnant?

5 A Very pregnant, yes.

6 Q She was soon to give birth?

7 A Yes.

8 Q And that would not be the first time.

9 Ms. Lively had children already, right?

10 A Yes. They were all over the apartment.

11 Q And Ms. Lively was pregnant with a boy;  
12 is that right?

13 A Yes.

14 Q And the two of you discussed certain  
15 things about Ms. Lively's baby?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: Unborn baby, yes.

18 BY MR. GOTTLIEB:

19 Q Among other things, you discussed whether  
20 Ms. Lively's baby would be circumcised, right?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: That was a conversation,  
23 yes.

24 BY MR. GOTTLIEB:

25 Q And in the context of that conversation,

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1 did you at any point share with Ms. Lively whether  
2 you were circumcised?

3 A Yes.

4 Q Did Ms. Lively ask you whether you were  
5 circumcised?

6 A Directly, no.

7 Q Who was present at the moment when you  
8 relayed to Ms. Lively that you were circumcised?

9 A There were people going all around.

10 Mr. Reynolds was in and out of the conversation.  
11 She had, I think, two nannies. I felt like there  
12 was a housekeeper there. Her assistant was walking  
13 around. I think she had two assistants there. Her  
14 and I were sitting on the couch, but there was  
15 people all around.

16 Q Have you ever told any other work  
17 colleague at any point in time about your genitalia?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: I don't talk about my  
20 genitalia, so no.

21 BY MR. GOTTLIEB:

22 Q Prior to Ms. Lively accepting the role of  
23 Lily Bloom, she received a copy of the script; is  
24 that right?

25 A Yes.

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: I don't believe that was my  
3 testimony.

4 BY MR. GOTTLIEB:

5 Q Would adding a sex scene not in the book  
6 be considered gratuitous?

7 MS. SHAPIRO: Objection.

8 THE WITNESS: No. Because none of the  
9 sex scenes that were in the movie as they currently  
10 exist were ever in the book in the way that they  
11 are.

12 BY MR. GOTTLIEB:

13 Q If you flip to page 81 of the script,  
14 which is BALDONI 3724.

15 A Are you there with me, sir?

16 Q Yes.

17 Q Do you see A69?

18 Q Yes.

19 Q And that is a reference to "ARIA HOTEL,  
20 PENTHOUSE SUITE NIGHT"?

21 Q Yes.

22 Q And this is wedding night for Ryle and  
23 Lily?

24 Q Yes.

25 Q And you see towards the end of that, it's

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1 | written:

(As read) :

"As the two climax at the same time, they lock eyes and cannot help but smile, baffled that they found each other"?

7 A Yes.

8 Q Whose idea was it to add "the two climax  
9 at the same time"?

10 A Christy Hall.

11 Q When did she communicate that to you?

12 A We did it -- we were writing together.

13 We were in a room in my office. We were  
14 specifically working on a lot of the sex scenes and  
15 --

16 Q What did -- sorry. Go ahead.

17 A And we -- yeah. This was -- we were  
18 writing a movie that was filled with romance and  
19 lust and intimacy and sex. And, again, these are  
20 all outlines, right, so a script has far less  
21 description than a book. So you have  
22 It Ends with Us, which has a ton of pages and very  
23 detailed descriptions of various scenes so that you  
24 can paint the picture in your mind. And all writers  
25 do. Which I learned a lot on this process, is you

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1 have to give some sort of outline so that as you're  
2 reading the script, you have an idea of what's  
3 happening. And then you work out all the details  
4 once you start production, both with the actress in  
5 accordance with what is standard for approval. And  
6 then after the actress, with the intimacy  
7 coordinators to figure out what each of these things  
8 really mean.

9 Q Did you ever have a conversation with  
10 anyone else, cast, crew, production on  
11 It Ends with Us about Lily and Ryle climaxing  
12 together, other than Christy Hall?

13 A I think I spoke about every single  
14 intimate sex scene with our intimacy coordinator.

15 Q Okay. So Ms. Hall, your intimacy  
16 coordinator --

17 A And then eventually, Ms. Lively.

18 Q Okay. And then Ms. Lively?

19 A Yes.

20 Q Do you ever recall having a conver -- so  
21 do you recall having a conversation with Ms. Lively  
22 about this specific line here?

23 A I don't recall it being about this  
24 specific line.

25 Q Do you have any recollection of having a

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1 conversation with Ms. Lively about the scene in  
2 which you discussed you and your wife?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: I remember a conversation,  
5 not discussing a scene, where I brought up my wife,  
6 yes.

7 BY MR. GOTTLIEB:

8 Q And what do you recall bringing up?

9 A The day before I had a meeting with the  
10 intimacy coordinator, to go over ideas for all of  
11 these scenes, I wrote down a bunch of notes from  
12 that meeting. The following day, I had a meeting  
13 set with Ms. Lively to specifically talk about the  
14 sex scenes. That was the actual point of the  
15 meeting. In that meeting, I read through and walked  
16 through the notes that I had discussed with the  
17 intimacy coordinator.

18 One of them was an idea that had come up  
19 where Ryle and Lily were making love. Lily had  
20 climaxed or had an orgasm, to speak frankly here,  
21 and Ryle did not. And the idea, as the intimacy  
22 coordinator and I were talking about things that  
23 women have not seen on camera yet, things that would  
24 be unique, that would be attractive to the female  
25 gaze, which was the purpose of that meeting, the

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1 idea was that Ryle would then stop and say "just  
2 watching you was enough" or "I'm good" or something  
3 like that.

4                   When I shared that with Ms. Lively, she  
5 then made it personal and said , "Oh, God, that would  
6 mortify me if that happened to me." To which I then  
7 responded, as one does because when you're two grown  
8 adults with children who are married in the context  
9 of talking about sex scenes, with a movie that  
10 you're making with a person who is understanding  
11 that there are going to be sex scenes in a book  
12 based with a lot of sex in it, the only thing you  
13 really have to share are personal experiences. So I  
14 said, "Oh, well, some of the most beautiful moments  
15 have been when that's happened with me and my wife."  
16 And that was it.

17                   Q     So you were interested in shooting the  
18 scene from the female gaze?

19                   A     I was interested in shooting all the sex  
20 scenes from the female gaze.

21                   Q     Did Ms. Lively have a female gaze?

22                   A     I would imagine so if she's a female.

23                   Q     Did you believe she had one?

24                   A     Of course.

25                   Q     Did you believe that that gaze was

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1 important in incorporating ideas about how these  
2 various scenes should be shot?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: Absolutely. That's why I  
5 incorporated all of Ms. Lively's ideas without  
6 hesitation.

7 BY MR. GOTTLIEB:

8 Q And it's your testimony that when you say  
9 Ms. Lively said she would be mortified, that you  
10 believe she was referring to?

11 A If that happened to her, were her words.

12 Q If that happened to her in her personal  
13 life?

14 A Yes. It was a personal comment. Like it  
15 was inferring that if -- she was inferring that if  
16 her husband didn't finish, if she didn't finish her  
17 husband or climax her husband, that she would be  
18 mortified.

19 Q That's what --

20 A That's what she said. So she said, "Oh,  
21 that would mortify me if it happened to me."

22 Q Your recollection as you sit here today  
23 about a meeting that occurred in April of 2023?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: I would imagine that's the

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1                   THE VIDEOGRAPHER: We are going off the  
2 record. The time is 1:05 p.m.

3                   (Lunch recess.)

4 (continuing)

5                   AFTERNOON SESSION

6                   TUESDAY, OCTOBER 7, 2025

7                   ---000---

8                   THE VIDEOGRAPHER: We're back on the  
9 record. The time is 2:02 p.m.

10 BY MR. GOTTLIEB:

11                  Q     Did there come a time in May of 2023  
12 where you learned that Jenny Slate and Ms. Lively  
13 had made concerns known regarding comments that you  
14 had made on the set?

15                  A     In May of 2023? I believe, yes. Yes.

16                  Q     Who told you about Ms. Slate and  
17 Ms. Lively's concerns?

18                  A     Ange Giannetti. Alex Saks.

19                  Q     Separately or together?

20                  A     Separate conversations.

21                  Q     With Ms. Giannetti, was that a  
22 conversation in person?

23                  A     No.

24                  Q     On the phone?

25                  A     Yes.

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1 ever talk to her about this situation or her  
2 concerns directly?

3 A I didn't feel it was appropriate to put  
4 her in that situation. So from that point on, I  
5 gave her high-fives and complimented her on her work  
6 and didn't hug her and never used the word "sexy"  
7 again.

8 MR. GOTTLIEB: I want to show you a  
9 document. I will mark it as Exhibit 27. And  
10 Exhibit 27 is a document bearing the Bates Nos.  
11 JS 224 through 225, which is a text message dated  
12 May 27th between Jenny Slate and Josh Pearl.

13 Take a minute to read that.

14 (Exhibit 27 marked for identification.)

15 BY MR. GOTTLIEB:

16 Q And Mr. Baldoni, I appreciate that  
17 looking at some of this may be difficult. This --  
18 who is Josh Pearl, first of all?

19 A I don't know.

20 Q The text that we were looking at in the  
21 prior exhibit, which is Exhibit 26, and the messages  
22 that you had sent to Ms. Slate and Ms. Lively was  
23 from May 30th. This is an exchange on May 27th;  
24 is that right?

25 A It appears to be.

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1 THE WITNESS: Sad.

2 BY MR. GOTTLIEB:

3 Q You talk before about your desire to tell  
4 the story through the female gaze; is that correct?

5 A It was a desire, yes.

6 Q Why did you choose a male director?

7           A     Well, for some time I was actually  
8     looking for a female director. I went back and  
9     forth from the very beginning of if I should direct  
10    or not. Originally, I had optioned the book to  
11    direct it, and that was the original plan. And that  
12    was back in 2019 or so. And culturally, the  
13    conversation changed very fast, and so I thought  
14    maybe I shouldn't direct it. So there was a period  
15    of time where I wasn't going to direct it.

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1 men.

2 So ultimately, because I had the rights  
3 to the film and it was ultimately my decision and in  
4 consultation with friends and my wife and team,  
5 ultimately I believed in myself enough to take on  
6 the role.

7 Q You thought you would be the best person  
8 to direct this film?

9 A At the time I did.

10 Q Did Colleen Hoover ever tell you that she  
11 wanted the director of It Ends with Us to be a  
12 female?

13 A My recollection from the very beginning  
14 was that Colleen Hoover knew I was going to be  
15 directing this film. That was why she gave me the  
16 rights.

17 Q So my question is, at any point in time,  
18 did Colleen Hoover ever tell you that she wanted the  
19 director of the film to be female?

20 A I don't remember a conversation like  
21 that. It may have happened, but I feel like I would  
22 remember.

23 Q Okay. Do you recall ever having a  
24 conversation with anyone where they told you maybe  
25 the director of this movie should be a female?

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1           A    I think during the time that I was just  
2 discussing where there was big shifts culturally,  
3 yes, which is why we were looking for a female  
4 director for quite some time.

5           Q    Okay. But ultimately, you decided you  
6 were better positioned to tell the story?

7           MS. SHAPIRO: Objection.

8           THE WITNESS: I wouldn't characterize it  
9 that way at all.

10          BY MR. GOTTLIEB:

11           Q    Do you recall ever saying to  
12 Brandon Sklenar on the film set, something to the  
13 effect of, I have to tell you something but I don't  
14 want to get canceled or lose my job. You can't say  
15 anything on this set anymore?

16           A    I have heard that in someone else's  
17 testimony, and that is not something I said. That's  
18 also not the way that I speak.

19           Q    Whose testimony did you hear that in?

20          A    I believe Jenny Slate's.

21           Q    Did you come to ever feel like you  
22 couldn't be open or candid or unfiltered on your  
23 set?

24          A    Yes. But not for any reason that it's  
25 inferred in that text, nor would I ever say anything

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1 to Brandon Sklenar like that.

2 Q So if somebody said they heard you say  
3 that, your under-oath testimony would be they are  
4 mistaken?

5 A My under-oath testimony is that I don't  
6 believe I ever said anything to that -- to that  
7 effect to Brandon Sklenar.

8 Q Did you say to Ms. Slate when you made  
9 the "sexy" comment, that you could say that because  
10 your wife was there?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: My recollection of the  
13 "sexy" comment was that it was all kind of said in  
14 one sentence.

15 BY MR. GOTTLIEB:

16 Q And what was the one sentence?

17 A Ms. Slate walked in. As a director, I  
18 was doing whatever I was doing, getting the set  
19 ready. I looked over to her. She was wearing a --  
20 I believe black leather pants, which were designed  
21 to, I'm sure, look sexy. And without thinking, I  
22 said something to the effect of, oh, wow, those  
23 pants look sexy on you. And my memory, if it serves  
24 me correctly, I then -- my wife was in the room  
25 nearby. And I think in my head I was like, oh,

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1 maybe I shouldn't have said that. And I said, and I  
2 say that as a married man with my wife in the other  
3 room. Because I did not want it to come off in any  
4 way like it apparently did. So I was just -- in  
5 that moment it was just an instance where I said  
6 something that I was like, ah, I probably shouldn't  
7 have said that. And just tried to not make it super  
8 awkward and made a bad joke at the end of it.

9 Q What you just described to me, I probably  
10 shouldn't have said that, my wife's in the other  
11 room, is that something you said outloud or is that  
12 in your head what you were thinking?

13 A Well, I was -- it was like an internal  
14 dialogue --

15 Q Internal dialogue?

16 A -- like a -- it just came out. It was an  
17 instance where I said something without thinking.

18 Q Okay. Have you ever discussed, in the  
19 context of the events of this film, and what  
20 happened on set, have you ever discussed trying to  
21 describe them as a component of neurodivergence?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: That being an instance,  
24 yes.

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1 anyone that you thought sexual harassment was being  
2 insinuated or suggested about you or your conduct?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: I'm not sure, but I know  
5 that I certainly didn't agree with -- or the  
6 insinuations.

7 BY MR. GOTTLIEB:

8 Q If you had thought that sexual harassment  
9 was being insinuated, suggested, would you have  
10 wanted some kind of an investigation to be done or  
11 to exonerate yourself?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: I'm not sure.

14 BY MR. GOTTLIEB:

15 Q I'm going to mark a document. Before I  
16 do, Mr. Baldoni, I see you have a drink in front of  
17 you.

18 A Yes.

19 Q That's a drink called "Update," right?

20 A Yes.

21 Q Are you a sponsor or a promoter of  
22 Update?

23 A A sponsor?

24 Q Yeah.

25 A What do you mean by a "sponsor"?

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1 appears from the transcript, I did.

2 How would you characterize your comment  
3 using the word "sexy"?

4 A In a conversation where I was speaking to  
5 Ms. Lively about her wardrobe, as the director, I  
6 wanted to see the onesie because all the characters  
7 were wearing onesie's. She had a large jacket on,  
8 and we were having a bit of a negotiation, as I was  
9 trying to gently ask her to remove it.

10 And like many conversations with  
11 Ms. Lively, there's a back-and-forth that can go on  
12 for quite some time. And it got to the point where  
13 I believe I said to her that it looked hot, to which  
14 she replied -- earlier, she had said she thought it  
15 was cute, and that's why she wanted to wear it. And  
16 then I had said it -- down the line, I had said it  
17 looked hot. And she said, That's not what I was  
18 going for.

19 And then I made a joke. I said, sexy?  
20 She goes, Not that either. And then immediately, I  
21 paused, and I said, I'm sorry, did I just cross a  
22 boundary? And Mrs. Slate shared what we talked  
23 about earlier, to which case I thanked them both. I  
24 apologized to Ms. Lively again.

25 And I was in the middle of, you know,

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1 getting everything ready. I think at one point I  
2 let Ms. Lively know that she had something in her  
3 teeth before filming, because we were getting ready  
4 to go shoot. And then I came back later, five  
5 minutes later, before we started filming, and I  
6 thanked Mrs. Slate for what she said.

7 I said that was -- I said something along  
8 the lines of, That can't be easy. I wish you didn't  
9 need to say what you said, and I really appreciate  
10 you sharing that with me. And I apologized again to  
11 Ms. Lively for using the word "sexy" as it related  
12 specifically to her character's wardrobe.

13 Q Were the cameras recording when that  
14 exchange happened?

15 A The cameras for the movie?

16 Q Any cameras.

17 A I believe there was some  
18 behind-the-scenes cameras filming, yes.

19 Q Have you watched the video from that  
20 exchange?

21 A I have.

22 Q Have you produced the video from that  
23 exchange in this case to Ms. Lively?

24 A I believe every single piece of video as  
25 it relates to the movie was produced from my

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1       attorneys.

2           Q     When did you last watch that scene, that  
3 recording?

4           A     January maybe.

5           Q     You didn't mention anything about missing  
6 the HR meeting. Did you say anything about missing  
7 the HR meeting?

8           A     Yes, I did. In response to Jenny Slate's  
9 kind of -- as I mentioned earlier, joke, as she was  
10 saying, We don't say that anymore, I immediately  
11 responded and said, I guess I missed the sexual  
12 harassment meeting.

13          Q     Did you miss the sexual harassment  
14 meeting?

15          A     That's why I made the joke, because I did  
16 not miss the sexual harassment meeting.

17            MR. GOTTLIEB: All right. Let's look at  
18 a document.

19                    (Exhibit 30 marked for identification.)

20 BY MR. GOTTLIEB:

21          Q     This is a document that's been marked as  
22 Exhibit 30, another text exchange between Ms. Saks  
23 and Ms. Giannetti on June 1st, 2023. And it bears  
24 the Bates No. SPE\_BL 2026 through 2035. And I'm  
25 really only going to be asking you, Mr. Baldoni,

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1 thought Ms. Lively was upset, and that's why she was  
2 sharing the story. I can't, one, speculate to what  
3 Ms. Lively was feeling. All I was saying was that  
4 she did not seem upset as she was sharing the story.  
5 It felt like this was something that she wanted to  
6 share to ensure it didn't happen again. But I can't  
7 speculate as to what she was feeling or not feeling.

8 BY MR. GOTTLIEB:

9 Q She didn't want it to happen again; you  
10 understood that?

11 A Yes.

12 Q Okay.

13 Did anyone talk to HR about that  
14 incident, the incident in the trailer?

15 A To my knowledge, no.

16 Q Do you know one way or another whether  
17 Ms. Lively started locking her trailer door after  
18 that event?

19 A I do not.

20 Q Did Sony ever issue any kind of warning  
21 to you or to Mr. Heath so far as you know?

22 A A warning?

23 Q A warning.

24 A No, not that I'm aware of.

25 Q A caution?

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1           A     You're welcome to refresh my memory, but  
2 not that I can think of.

3           Q     That's fine. I'm just interested if you  
4 recall any time that they cautioned, warned, or  
5 otherwise issued any -- anything that sounded like  
6 that to you?

7           A     I don't recall a warning or a caution.

8                    MR. GOTTLIEB: Let's do Exhibit 31.

9                    (Exhibit 31 marked for identification.)

10          BY MR. GOTTLIEB:

11           Q     Mr. Baldoni, you've been handed what's  
12 been marked as Exhibit 31, which is a document  
13 bearing the Bates Nos. BALDONI 16447 through 16452,  
14 and this is a text chain, I believe, between  
15 yourself, Mr. Heath, Ms. Abel, and Stephanie Jones  
16 on November 10th, 2023.

17                   Let me know once you've had a chance to  
18 look at it.

19           A     Okay.

20           Q     Had a chance to review Exhibit 31,  
21 Mr. Baldoni?

22           A     I have.

23           Q     Do you recognize this document?

24           A     I do.

25           Q     You've seen this before?

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1 A Yes.

2 Q Do you see that that meeting was supposed  
3 to include:

4 (As read) :

5 "The director, all producers, the Sony  
6 representative, the newly-engaged  
7 third-party producer, BL and BL's  
8 designated representatives to confirm  
9 and approve a plan for the  
10 implementation of the above that will  
11 be adhered to for the physical and  
12 emotional safety of BL, her employees,  
13 and all the cast and crew moving  
14 forward"?

15 A I do.

16 Q Did that meeting occur?

17 A I believe that meeting did occur.

18 Q When did that meeting occur?

19 A The evening before day one of production.  
20 I don't have the exact date offhand.

21 Q January 4th, 2024?

22 A That sounds -- that sounds correct.

23 Q And where was that meeting held?

24 A Ms. Lively and Mr. Reynolds' residence.

25 Q And did all those people that you see

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1 (Recess.)

2 THE VIDEOGRAPHER: We're back on the  
3 record. The time is 4:20 p.m.

4 BY MR. GOTTLIEB:

5 Q Mr. Baldoni, before the break, I had  
6 handed you Exhibit 32. I'm going to ask you about  
7 your message that appears on the first page, first  
8 full page of Exhibit 32. Exhibit 32 is a text chain  
9 between yourself and a number of individuals on  
10 November 12th, 2023; is that right?

11 (Exhibit 32 marked for identification.)

12 THE WITNESS: Yes.

13 BY MR. GOTTLIEB:

14 Q And how would you describe -- it looks  
15 like there's a title to this group. It says:  
16 "Prayers and support."

17 What is that?

18 A This is just a group of some of my best  
19 male friends.

20 Q And Mr. Heath is on there. He's a friend  
21 and also a co-worker, right?

22 A Yes.

23 Q And what about Mr. Musiol?

24 A My best friend and not technically a  
25 co-worker. Former partner.

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1 BY MR. GOTTLIEB:

2 Q Okay. Here you are saying:

3 (As read):

4 "We all know what this document  
5 insinuates," right?

6 A I see that.

7 Q You say:

8 (As read):

9 "This is all a manipulation," right?

10 A I see that I said that too.

11 Q You say:

12 (As read):

13 "There's even silly things, inferring  
14 Jamey was inappropriate, which is  
15 silly," right?

16 A I read that, yes.

17 Q Is the reference to Mr. Heath that's in  
18 the 17-point list a reference to entering trailers?

19 MS. SHAPIRO: Objection.

20 THE WITNESS: I have no idea what I was  
21 referring to here.

22 BY MR. GOTTLIEB:

23 Q Okay. But what you knew was you thought  
24 that there was something inferring that Mr. Heath  
25 had been inappropriate, which you thought was silly?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: I don't know what I was  
3 saying was silly. That's what I can tell you.

4 BY MR. GOTTLIEB:

5 Q You said that:

6 (As read):

7 "This letter was sent in an effort to  
8 gain power over you personally and the  
9 studio," right?

10 A I think that's what I believed.

11 Q That's what you believed at the time?

12 A Very clearly, yes.

13 Q Yet, you thought all or nearly all of the  
14 requests or the conditions in the letter were  
15 reasonable, right?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: I did.

18 BY MR. GOTTLIEB:

19 Q So what kind of a plan is that?

20 MS. SHAPIRO: Objection.

21 BY MR. GOTTLIEB:

22 Q If you're trying to come up with a plan  
23 to assert power and domination over somebody, why  
24 would you send them a list of 17 very reasonable  
25 things to do?

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1 MS. SHAPIRO: Objection.

2 THE WITNESS: I can't speculate as to why  
3 someone would do that.

4 BY MR. GOTTLIEB:

5 Q In the list of 17 conditions or the text  
6 that was accompanying it that was screenshot in the  
7 document we just looked at, was there any demand to  
8 send Ms. Lively the unfinished director's cut of the  
9 movie?

10 A In what -- in what we read together?

11 Q In what we read together.

12 A No.

13 Q Was there any demand that Ms. Lively be  
14 allowed to take control of the edit of the film?

15 A In the 17-point list?

16 Q In the 17-point list.

17 A No.

18 Q Was there any demand about ultimate  
19 control over the content of the film?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: I believe there was in the  
22 17-point list.

23 BY MR. GOTTLIEB:

24 Q And what is your recollection of that?

25 A I believe there was a paragraph that --

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1 where she asked for ultimate control over some of  
2 the content of the film, just like what you said.

3 Q What content was that?

4 A I believe any intimate scene depicting  
5 her character.

6 Q Over intimate scenes, correct?

7 A Yes, but --

8 Q Okay.

9 A -- I consider that content.

10 Q You say to your friend group:

11 (As read) :

12 "We don't believe she will leave or  
13 leak to press, but this is her threat  
14 of a nuclear bomb, as she knows this is  
15 the only way to get to me."

16 Do you see that?

17 A I do.

18 Q What did you mean, "this is the only way  
19 to get to me"?

20 A I'm not sure what I meant.

21 Q Do you believe that as you sit here  
22 today, that the 17-point list was a nuclear bomb and  
23 the only way to get to you?

24 A Again, I -- I don't know what I meant.  
25 This was a text sent in a very confusing, dark

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1 that came to our attorneys, so yes.

2 BY MR. GOTTLIEB:

3 Q And it involved issues relating to  
4 personnel and employment with respect to the film,  
5 right?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: Yes.

8 BY MR. GOTTLIEB:

9 Q So why did you feel like it was  
10 appropriate to send details about that to a friend  
11 group that included lots of people that didn't work  
12 at Wayfarer Studios?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: I don't believe I sent the  
15 document itself or any attachments.

16 BY MR. GOTTLIEB:

17 Q You just described it?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: I wasn't aware that there  
20 was anything in that document saying that I couldn't  
21 describe it.

22 BY MR. GOTTLIEB:

23 Q Before when I was asking you about the  
24 incident in Ms. Lively's trailer involving  
25 Mr. Heath, did you ever take any steps to confirm or

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1 learn what had actually happened in that meeting?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: My understanding is  
4 anything that happened during that meeting  
5 interaction was discussed in person and worked out,  
6 and my recollection is Mr. Heath apologized to her  
7 for even looking in her direction. That's what he  
8 was apologizing for, and it never happened again.

9 BY MR. GOTTLIEB:

10 Q Did you ever take any steps to decide for  
11 yourself what you thought had happened?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: I'm not sure what further  
14 steps I could have taken, as Ms. Lively herself  
15 spoke to Jamey, and she was -- and they were the two  
16 people involved.

17 BY MR. GOTTLIEB:

18 Q You later came to learn that Mr. Heath  
19 had a different view of what happened in the trailer  
20 with Ms. Lively, right?

21 A Slightly different at the time.

22 Q And so did you take any steps to try to  
23 ascertain whose version of events was correct or  
24 accurate?

25 A No. Because at the time, the stories

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1 seemed to be pretty similar and there was no --  
2 there was no reason to. It was worked out.

3 Q Eventually, you believed Mr. Heath's  
4 version of what happened in the trailer?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: Again, at that time, which  
7 was 2023, the versions were very close. They seemed  
8 to be very different now.

9 BY MR. GOTTLIEB:

10 Q Earlier, we talked a little bit about the  
11 January 4th meeting in Ms. Lively's apartment.

12 Do you recall that?

13 A Yes.

14 Q You said -- well, withdrawn.

15 You attended that meeting?

16 A I did.

17 Q It was memorable?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: That's one way to put it.

20 BY MR. GOTTLIEB:

21 Q Would you characterize it as traumatic?

22 A I, for me, would. I'm not sure if anyone  
23 else would.

24 Q I'm only asking about you, sir.

25 MS. SHAPIRO: Objection.

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1                   THE WITNESS: Yeah.

2 BY MR. GOTTLIEB:

3                   Q During that meeting, did Ms. Lively read  
4 a list from her phone?

5                   A She did.

6                   Q Do you have a distinct memory of her  
7 reading a list of incidents or items from her phone  
8 to the group during that meeting?

9                   A I do.

10                  Q Okay.

11                  MR. GOTTLIEB: I'm going to mark the next  
12 exhibit, Exhibit 33. Mr. Baldoni, you've been  
13 handed what's been marked as Exhibit 33. This is a  
14 document bearing the Bates Nos. BL 38461 through  
15 BL 38462.

16                  (Exhibit 33 marked for identification.)

17 BY MR. GOTTLIEB:

18                  Q Have you had a chance to review this  
19 exhibit, Exhibit 33?

20                  A I have.

21                  Q Do you know one way or the other as you  
22 sit here today, whether this is the list that  
23 Ms. Lively read from her phone during that meeting  
24 on January 4th?

25                  A This was not the list that Ms. Lively

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1 read from her phone.

2 Q How do you know that this is not the list  
3 that Ms. Lively read from, from her phone, in that  
4 meeting on January 4th, 2024?

5 A For one, she never used the wording "no  
6 more." So that's how I know, first off.

7 Q Okay. And you know that based on your  
8 specific recollection of how she spoke to you during  
9 that meeting?

10 A I know that because I was present and in  
11 shock of what I was hearing, and paid very close  
12 attention to the words, and "no more" was never  
13 used. It also says an updated list, so I'm not sure  
14 when it was updated.

15 Q Okay. Well, apart from your  
16 identification of "no more," do you have any other  
17 reason to believe that this list is not what  
18 Ms. Lively read from during the meeting on  
19 January 4th, 2024?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: I think that's a big one.  
22 I mean, the fact that she never said "no more" shows  
23 it's not the same list.

24 BY MR. GOTTLIEB:

25 Q I'm asking if there's any other reason?

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1           A     Yes, there are certain -- I would say  
2 there's quite a few things in here that were not  
3 read or discussed that day.

4           Q     Do you recall Ms. Lively saying during  
5 the meeting that this was the worst experience of  
6 her life?

7           A     I do.

8           Q     Do you recall her saying during the  
9 meeting that others had witnessed this behavior?

10           MS. SHAPIRO: Objection.

11           THE WITNESS: I don't remember those  
12 exact words, no.

13 BY MR. GOTTLIEB:

14           Q     Do you recall the words "creepy" or  
15 "abuse" being used in reference to your behavior?

16           A     I definitely don't remember the word  
17 "abuse." I think I remember the word "creepy."

18           Q     Do you recall feeling embarrassed while  
19 Ms. Lively was reading out these items?

20           A     I think that could be accurate for one of  
21 the things I was feeling, yeah.

22           Q     I want to mark another exhibit. Before I  
23 go on, Mr. Baldoni, I can't remember if  
24 Ange Giannetti is one of the people whose  
25 depositions you listened to.

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1                   THE WITNESS: Yes, completely.

2 BY MR. GOTTLIEB:

3                   Q You see here "the word creepy and abused  
4 were used in reference to me and my behavior"?

5                   A I do see that, yes.

6                   Q And you see a little bit later, you say  
7 that you were:

8                   (As read) :

9                   "Unable to respond. Mr. Heath did a  
10                   beautiful job apologizing. You were  
11                   embarrassed that you were unable to  
12                   formulate the correct words to  
13                   apologize and honestly feel like a bad  
14                   person."

15                   Do you see that?

16                   A I would beat myself up a lot, clearly.

17                   Q You said:

18                   (As read) :

19                   "It's hard to feel so much of what they  
20                   believe about me is false because they  
21                   are so convinced that it's real."

22                   Do you see that?

23                   A I do.

24                   Q Did it occur to you that they might be  
25                   right?

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1           A     Yes. Along with her husband and her best  
2 friend.

3           Q     And the kind of person who could help get  
4 the message, the important message, of your movie  
5 out, right?

6           MS. SHAPIRO: Objection.

7           THE WITNESS: Yes. I hoped that that  
8 would be a big part of it.

9 BY MR. GOTTLIEB:

10          Q     So would you have disagreed in December  
11 of 2022 if somebody had said to you, Ms. Lively has  
12 got a terrible well-known reputation in the  
13 industry; nobody likes her?

14          MS. SHAPIRO: Objection.

15          THE WITNESS: Nobody told me that.

16 BY MR. GOTTLIEB:

17          Q     If Katie Case or Breanna Koslow had told  
18 you that in December of 2022, would you have found  
19 that very surprising?

20          MS. SHAPIRO: Objection.

21          THE WITNESS: I don't think I can  
22 speculate on that.

23 BY MR. GOTTLIEB:

24          Q     Okay. On the previous page 18853, at  
25 11:01 a.m., you say of Ms. Lively:

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1 (As read) :

2 "She had the nuclear bomb. If she  
3 doesn't promote the movie, she can leak  
4 that I'm a bad person or that she felt  
5 unsafe with me and all the stuff she  
6 has on me. Then she's the victim.  
7 It's the Taylor Swift playbook. So she  
8 can ask for whatever she wants because  
9 she knows I know."

10 Do you see that?

11 A I do.

12 Q Did you mean that?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: What part of it?

15 BY MR. GOTTLIEB:

16 Q All of it.

17 A I don't know.

18 Q You had agreed to the conditions that  
19 Ms. Lively asked for to return to set, right?

20 A Yes.

21 Q And upon the return to production, so far  
22 as production on the set went, things went pretty  
23 well, right?24 A According to your own complaint, it  
25 went -- everything went great.

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1 refer to her -- Ms. Lively leaking, "I'm a bad  
2 person or that she felt unsafe with me"?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: I think when you are  
5 somebody small in the industry like myself, and  
6 you're dealing with a titan like Ms. Lively and some  
7 of the most powerful people in the world, which are  
8 her best friends, and you're in the situation that I  
9 was in, I think it's very reasonable, especially at  
10 this point, to be concerned about what's possible  
11 and what's not. I -- I was spinning at this point.

12 BY MR. GOTTLIEB:

13 Q Is there anything else you can think of  
14 other than the material contained within the  
15 17-point list or the list that Ms. Lively read from  
16 on January 4th, 2024, that as you sit here today,  
17 you might have been referring to when you referred  
18 to a nuclear bomb that could be leaked?

19 MS. SHAPIRO: Objection.

20 THE WITNESS: Nothing about the 17-point  
21 list. But I assure you that that list that was read  
22 to me contained complete fabrications of the truth.  
23 So I very well could have -- could have had that be  
24 a part of what I felt scared of, lies. But I didn't  
25 know. I didn't know anything. I knew that at this

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1 point, my gut feeling was that she was going to take  
2 over the film.

3 BY MR. GOTTLIEB:

4 Q Lies. When you say "lies," you mean,  
5 lies insinuating that you had made Ms. Lively feel  
6 unsafe?

7 A No. That's not what I mean.

8 Q Lies insinuating that you had sexually  
9 harassed Ms. Lively?

10 MS. SHAPIRO: Objection.

11 THE WITNESS: No. I'm speaking about  
12 lies in general.

13 BY MR. GOTTLIEB:

14 Q You're the co-head of Wayfarer Studios;  
15 are you not?

16 A I am the co-chairman.

17 Q The co-chairman of Wayfarer Studios. But  
18 the executives answer to you and Mr. Sarowitz?

19 MS. SHAPIRO: Objection. Objection.

20 THE WITNESS: The executives answer to  
21 our CEO, and our CEO reports to me and Sarowitz.

22 BY MR. GOTTLIEB:

23 Q And you testified earlier that you could  
24 fire the CEO if you wanted to?

25 A I imagine I could do -- yeah, I imagine I

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1 could.

2 Q And it's Mr. Sarowitz's money that  
3 financed this particular project; is that right?

4 A Co-financed.

5 Q Co-financed?

6 A Yes.

7 Q If you had wanted to, you could have just  
8 decided not to go forward with the movie, right?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: At what point?

11 BY MR. GOTTLIEB:

12 Q At any point.

13 A Not necessarily.

14 Q As of February 23, 2024, could you have  
15 pulled the plug on the movie?

16 A I don't believe so.

17 Q Even -- you don't believe you could have  
18 done so without inviting litigation; is that what  
19 you're saying?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: I believe this was the  
22 biggest project that we'd ever invested in, ever  
23 had, and we had a tremendous amount of money  
24 invested in it, and so did Sony who were our  
25 partners, so we had an obligation, a fiduciary

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1 obligation to Sony, and to Steve's family to not  
2 pull out of the film.

3 BY MR. GOTTLIEB:

4 Q To not lose that money?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: It wasn't just about money.  
7 It was one of the major factors, yes.

8 BY MR. GOTTLIEB:

9 Q Okay. But nonetheless, you're the  
10 co-founder of the studio, right?

11 A Yes.

12 Q You're the director of the film, right?

13 A Yes.

14 Q You are the co-lead actor, right?

15 A Yes.

16 Q You are an executive producer, right?

17 A At that time, I was.

18 Q That is a lot of accumulated power on one  
19 movie; is it not?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: It is, and also I don't  
22 think it's unusual.

23 BY MR. GOTTLIEB:

24 Q Is that the typical arrangement that  
25 you're familiar with?

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1 to Mr. Heath for what you were saying the night  
2 before, right? At 2:23 p.m. on the 27th, on  
3 page 33565?

4 A Yeah. I believe we could sum it up that  
5 way.

6 Q And what you say is, you've just come out  
7 of therapy, and you're purging shit out and  
8 exhausted. And then you say:

9 (As read):

10 "So much fear of Blake coming out and  
11 going public about how I'm a bad person  
12 and unsafe and not who I say I am."

13 Do you see that?

14 A I do.

15 Q And that's similar language to the fear  
16 that you describe to Mr. Van Winkle in the document  
17 we just looked at a few minutes ago from February,  
18 right?

19 MS. SHAPIRO: Objection.

20 THE WITNESS: I believe so.

21 BY MR. GOTTLIEB:

22 Q You were very concerned that Ms. Lively  
23 would go public with some of the materials or  
24 allegations that had been contained in the 17-point  
25 list and in the list you read on January 4th,

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1 right?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: Again, I disagree with  
4 anything to do with the 17-point list.

5 BY MR. GOTTLIEB:

6 Q But you think it might have referred to  
7 items that were in the January 4th list?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: I'm sure I had feelings  
10 about the lies that I felt were in the January 4th  
11 meeting, but I think it's a very reasonable feeling  
12 that I'm expressing here.

13 BY MR. GOTTLIEB:

14 Q Mr. Baldoni, was the thought of someone  
15 saying publicly that you were not who you say you  
16 are, one of your biggest fears?

17 A I think based on where I was emotionally  
18 in my healing journey therapy at the time in going  
19 through this film, I would imagine that was a fear,  
20 yes.

21 Q And that's what you're referencing here  
22 to Mr. Heath, isn't it, with your reference to the  
23 little boy that you're so intertwined with?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: I'm just out of therapy and

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1 clearly not very sober in terms of my emotional  
2 state. So I was extremely sensitive and vulnerable  
3 and clearly in a very dark place at that moment.

4 BY MR. GOTTLIEB:

5 Q I understand, and I'm sorry to press on  
6 it, but you're saying to Mr. Heath, I think,  
7 particularly in this carryover message at 2:33 p.m.  
8 on 27th, that your personality is being overrun by  
9 this little boy who feels scared and threatened; is  
10 that what you're conveying to Mr. Heath in this  
11 message?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: No.

14 BY MR. GOTTLIEB:

15 Q That's not what you meant by:  
16 (As read):  
17 "He's been running the show when he  
18 feels scared and threatened and that's  
19 who you get so frustrated with"?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: What I meant by that is, in  
22 moments of intense emotion, in moments where I'm  
23 short or can get angry very quickly, in those  
24 moments, I believe that is the little boy in me that  
25 doesn't feel safe. And it's in those moments, like

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1           A     No.

2           Q     Did Mr. Heath?

3           A     No.

4           Q     Did anyone else?

5           A     I don't know.

6           Q     Did you want Ms. Lively to perform the  
7     birth scene without most of her clothes on?

8           A     No.

9           Q     Did you ever tell Ms. Lively that your  
10    wife had ripped her clothes off during childbirth?

11           MS. SHAPIRO: Objection.

12           THE WITNESS: I do not recall a  
13    conversation where I said she ripped her clothes off  
14    during childbirth.

15    BY MR. GOTTLIEB:

16           Q     Do you recall ever sharing any  
17    information with Ms. Lively in speaking about the  
18    birth scene in the movie, where you recounted  
19    information about your wife giving birth, to  
20    Ms. Lively?

21           MS. SHAPIRO: Objection.

22           THE WITNESS: I remember numerous  
23    conversations where Ms. Lively and I were talking  
24    about our -- and I don't mean my birth, but our,  
25    like, collective births, where she shared personal

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1 information and then I shared personal information  
2 about my wife.

3 BY MR. GOTTLIEB:

4 Q And as you sit here today, you can't  
5 recall any conversation in which the topic included  
6 the amount of clothing or the type of clothing that  
7 Ms. Lively's character ought to wear during the  
8 birthing scene?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: I don't remember anything  
11 specific about clothing. That was definitely not  
12 the -- what we were talking about in terms of all  
13 the conversation around the -- our births.

14 BY MR. GOTTLIEB:

15 Q Did you ever ask Mr. Heath to share any  
16 portion of a video of his wife giving birth with  
17 Ms. Lively?

18 A I did.

19 Q Did you specify when you asked Mr. Heath  
20 to share that video with Ms. Lively what he should  
21 share from it or how much he should share from it?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: The only video I'm aware of  
24 is after his -- after the birth of his child. So I  
25 believe there's only one that I asked him to share.

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1 with me. I had no idea.

2 BY MR. GOTTLIEB:

3 Q Did you ask her why?

4 MS. SHAPIRO: Objection.

5 THE WITNESS: I think it was very clear  
6 that when a person publicly unfollows you, and also  
7 through channels tells you they don't want you at  
8 the premiere or they won't attend, I think I took  
9 the hint that I shouldn't reach out to anybody and  
10 ask.

11 BY MR. GOTTLIEB:

12 Q But you didn't reach out and ask, right?

13 A I did not believe that anything that I  
14 had to say could compete with any influence that  
15 Ms. Lively had.

16 Q Even though in your view, all of this was  
17 based on lies?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: When you're dealing with,  
20 arguably, the most powerful couple in Hollywood with  
21 the most powerful friends in the world, mixed with  
22 someone who's extremely charming and personable and  
23 has so much to offer someone as young as her, by  
24 that point, there was nothing I believe I could have  
25 said to her that would -- that could affect any

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1 BY MR. GOTTLIEB:

2 Q Do you think your conduct on the set of  
3 It Ends with Us had anything to do with the  
4 decisions made by cast members, other than  
5 Ms. Lively, to not want to follow you and not appear  
6 alongside you at the premiere?

7 MS. SHAPIRO: Objection.

8 THE WITNESS: I am unsure if --

9 MR. GOTTLIEB: Can you repeat the  
10 question? This is not working for me.

11 THE STENOGRAPHIC REPORTER:

12 (Record read as follows):

13 "Do you think your conduct on the set  
14 of It Ends With Us had anything to do  
15 with the decisions made by cast  
16 members, other than Ms. Lively, not  
17 wanting to follow you and not appearing  
18 alongside you at the premiere?"

19 THE WITNESS: I can't speculate and  
20 answer that question.

21 BY MR. GOTTLIEB:

22 Q You don't know what their motivations  
23 were?

24 A I think it's impossible to know what  
25 anybody's motivation is.

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1 Q And you didn't ask what their motivations  
2 were?

3 A I did not ask what anyone's motivations  
4 were.

5 Q And notwithstanding that you were very  
6 concerned and very afraid, you did not initiate an  
7 investigation at this point in time to clear your  
8 name?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: I did not initiate an  
11 investigation at that time.

12 BY MR. GOTTLIEB:

13 Q Instead, you retained The Agency Group,  
14 right?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: I would not classify it as  
17 that.

18 BY MR. GOTTLIEB:

19 Q And you commissioned the scenario  
20 planning document to get ahead of what you thought  
21 might be coming?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: I just want to go back. I  
24 did not use the word instead of investigating. I  
25 just want to say that's not it. I disagree.

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1       in their circle, Hugh Jackman, Shawn Levy,  
2       Taylor Swift.

3               By that point, as I testified earlier, I  
4       was essentially forced, or threatened, to step down  
5       off my film. I wasn't able to finish my own film  
6       even considering it tested higher. Somehow the  
7       actress of my movie who was not a producer was able  
8       to take complete control of the film.

9               By this point, Ms. Lively had requested  
10      that my name be removed. So I had my "a film by  
11      credit" removed. I was removed from the majority of  
12      marketing materials, from the poster. I was being  
13      removed, for the most, from the trailer. I know  
14      that she had been working with Taylor Swift to make  
15      sure that she got the song that she wanted in the  
16      film. And I had assumed that that was not a battle  
17      or a fight that I could ever win.

18               All of the cast had unfollowed me. Which  
19      is a very public thing to do right before a movie  
20      comes out, all in unison. And at that time, I was  
21      being threatened via my agency that if I didn't  
22      release a statement, then -- then the gloves would  
23      come off.

24               Now, I don't know the exact sequence of  
25      the time in which I sent that text. But I will tell

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1 A Like every other production, correct.

2 Q Did you want reporters to know that?

3 A I was not hiding that.

4 Q Is being called a scab a positive or a  
5 negative implication in your view?

6 A I'm not sure I can answer that.

7 Q But you wanted reporters to go in that  
8 direction, right?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: What I believe I was doing  
11 was passing on a message from my partner, Steve, who  
12 relayed to me after reading a story that appeared to  
13 be in response from something Ms. Lively said on her  
14 own. She was not even asked about whether or not  
15 her husband wrote a scene. And then, because of  
16 that, received a lot of negative backlash, as did  
17 Mr. Reynolds, because why would Mr. Reynolds be a  
18 WGA writer writing a scene in someone's movie that  
19 he's not credited for. And so Steve, seeing  
20 Mr. Reynolds' apparent leak that the script was a  
21 disaster, which seemed like he was trying to save  
22 his own image in that moment, asked me to pass on to  
23 Melissa and Jen that an idea could be presented,  
24 which would be flipping this narrative that our  
25 movie was a disaster to begin with.

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1                   And this, again, was a purely defensive  
2 conversation. There was an offensive move done to  
3 say that our script was originally a disaster, and  
4 we were implying that this could happen. We did not  
5 say, go do it. I don't -- unless you have something  
6 where I did.

7 BY MR. GOTTLIEB:

8                   Q     Do you have -- you characterize these as  
9 offensive and defensive; yet, you have admitted that  
10 you have absolutely no idea whether Mr. Reynolds  
11 ever said that the movie was a disaster that he  
12 saved?

13                   MS. SHAPIRO: Objection.

14                   THE WITNESS: Untrue. I do know he said  
15 it.

16 BY MR. GOTTLIEB:

17                   Q     You know that he said that the movie was  
18 a disaster that he saved?

19                   A     Yes.

20                   Q     Okay. And you know that how?

21                   A     He said it at the January 4th meeting, in  
22 person, to my face.

23                   Q     And did he say that in public any time  
24 that you ever heard him say that?

25                   A     I found it odd that something he said to

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1 has invested, to my knowledge, over \$100 million and  
2 that's nowhere near the amount of profit we made on  
3 It Ends with Us. So I have not taken, nor will I  
4 take any share of that.

5 Q Is there documentation that memorializes  
6 what you just said to me?

7 A I don't believe so.

8 Q Is there documentation that would show  
9 the payments that you have received, if any, derived  
10 from the film It Ends with Us?

11 A Of course.

12 Q Have you produced those to us?

13 A My lawyers have everything that would  
14 need to be produced, so I would assume that if that  
15 was something that would need to be produced, that  
16 they would produce it.

17 Q Do you recall telling us in an  
18 interrogatory response that you first anticipated  
19 litigation about It Ends with Us in August of 2024?

20 A I don't remember, but I'm assuming that's  
21 correct.

22 Q Did you understand after that point in  
23 time that you were required to preserve all  
24 documents concerning the litigation that you  
25 anticipated?

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1           A     No.

2           Q     When did you understand that?

3           A     I believe this last week.

4           Q     This last week is the first time you  
5     understood that you were required to preserve  
6     documents in this case?

7           A     Yes, but I preserve them anyways.

8           Q     What steps did you take to preserve your  
9     documents, if any, in August of 2024?

10          A     By not deleting anything.

11          Q     Okay. So you didn't delete anything.

12          Did you have any understanding of the retention  
13     policies that existed on your email account?

14          A     Can you be more specific?

15          Q     Do you have any knowledge as you sit here  
16     today one way or the other, whether the email  
17     accounts that you use have retention policies on  
18     them?

19           MS. SHAPIRO: Objection.

20           THE WITNESS: Retention, meaning like  
21     they stay or they don't stay?

22     BY MR. GOTTLIEB:

23          Q     They stay or they get deleted after a  
24     period of time.

25          A     I always have on all my e-mails that they