

**October 08, 2025**

CONFIDENTIAL

Page 1

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
---000---

BLAKE LIVELY,  
Plaintiff,  
vs. CASE NO. 24-CV-10049-LJL (LEAD CASE)  
25-CV-449 (LJL) (MEMBER CASE)

WAYFARER STUDIOS LLC, ET AL.

## Defendants.

JENNIFER ABEL,  
Third-party Plaintiff,

JONESWORKS, LLC,  
Third-party Defendant.

WAYFARER STUDIOS LLC, et al.

**Consolidated Plaintiffs,**

vs.

BLAKE LIVELY, et al.

## Consolidated Defendants.

\*\*CONFIDENTIAL\*\*

VIDEO-RECORDED DEPOSITION OF JAMEY HEATH  
Los Angeles, California  
Wednesday, October 8, 2025

Stenographically Reported by: Ashley Soevyn,  
CALIFORNIA CSR No. 12019

CONFIDENTIAL

Page 18

1 A Jamey Heath -- or my legal name?

2 Q Yes.

3 A James Heath.

4 Q Have you ever been known by any other  
5 name?

6                   A        I have, Jamey, my whole life. Also,  
7 professionally, for many years, I went by Jamey Jaz,  
8 J-A-Z.

9 Q And you spell Jamey, J-A-M-E-Y; is that  
10 right?

11 A Correct.

The figure consists of 15 horizontal bars of varying lengths, rendered in black on a white background. The bars are arranged in a grid-like pattern. Some bars have vertical dashed lines to their left, indicating a specific position or category. The lengths of the bars range from approximately 10 pixels to 800 pixels. The bars are positioned in a grid-like pattern, with some bars having vertical dashed lines to their left.

24 Q Have you been deposed on any other  
25 occasions?

CONFIDENTIAL

Page 19

1 A I have not.

2 Q But you've sat in on quite a few  
3 depositions; is that right?

4 A I have.

5 Q Are there any depositions that have been  
6 taken in this case that you did not sit in on?

7 A Yes. Several.

8 Q Do you recall which ones you did sit in  
9 on?

10 A I can do my best.

11 Q That's all I can ask.

12 A Ms. Lively, Jennifer Abel. And when I  
13 say "the others," I was not present for all of them,  
14 for the duration.

15 Q You were -- you were present for the full  
16 duration of Ms. Lively's?

17 A I was. Jennifer Abel, in and out, one of  
18 the days. Melissa Nathan, in and out. I barely saw  
19 much of hers. Of course, Justin Baldoni's.

20 Q And you -- you were present for all of  
21 Justin Baldoni's deposition, correct?

22 A Correct.

23 Present for Steve Sarowitz for the first  
24 two hours, and then I was not here. Portions of  
25 Isabela Ferrer. Most of -- well, not true, probably

CONFIDENTIAL

Page 20

1       about half of Jenny Slate's. A quarter or so of  
2       Colleen Hoover. I was present for Ange Giannetti.

3           Q       For the entire deposition?

4           A       Correct. Some of -- no, was I in person?  
5       I was in person for Danny Greenberg.

6           Q       So you -- you participated in the -- you  
7       were present for the entire deposition for that one?

8           A       Correct. You might have to help me  
9       because there's a lot of people --

10          Q       Warren Zavala?

11          A       Warren, I did not see.

12          Q       Josh Greenstein?

13          A       I did not see Warren. Josh, portions of  
14       it, small portions.

15          Q       Katie Case?

16          A       I think maybe 10 minutes of that.

17          Q       Breanna Koslow?

18          A       Probably the same, a few minutes.

19          Q       Okay.

20               So having participated in all or part of  
21       these many depositions, you have a pretty good  
22       understanding of what the rules of the road are for  
23       depositions, right?

24          A       I believe I do.

25          Q       I am not going to repeat those for you

CONFIDENTIAL

Page 21

1       here today. But I do want to ask you if you are  
2       taking any medication that will affect your  
3       testimony today?

4           A       I have not.

5           Q       Have you consumed alcohol in the last  
6       24 hours?

7           A       I've never had a drink of alcohol.

8           Q       You've never had alcohol?

9           A       In my life.

10          Q       Are you under the influence of any  
11       substance that would affect your testimony today?

12          A       Coffee.

13          Q       Do you think your coffee is going to  
14       affect your testimony?

15          A       No.

16          Q       Is there any reason that you can't give  
17       your best testimony here today?

18          A       There is not.

19          Q       When did you first meet Justin Baldoni?

20          A       Meet him? Maybe 20 years ago.

21          Q       And in what context did you meet him?

22          A       He was friends with mutual friends. I  
23       think he had just moved to Los Angeles or somewhere  
24       around that time and so we knew of each other. I  
25       actually knew of him before that as well because my

CONFIDENTIAL

Page 22

1 family knew his family. So I knew of him but hadn't  
2 met him.

3 Q When you say "your family knew his  
4 family," were you familiar with each other through  
5 your church?

6 A No. Which is not a church, by the way,  
7 But just for clarification. But no, my grandmother  
8 knew his mom.

9 Q Got it. And when you say "it's not a  
10 church," you mean, Baha'i, you don't refer to it as  
11 a church?

12 A Yeah. There is no clergy in the Baha'i  
13 faith.

14 Q I understand.

15 And at some point, you and Mr. Baldoni  
16 became close, correct?

17 A Yes.

18 Q When did that take place?

19 A Fifteen years ago about.

20 Q And what brought you from this  
21 relationship where you knew each other through this  
22 family relationship to becoming close friends?

23 A Justin was hosting in his home, what  
24 would you call it, a gathering of sorts of different  
25 artists, people connected to the entertainment

CONFIDENTIAL

Page 23

1 field. Not only the entertainment, but primarily  
2 who were talking about elevated concepts, like how  
3 we can be better in the world. And to talk about  
4 spiritual concepts no matter where you were from.  
5 What your spiritual background didn't matter, that  
6 wasn't the point. It was more just to find out what  
7 we all agree upon, and how do we unify in that.  
8 He -- I saw him somewhere. He invited me to it.

9 Q And you said that was about 15 years ago?

10 A Correct.

11 Q And then, how did you become friends more  
12 closely from that experience?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: Through that experience, we  
15 started spending more time. I admired him for his  
16 unique ability to inspire others to care about  
17 things they may have not thought about they cared  
18 about. And he's 15 years younger than I am, about  
19 14. And I was impressed with his ability to inspire  
20 all age groups.

21 BY MS. HUDSON:

22 Q And so over the course of time, he became  
23 not just a close friend but your best friend, right?

24 A One of my best friends for sure.

25 Q You often describe him as your best

CONFIDENTIAL

Page 30

1 caliber because you had kids in an apartment on a  
2 computer doing something. Didn't maybe have the  
3 same integrity. And because of that, the landscape  
4 changed. And then as many -- as for many things,  
5 you pivot.

6 Q And you pivoted to Wayfarer?

7 A I did.

8 Q How did you -- well, when did you first  
9 become employed by Wayfarer?

10 A About five years ago.

11 Q And how did you come to be employed  
12 there? I realized it's founded by your best friend,  
13 but how did you become an employee at your best  
14 friend's company?

15 A As I said, Justin and I have been friends  
16 and we worked together a lot before I was at  
17 Entertainment. I'm at Wayfarer Studios. He had  
18 Wayfarer Entertainment, and I worked a lot on a lot  
19 of the projects that he did.

20 Q What kind of work?

21 A Did music, scored, and -- and adjacently,  
22 consulted with him on things that he was doing.

23 He then was, about five years ago, was  
24 working through something. He asked for my  
25 consultation, among some others. The next day he

CONFIDENTIAL

Page 31

1       called and said, I need you to be a part of my  
2       company. And I said -- my words were, "fuck off, no  
3       thanks," jokingly, Ms. Esra, just so we're clear.  
4       Meaning, like, I'm not interested in tending to your  
5       garden. I've got my own garden.

6                   So at first I was like, yeah. And I  
7       asked, "doing what?" He's like, your whole life has  
8       been in the entertainment world. You know what we  
9       do. We work together. The way that you lead and  
10       operate and your understanding of things is -- I  
11       feel is what we need in our company. So...

12       Q       And what position did he offer you?

13       A       There was no particular position. This  
14       was the -- he says, I just need you in it. I agreed  
15       that I would, at some point, kind of take a look  
16       inside.

17       Q       Within --

18       A       Again, this was at a time when I was  
19       full-time spending on music and my own production  
20       company, and I was at a crossroad.

21       Q       So you were looking for something new,  
22       and he was offering something new?

23       A       Kind of lined up.

24       Q       This was in 2020?

25       A       Yes.

CONFIDENTIAL

Page 32

1 Q And when was Wayfarer founded to your  
2 understanding?

3 A Wayfarer Studios?

4 Q Yes.

5 A 2019.

6 Q And if I use the term "Wayfarer," I'm  
7 referring to Wayfarer Studios LLC, unless I say  
8 otherwise, okay?

9 A You got it.

10 Q So it was a fairly new company?

11 A Yes.

12 Q Were there any employees when you joined?

13 A Yes.

14 Q How many?

15 A One, two, three, four, five, six,  
16 seven -- around 10 maybe, somewhere in that realm.

17 Q So when you were hired, what position  
18 were you hired into?

19 A As I stated, there wasn't a particular  
20 position. In the creative world, it's just more  
21 come and bring your creativity, your observation,  
22 your consultation, and -- and kind of like see where  
23 that -- what that might look like.

24 Q Well, at some point, you became  
25 president, though, right?

CONFIDENTIAL

Page 33

1 A There was a few titles before that, but  
2 yes.

3 Q What was the first title?

4 A Interim COO.

5 Q And how long did you hold that position?

6 A Three months.

7 Q And then what did you do after that?

8 A Title?

9 Q Yes.

10 A Co-COO.

11 Q Co-COO?

12 A Correct.

13 Q Who was the other COO?

14 A Manu.

15 THE STENOGRAPHIC REPORTER: Can I have a  
16 spelling, please?

17 THE WITNESS: M-A-N-U. And for some  
18 reason, his last name is escaping me. But I'm happy  
19 to give it to you when I recall it.

20 BY MS. HUDSON:

21 Q And how long were you then co-COO with  
22 Manu?

23 A Another three months.

24 Q What was your next position?

25 A President.

CONFIDENTIAL

Page 34

1 Q How long did you hold that position?

2 A Until almost two years ago or -- or maybe  
3 a year and eight months or so when we brought on  
4 Tera Hanks. We gave her the title of president and  
5 I became COO -- CEO. So to be clear, the -- at all  
6 times, I was, with both titles, essentially, the  
7 head of the company in that regard. They are just  
8 titles. All of these titles are ridiculous to me  
9 anyways.

10 Q You see yourself as head of the company  
11 with respect to the day -- day-to-day operations?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: Day-to-day operations, we  
14 have an operations manager. So...

15 BY MS. HUDSON:

16 Q Well, what do you mean by "head of the  
17 company"?

18 A I just mean the top -- the -- the person  
19 that ultimately signs off on -- daily operations  
20 would be one of them. Our deals and most of our  
21 creative. Of course, not meaning to omit the  
22 chairman, but their job is different or their role  
23 is different.

24 Q And in the president role, what is  
25 distinct between the president and the CEO

CONFIDENTIAL

Page 37

1 Q I didn't hear human resources in there.

2 A Human resources, thank you.

3 Q So with respect to these positions, the  
4 VP of marketing and communications, that's  
5 Ashmi Dang?

6 A Correct.

7 Q The VP of operations is Mitz Toskovic?

8 A Correct.

9 Q And then, Brian Singer is the CFO?

10 A Correct.

11 Q And have these people, as I've described  
12 them, held these positions since at least 2023?

13 A Yes.

14 Q You mentioned Tera Hanks as the  
15 president. Andrew Calof, is he the president of  
16 production and development?

17 A Correct.

18 Q And he's also held that position since  
19 2023?

20 A Yes.

21 Q John Logan Pierson, is he the head of  
22 physical production?

23 A He is.

24 Q Okay. And has he held that position  
25 since at least 2023?

CONFIDENTIAL

Page 38

1 A Yes. He -- he -- yes, yes, he has.

2 Q And then for VP of creative, is that  
3 Angela Cardon?

4 A Yes.

5 Q Has she held that position since 2023?

6 A She has.

7 Q For -- with respect to HR, is Cynthia  
8 Barnes Slater your head of HR?

9 A She is.

10 Q You know she describes herself online as  
11 retired. Is that not accurate?

12 A She retired from -- she was a head of HR  
13 of -- I can't recall the company. It's like GMC or,  
14 you know, a big corporation. She retired from that.  
15 And then she does private working HR for smaller  
16 companies.

17 Q So in a consultant role, essentially?

18 A Yes.

19 Q And how long has she held that position?

20 A With Wayfarer?

21 Q Yes.

22 A As long as I've been there so...

23 Q Is she physically present in California?

24 A She is.

25 Q She doesn't live in Illinois?

CONFIDENTIAL

Page 39

1           A     No. Let me rephrase that. Not as far as  
2     I know. But yes, she lives in California, unless  
3     something's changed.

4           Q     And does Wayfarer have an office?

5           A     Yes.

6           Q     Does Ms. Barnes Slater work in Wayfarer's  
7     office?

8           A     Not regularly.

9           Q     Does she work from home?

10          A     Yes.

11          Q     Is there anyone in human resources other  
12     than Ms. Barnes Slater?

13          A     I know Mitz assists her in the operations  
14     level. Outside of that, no.

15          Q     Has Ms. Barnes Slater always worked at  
16     home?

17                    MS. SHAPIRO: Objection.

18                    THE WITNESS: Yes.

19                    BY MS. HUDSON:

20          Q     Does she ever come into the office?

21          A     Yes.

22          Q     How often?

23          A     She does not have a schedule, so I would  
24     not be able to put a number on it.

25          Q     Can you give me an estimate?

CONFIDENTIAL

Page 40

1 A It would be a guess. Once a month.

2 Q And who is Shekinah Reese?

3 A She's my assistant, previous assistant.

4 Q Okay. And AJ Marbory?

5 A She was Justin's assistant.

6 Q And how long was Ms. Reese your  
7 assistant?

8 A There's a block of time that's gone, so I  
9 don't want to waste time thinking about it. But a  
10 year and a half, maybe two years. Maybe '23, '24.

11 Q '23, '24? And who is your current  
12 assistant?

13 A I share now an assistant with Tera, who  
14 is -- sorry, Isabelle, and I can't recall her last  
15 name because it's a wonderful name that's hard to  
16 pronounce.

17 Q And Jarriesse Blackmon, was she your  
18 assistant at some point?

19 A No.

20 Q Was she someone else's assistant?

21 A Jarriesse is a male.

22 Q Oh.

23 A It's okay. And he works assisting  
24 Justin.

25 Q Okay. Now, during much of Mr. Baldoni's

CONFIDENTIAL

Page 44

1 A That would be Brian Singer.

2 Q Do you know how Wayfarer funds its  
3 operations at operating at a net loss of  
4 \$18 million?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: Yeah.

7 BY MS. HUDSON:

8 Q How does it do that?

9 A Steve's investments.

10 Q So when Wayfarer needs funding, it looks  
11 to Steve Sarowitz to provide cash?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: There has been a payment --  
14 a funding schedule that he had committed to. And  
15 based on that funding, that is what allows Wayfarer  
16 to operate.

17 BY MS. HUDSON:

18 Q Do you have a contract with Mr. Sarowitz  
19 to provide funding at a certain rate for the  
20 company?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: I don't know.

23 BY MS. HUDSON:

24 Q If Mr. Sarowitz decided not to continue  
25 to provide the funding, would Wayfarer be able to

CONFIDENTIAL

Page 49

1 based on those sales, doesn't come to fruition.  
2 Like a market so to speak, right, you -- you can  
3 estimate, but you don't control a market. So based  
4 on those.

5 Q Prior to joining Wayfarer as an employee,  
6 had you produced any films?

7 A As a on-the-ground producer, no.

8 Prior -- I'm sorry. You said prior to it?

9 Q Correct.

10 A No.

11 Q Had you been on a film set before?

12 A Many.

13 Q In what capacity?

14 A As I mentioned, I was a composer for  
15 projects throughout my life, so I would visit for  
16 those. Without giving you a whole back story, my  
17 family was also involved in the entertainment  
18 industry, so my childhood and life was only around  
19 entertainment, music side and film side. Movie sets  
20 and television sets were a normal part.

21 Q So you said that you had not been a  
22 producer on a film, though, before Wayfarer. And  
23 what was the term that you used?

24 A On-the-ground producer.

25 Q On-the-ground producer?

CONFIDENTIAL

Page 50

1 A Yeah, but that -- that was --

2 Q What does that mean to you? What's the  
3 difference between on-the-ground producer and  
4 whatever you did?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: Before It Ends with Us?

7 BY MS. HUDSON:

8 Q Prior to joining Wayfarer, you said you  
9 were not an on-the-ground producer. What did you  
10 mean by that?

11 A I misunderstood your question.

12 Q Okay.

13 A Because you asked me prior. I thought I  
14 heard you -- what I interpreted your question to be  
15 is at Wayfarer. There are other films in Wayfarer  
16 that I am -- have producer credit or executive  
17 producer credit, and I was just being clear about  
18 that. But prior to Wayfarer, correct.

19 Q So prior to Wayfarer, you were a producer  
20 in -- with respect to your music work; is that  
21 right?

22 A Correct.

23 Q So you had not been a film or TV producer  
24 prior to Wayfarer, correct?

25 A Correct.

CONFIDENTIAL

Page 54

1 different many shapes. It could be because you were  
2 involved in the -- just developing the project but  
3 not involved in producing. It could be because you  
4 brought some money to it. There are distributors  
5 that, if they distribute the movie, and they would  
6 like an EP credit. And then there are vanity  
7 credits. Those are pretty much the distinctions.

8 Q So you got a producer credit on  
9 It Ends with Us, correct?

10 A I did.

11 Q Why did you receive a producer credit on  
12 that film? Let -- let me ask you another question.

13 You -- you were provided a producer  
14 credit at the outset of that film, correct; it was  
15 not something that was provided at the end?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: Correct.

18 BY MS. HUDSON:

19 Q And what did you anticipate your role  
20 would be on that film for you to receive a producer  
21 credit from the outset?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: As I had mentioned,  
24 producers are in the sandbox doing the work,  
25 creatively, business wise, and that was my

CONFIDENTIAL

Page 57

1 THE WITNESS: No.

2 BY MS. HUDSON:

3 Q Did you see yourself as having any  
4 employees who reported to you as producer?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: Yeah.

7 BY MS. HUDSON:

8 Q Who reported to you?

9 A Different department heads would report  
10 to the producers, not necessarily Jamey. But using  
11 the term and title producer, department heads.

12 Q And do you agree that it's important for  
13 any film project to have a process in place for  
14 reporting concerns about the workplace?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: I do.

17 BY MS. HUDSON:

18 Q And that there be protocols in place to  
19 ensure a safe workplace?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: I do.

22 BY MS. HUDSON:

23 Q Do you think it's important for the cast  
24 and crew to be trained in the appropriate workplace  
25 behavior?

CONFIDENTIAL

Page 67

1 MS. SHAPIRO: Objection.

2 THE WITNESS: I do not.

3 BY MS. HUDSON:

4 Q How often do you record phone calls?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: In my entire life, I've  
7 recorded three maybe, maybe four in the same period  
8 of time.

9 BY MS. HUDSON:

10 Q In your entire life, you've recorded  
11 three or four phone calls?

12 A Correct.

13 Q And -- and in what -- when -- when were  
14 those phone calls recorded?

15 A Sometime at the -- I don't know the  
16 months, but in 2024 of -- I believe around August, I  
17 believe, maybe July, somewhere in there.

18 Q And were all of those phone calls that  
19 you recorded related in some way to It Ends with Us?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: In some way, yes.

22 BY MS. HUDSON:

23 Q Sunday we received a production of four  
24 call recordings under your Bates-label starting with  
25 Heath. Are those the calls that you recorded?

CONFIDENTIAL

Page 73

1 represent and speak on our behalf. And based on  
2 some previous conversations with her, I was losing  
3 confidence, and I knew this was a testy situation.  
4 And I wanted to document anything she might say to  
5 me.

6 BY MS. HUDSON:

7 Q Did you tell Ms. Jones that you were  
8 recording the call?

9 A I did not.

10 Q Why not?

11 A Simply because I wanted to have  
12 documented what she -- where she was or her state of  
13 mind was, and I didn't allow her to know.

14 Q You didn't want her to know?

15 A I didn't deliberately think I didn't want  
16 her to know. I just didn't announce it.

17 Q Were you planning to use it against her  
18 in someway?

19 A No.

20 Q And you said you couldn't remember if  
21 there was a third person listening in to the call?

22 A I just don't recall, but if there was,  
23 then I'm not saying there wasn't. I just don't  
24 recall it.

25 Q So you don't remember, for example, if at

CONFIDENTIAL

Page 82

1       would be the call that you're mentioning. You're  
2       now identifying the names. I'm just not sure if all  
3       of that is accurate.

4           Q       Are there any of those three that you  
5       recall with certainty were on that call?

6           MS. SHAPIRO: Objection.

7           THE WITNESS: I'm not certain -- I'm not  
8       certain who was on that marketing call.

9       BY MS. HUDSON:

10          Q       But if they're calling themselves -- if  
11       they're identifying themselves as Danni, Gloria, and  
12       Josh on the call --

13          A       Yeah. I would -- yeah, it would be that.

14          Q       Let me just finish my question.

15          A       Sure.

16          Q       If they're identifying themselves as  
17       Danni, Gloria, and Josh on the call, then it would  
18       be safe to say that those are the people that were  
19       on that call; is that right?

20          A       Yes.

21          MS. SHAPIRO: Objection.

22       BY MS. HUDSON:

23          Q       And where were you located when that call  
24       was recorded?

25          MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 83

1                   THE WITNESS: Do you mean state?

2                   BY MS. HUDSON:

3                   Q      City and state.

4                   A      Yeah. I believe I would have been in  
5                   Los Angeles.

6                   Q      And where in Los Angeles? In your office  
7                   or home?

8                   A      I don't remember.

9                   Q      Do you know where the participants -- the  
10                   other participants in the call were located?

11                  A      I don't. I don't know if they were  
12                  working remotely or out of their offices. I don't.

13                  Q      And is it your understanding that  
14                  Danni Maggin, Gloria Hann, and Josh Greenstein work  
15                  in Los Angeles also?

16                  MS. SHAPIRO: Objection.

17                  THE WITNESS: It is.

18                  BY MS. HUDSON:

19                  Q      And why did you record that call?

20                  A      We were at a point where we were  
21                  discussing and being told that we were not allowed  
22                  to either go to the premiere, or if there was, what  
23                  that would look like separately. We were trying to  
24                  navigate through all of that and all that led up to  
25                  that, and I did not know who to trust at this point.

CONFIDENTIAL

Page 84

1       And I was concerned.

2           Q     What was the point of recording the call?

3           A     So I could listen, reflect back to it  
4     possibly. A lot is said, and I wanted to have some  
5     sort of memory of it to document it.

6           Q     Did you tell any of the participants in  
7     the call that you were recording them?

8           A     I did not.

9           Q     And why not?

10          A     I didn't consciously think of why not. I  
11     just didn't.

12          Q     Well, if you were just using it as a  
13     record, couldn't you have said, I would like to  
14     record this call to keep a record?

15           MS. SHAPIRO: Objection.

16           THE WITNESS: I could have.

17          BY MS. HUDSON:

18          Q     Were you intending to use the call  
19     against the participants in some way?

20           MS. SHAPIRO: Objection.

21           THE WITNESS: No.

22          BY MS. HUDSON:

23          Q     Who, if anyone, did you share that call  
24     with?

25          A     Other than my lawyers, I don't believe

CONFIDENTIAL

Page 88

1       Whose phone would you have borrowed for the  
2       Stephanie Jones call?

3                   MS. SHAPIRO: Objection.

4                   THE WITNESS: I don't know. I'm just --  
5       I don't recall the actual mechanism of what I did at  
6       that moment, but I could have borrowed someone's  
7       phone so I can record it.

8       BY MS. HUDSON:

9                   Q       I believe you said you listened to part  
10      of the Stephanie Jones call. Did you do that after  
11      Ms. Lively filed her CRD complaint in California in  
12      December of 2024?

13                  A       I believe so.

14                  Q       And did you send the call to your lawyers  
15      before -- either this Jones call or any of the four  
16      calls to your lawyers before you sued Ms. Lively?

17                  MS. SHAPIRO: Objection.

18                  THE WITNESS: I don't recall the time.

19       BY MS. HUDSON:

20                  Q       Did you announce to any of the  
21      participants in the call with Patrick Whitesell that  
22      they were being recorded?

23                  A       I did not.

24                  Q       Why did you record that call?

25                  A       I was incredibly worried of what I was

CONFIDENTIAL

Page 92

1 A Correct.

2 Q And you said Jen Abel and Dan Greenberg  
3 reside in Los Angeles.

4 Do you have any reason to think they were  
5 anywhere other than Los Angeles for that call?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: No.

8 BY MS. HUDSON:

9 Q And with respect to the -- all of the  
10 calls other than the one with Stephanie Jones, did  
11 you -- did you -- what device did you use to record  
12 those?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: I was on the phone, so I  
15 may have used my computer or iPad, whatever --  
16 something of that nature that was there. I don't  
17 recall which.

18 BY MS. HUDSON:

19 Q So you believe you used some device other  
20 than your phone?

21 A Yeah. I was on my phone and I used, I  
22 believe, my computer maybe. But I don't know. I  
23 don't recall.

24 Q Okay. And did you -- did you tell any of  
25 the participants in that call that you were

CONFIDENTIAL

Page 93

1 recording them?

2 A I did not.

3 Q And Danny Greenberg is -- was Wayfarer's  
4 agent at the time?

5 A He's actually Justin's direct agent or  
6 was his agent.

7 Q So --

8 A He adjacently would help with Wayfarer  
9 and have calls, but he wasn't officially Wayfarer's  
10 agent.

11 Q So Danny Greenberg was Mr. Baldoni's  
12 agent, and Jen Abel was Wayfarer's publicist,  
13 correct?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: Correct. And she was --  
16 and she's also Justin's publicist, was acting as  
17 publicist on behalf of --

18 BY MS. HUDSON:

19 Q And why did you recall -- why did you  
20 record a call with them?

21 A Danny was calling to read to us a letter  
22 that we were told was written by Ryan Reynolds and  
23 Blake Lively. And they were going to articulate the  
24 call to me, so I recorded it so I could have the  
25 call the -- the letter documented.

CONFIDENTIAL

Page 100

1 just make sure this was, in fact --

2 BY MS. HUDSON:

3 Q My question is: Is this the employee  
4 handbook?

5 A It appears to be.

6 Q Okay. And you said previously that  
7 you've reviewed the employee handbook, correct?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: Yeah, I've reviewed this  
10 before.

11 BY MS. HUDSON:

12 Q Okay. Let's take a look at -- I'm going  
13 to direct your attention to the document  
14 Bates-stamped 4947 at the bottom.

15 A Okay.

16 Q And this is -- at the top, it says:

17 (As read):

18 "Equal Employment Opportunity  
19 Anti-Discrimination Anti-Harassment and  
20 Anti-Retaliation Policy."

21 Do you see that?

22 A I do.

23 Q And it begins by saying that:

24 (As read):

25 "Wayfarer Studios provides equal

CONFIDENTIAL

Page 101

1 employment opportunities to all  
2 employees."

3 Do you see that?

4 A I do.

5 Q And it also provides that:

6 (As read):

7                   "Wayfarer is committed to providing a  
8                   workplace that is free of  
9                   discrimination."

10 And then it provides a number of  
11 different categories that are protected from  
12 discrimination.

13 Do you see that?

14 A I do.

15 Q And those categories include sex.

16 Do you see that?

17 A I do.

## 18 Q And gender?

19 A Yes.

Q And also pregnancy and marital status?

21 A I do.

22 Q Okay. And you understand those are  
23 categories of characteristics that are protected  
24 under Wayfarer's policy?

25 A I see that.

CONFIDENTIAL

Page 102

1 Q And you understand that, also? That was  
2 my question to you.

3 A I you understand that as best as I can  
4 not being a lawyer or an HR expert.

5 Q Fair enough. And if you go down a little  
6 bit further on this page, there is an  
7 anti-harassment policy.

8 Do you see that?

9 A I do.

10 Q And this policy says that:

11 (As read):

12 "Sexual harassment and any form of  
13 harassment based on any protected  
14 category is prohibited."

15 Do you -- do you understand that?

16 A I do.

17 Q And you understand, also, that the policy  
18 applies to all individuals involved in the operation  
19 of the company?

20 A I do.

21 Q And anyone who comes in contact with the  
22 company?

23 MS. SHAPIRO: Objection.

24 BY MS. HUDSON:

25 Q You understand that as well?

CONFIDENTIAL

Page 103

1 A Do you have a particular line that I can  
2 read --

3 Q Sure?

4 A -- that can refresh my understanding of  
5 it?

6 Q Sure. The next line says that:

7 (As read):

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

13 And then it goes on to say that:

14 (As read):

15 "The policy also applies to vendors,  
16 customers, independent contractors,  
17 unpaid interns, volunteers, persons  
18 providing services pursuant to  
19 contract, and any other persons who  
20 employees may come in contact with"?

21 A I see that.

22 Q Okay. And you understood that as well?

23 A To the best of my ability, yes.

24 Q All right. If you could -- I will direct  
25 your attention to the next page that ends in 34948.

CONFIDENTIAL

Page 104

1 A Uh-huh.

2 Q The second paragraph discusses sexual  
3 harassment specifically.

4 Do you see that?

5 A I do.

6 Q And it says:

7 (As read):

8 "Sexual harassment is strictly  
9 prohibited."

10 Did you understand that to be Wayfarer's  
11 policy?

12 A Yes.

13 Q And did you also understand that under  
14 Wayfarer's policy, sexual harassment includes  
15 harassment that is not necessarily sexual in nature?

16 A It gives examples, offensive remarks  
17 about one's sex or gender.

18 Q Right. But you understood that sexual  
19 harassment doesn't necessarily have to be sexual in  
20 nature?

21 A I understand that as long as we continue  
22 the sentence, because where you're not pausing at a  
23 comma or a period, so I believe that the whole  
24 sentence needs to be included in order for me to  
25 respond.

CONFIDENTIAL

Page 105

1 Q So you believe that the part of the  
2 sentence that says "sexual harassment does not  
3 necessarily have to be sexual in nature" is not a  
4 standalone sentence that you --

5 A No, No --

6 Q Yeah.

7 A -- I'm not trying to argue that. I just  
8 don't want to make commen- -- give commentary on a  
9 portion rather than the whole thing. That's all.

10 Q Well, setting aside what -- do you -- do  
11 you understand generally that sexual harassment does  
12 not have to be sexual in nature?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: To the best of my  
15 understanding, I think that generalization is  
16 probably correct, but I am no expert in this.

17 BY MS. HUDSON:

18 Q Okay. And it includes, like you said,  
19 offensive remarks about one's sex or gender, right,  
20 according to this policy?

21 A It does.

22 Q And it also includes:

23 (As read):

24 "Verbal or physical conduct of a sexual  
25 nature when the submission of such

CONFIDENTIAL

Page 106

1 conduct is either implicitly or  
2 explicitly a term or condition of  
3 employment, or the conduct has the  
4 purpose or the effect of substantially  
5 or unreasonably interfering with an  
6 individual's work performance by  
7 creating an intimidating, hostile or  
8 offensive work environment."

9 Do you see that part?

10 A I see it.

11 Q And you understand that the behavior is  
12 not -- the conduct is prohibited even if it has the  
13 effect of substantially or unreasonably interfering  
14 with an individual's work performance?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: I see what it says there.

17 BY MS. HUDSON:

18 Q Okay. And I just want to make sure you  
19 understand, not just see, that conduct that has an  
20 effect is prohibited under your policy as well, not  
21 just conduct that has purpose?

22 MS. SHAPIRO: Objection.

23 | THE WITNESS: I see what it says there.

24 BY MS. HUDSON:

25 Q And you understand that?

CONFIDENTIAL

Page 107

1           A    I understand the general understanding of  
2    it, yes.

3           Q    And -- okay. You -- and what -- what is  
4    it that you understand that to mean?

5           A    I understand that -- yes, any sort -- any  
6    things in this nature are prohibited.

7           Q    And do you understand that it's  
8    prohibited even if it has the effect of causing  
9    these things? That creating an -- an -- interfering  
10   with an individual's work performance, creating an  
11   intimidating, hostile or offensive work environment,  
12   even if that's not the purpose of the conduct?

13           MS. SHAPIRO: Objection.

14           THE WITNESS: I understand what that  
15    states there, yes.

16    BY MS. HUDSON:

17           Q    And you -- okay. And then if you go on  
18    to the next paragraph --

19           A    Yes.

20           Q    -- it says that:

21                   (As read):

22                   "Sexual harassment may include a range  
23                   of subtle and not-so-subtle behaviors."

24                   Do you understand that?

25           A    I understand it.

CONFIDENTIAL

Page 108

1 Q And that these -- that the:  
2 (As read):  
3 "Depending on the circumstances, the  
4 behaviors can include sexual jokes and  
5 innuendo."  
6 Right?  
7 A I can see that there.  
8 Q You can see that and do you -- do you  
9 understand that? That sexual harassment can include  
10 sexual jokes and innuendo?  
11 A I understand that it's there, yes.  
12 Q Well, I under- -- I'm not asking you if  
13 you can read it. I'm asking if you understand it?  
14 A Sure. I understand that it's there. I  
15 do.  
16 Q I -- I'm not asking you if you understand  
17 it's there.  
18 MS. SHAPIRO: Objection.  
19 BY MS. HUDSON:  
20 Q I'm understanding [sic] --  
21 A I'm sorry.  
22 Q -- if you understand the language that's  
23 being used here?  
24 MS. SHAPIRO: Objection.  
25 THE WITNESS: My answer is, I understand

CONFIDENTIAL

Page 109

1       that it's there. That's all I can give you.

2       BY MS. HUDSON:

3           Q     That's all you can do? So you can't say  
4     whether you understand that sexual jokes and  
5     innuendo can be sexual harassment?

6           MS. SHAPIRO: Objection.

7       BY MS. HUDSON:

8           Q     According to your policy?

9           MS. SHAPIRO: Objection.

10           THE WITNESS: I understand that it says  
11     that there, yes.

12       BY MS. HUDSON:

13           Q     Do you understand what those words mean?

14           A     I do.

15           Q     Okay. And it also says that sexual  
16     harassment may include "verbal abuse of a sexual  
17     nature."

18           Do you understand that?

19           A     I do.

20           Q     And that it also may include "commentary  
21     about an individual's body or sexual prowess."

22           Do you understand that those things can  
23     also be sexual harassment?

24           MS. SHAPIRO: Objection.

25           THE WITNESS: I understand that that is

CONFIDENTIAL

Page 110

1       written here and says that. Yes, I do.

2       BY MS. HUDSON:

3           Q     And you understand that's Wayfarer's  
4       policy, that those things constitute sexual  
5       harassment?

6           MS. SHAPIRO: Objection.

7           THE WITNESS: No, I don't agree with --  
8       I'm not going to agree with the last statement, that  
9       those things constitute sexual harassment. I'm not  
10      an expert on this.

11       BY MS. HUDSON:

12       Q     Well, you agree that Wayfarer's policy  
13      says that those are among the range of behaviors  
14      that may -- may be sexually harassing?

15       A     Yeah. That's a different  
16      characterization. "May" versus "are" are very  
17      different for me. So that's a distinction that was  
18      important.

19       Q     And you understand, though, that things  
20      like commenting on an individual's body may be  
21      sexual harassment under your policy?

22       A     I'm going to -- I'm going to say that I  
23      understand what it says here and I can follow. Do I  
24      understand it to the level that my attorney or my HR  
25      person does, I don't.

CONFIDENTIAL

Page 111

1 Q Well, I didn't ask you that.

2 MS. SHAPIRO: Objection.

3 BY MS. HUDSON:

4 Q I'm just asking you for your  
5 understanding.

6 A I think I've testified to it.

7 Q Okay. Well, do you also understand that  
8 your policy provides that touching in certain  
9 circumstances may also constitute sexual harassment?

10 A "May," I think, again, this is -- I'm not  
11 trying to be combative with you. You are a lawyer  
12 and you are really brilliant, and I've seen your  
13 work. And I'm not. So I want to be careful that  
14 what I'm testifying to is accurate and not -- so I  
15 see that, but I also think the context when you say  
16 "touching," I think that depends on what kind of  
17 touching, certainly.

18 Q Well, this -- I'm not going to argue with  
19 you. I'm just trying to understand if you  
20 understand what Wayfarer's policy says?

21 A I understand what Wayfarer's policy says,  
22 yes.

23 Q And you understand that it identifies  
24 certain types of behavior that can be sexually  
25 harassing, right?

CONFIDENTIAL

Page 112

1 A I see that.

2 Q And the behaviors that I'm reading to you  
3 are the ones that are included in Wayfarer's policy.

4 Do you understand that?

5 A I see it. I see that.

6 Q You see it, but do you understand it?

7 A I understand that.

8 Q Okay. And it also includes:

9 (As read):

10 "Physical, verbal or visual conduct of  
11 a sexual nature."

12 That can include -- that can be sexually  
13 harassing as well under Wayfarer's policy, right?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: Sure.

16 BY MS. HUDSON:

17 Q Okay. And then I would like you to move  
18 down a little -- on the page a little bit to the  
19 section that focuses on supervisor and manager  
20 responsibilities.

21 Do you see that?

22 A I do. I see it.

23 Q It says:

24 (As read):

25 "If any supervisor or manager becomes

CONFIDENTIAL

Page 113

1                   aware of a violation of this policy,  
2                   they are obligated to report the  
3                   violation to human resources or  
4                   management so Wayfarer Studios can  
5                   investigate and, if appropriate, take  
6                   corrective action."

7                   Do you see that?

8                   A    I do.

9                   Q    And did you understand in your management  
10                  role, you had an obligation to report to human  
11                  resources any time you became aware of conduct that  
12                  fell within this policy?

13                  MS. SHAPIRO: Objection.

14                  THE WITNESS: If I became aware of  
15                  conduct that fell within this policy, I see that I  
16                  am obligated to report that.

17                  BY MS. HUDSON:

18                  Q    Okay.

19                  A    If I became aware of it.

20                  Q    And you understand that before this  
21                  moment?

22                  A    Yes.

23                  Q    Okay. And have you always understood  
24                  that's your obligation?

25                  MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 114

1                   THE WITNESS: Yes.

2                   BY MS. HUDSON:

3                   Q     Let's take a look at the next page ending  
4     in 3949.

5                   A     Okay.

6                   Q     There's a section on Investigation. Do  
7     you see that?

8                   A     I do.

9                   Q     And it says:

10                  (As read):

11                  "Any reported allegations of  
12                  harassment, discrimination or  
13                  retaliation will be promptly and  
14                  thoroughly investigated by qualified  
15                  personnel in an impartial manner.  
16                  Wayfarer Studios will ensure that these  
17                  personnel will use the evidence to  
18                  reach reasonable conclusions. The  
19                  investigation may include individual  
20                  interviews of parties involved, and  
21                  Wayfarer Studios will maintain  
22                  appropriate documentation and tracking  
23                  to ensure reasonable progress is made."

24                  Did you understand that that was  
25     Wayfarer's policies -- policy regarding

CONFIDENTIAL

Page 115

1       investigations?

2           A     I do.

3           Q     Okay. And it also says at the end:

4                   (As read) :

5                        "If misconduct is found, Wayfarer  
6                           Studios shall take prompt, corrective  
7                           action, as appropriate. Corrective  
8                           action might include termination from  
9                           employment."

10                  Did you understand that to be Wayfarer's  
11                   policy with respect to investigation?

12                  A     I do.

13                  Q     Okay. You understand it now, and you've  
14                   always understood that, right?

15                  MS. SHAPIRO: Objection.

16                  BY MS. HUDSON:

17                  Q     Is that right?

18                  A     Correct.

19                  Q     And you've actually been involved with  
20                   investigations of workplace matters in your role at  
21                   Wayfarer, correct?

22                  MS. SHAPIRO: Objection.

23                  THE WITNESS: I believe so.

24                  BY MS. HUDSON:

25                  Q     Yes. Wayfarer also has an

CONFIDENTIAL

Page 116

1 anti-retaliation policy, correct?

2 A It does.

3 Q And it says if there are:

4 (As read):

5 "Retaliation against an individual for  
6 reporting harassment or discrimination  
7 in good faith or for participating in  
8 an investigation of a claim of  
9 harassment or discrimination is a  
10 serious violation of the policy and can  
11 also subject one to disciplinary action  
12 including termination."

13 Right?

14 A Uh-huh.

15 Q Yes?

16 A Yes, I see that.

17 Q Okay. All right.

18 Did Wayfarer -- was there a separate  
19 human resources department on the movie  
20 It Ends with Us?

21 A A separate human resources?

22 Q Yes.

23 A No. Typically, movies don't have a  
24 separate human resources department.

25 Q That's your understanding?

CONFIDENTIAL

Page 118

1                   with Sony taking the lead on all  
2                   workplace hotline/email type things if  
3                   Sony is allowed to. He gets it all and  
4                   agrees. Andrea is also aware."

5                   Who is Alex Saks?

6                   A     She was our lead producer on  
7                   It Ends with Us.

8                   Q     Okay. And do you know what conversation  
9                   she's referencing here?

10                  A     I don't -- I don't know this  
11                  conversation, no. I mean --

12                  Q     Did you have a conversation with Ms. Saks  
13                  about Sony taking the lead on workplace hotlines and  
14                  emails for the production of It Ends with Us?

15                  A     We may have. I don't recall it.

16                  Q     You don't recall it?

17                  A     No.

18                  Q     Okay. And do you understand why Ms. Saks  
19                  thought it might be a good idea for Sony to take the  
20                  lead?

21                  MS. SHAPIRO: Objection.

22                  THE WITNESS: I don't remember this  
23                  conversation. This looks like this was in March.  
24                  So before production, so I think she's just -- as we  
25                  are setting up production on the ground, this looks

CONFIDENTIAL

Page 121

1 Q Okay. And you think it's reasonable for  
2 her to have made that suggestion?

3 A Sure.

4 Q And do you understand her concern about  
5 Justin -- making -- strike that.

6 Do you understand that she was making the  
7 suggestion that Sony handle the training and have a  
8 workplace email and hotline because of Justin's role  
9 at Wayfarer?

10 A Do I understand that that is what she was  
11 articulating?

12 Q Yes.

13 A I can see that's articulated here, yes.

14 Q And do you understand why Justin's role  
15 at Wayfarer would have an impact on her view?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: I can't speak to if it  
18 impacted her view or not other than she's making a  
19 suggestion, she's bringing it to be aware -- for us  
20 to be made aware of, and that's what I see.

21 BY MS. HUDSON:

22 Q So Mr. Baldoni on this production, he was  
23 the director, correct?

24 A He was.

25 Q He was the lead actor?

CONFIDENTIAL

Page 122

1 A He was.

2 Q He was the chair?

3 MS. SHAPIRO: Objection.

4 BY MS. HUDSON:

5 Q Correct? Of Wayfarer?

6 A He was.

7 Q He was also your best friend, right?

8 Correct?

9 A One of my dear, best friends, yes.

10 Q Yes. So you can -- do you think it's the  
11 case that Ms. Saks was suggesting this because  
12 Mr. Baldoni held a number of senior positions within  
13 this production and it may be difficult for Wayfarer  
14 to not be conflicted in its handling of HR matters?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: Okay. You just -- I'm so  
17 sorry. You just articulated a whole narrative that  
18 I don't read in here, so I don't -- I don't read  
19 that.

20 BY MS. HUDSON:

21 Q What do you read? What do you think  
22 she -- she means here?

23 A She's bringing up something for us to  
24 consider, Justin's role at Wayfarer.

25 Q Well, what do you think she means by

CONFIDENTIAL

Page 125

1                   THE VIDEOGRAPHER:  We're back on the  
2 record.  The time is 11:57 a.m.

3 BY MS. HUDSON:

4                   Q        Mr. Heath, you said that you had been  
5 involved in some employee investigations before,  
6 correct?

7                   MS. SHAPIRO:  Objection.

8                   THE WITNESS:  I said I believe I have.

9 BY MS. HUDSON:

10                  Q        And you were involved on investigations  
11 on the set that had to do with --

12                  A        Oh, on the set?

13                  Q        Let me finish my question.

14                  You were also -- you were involved  
15 specifically in investigations having to do with  
16 It Ends with Us, correct?

17                  A        There was one.

18                  Q        There was one.

19                  MS. HUDSON:  I'm going to hand you what  
20 we've marked as Exhibit 4.

21                  (Exhibit 4 marked for identification.)

22                  MS. CLIMACO:  Did you get one, Alexandra?

23 BY MS. HUDSON:

24                  Q        Exhibit 4 is a -- an email from --  
25 between Jamey Heath and several other participants,

CONFIDENTIAL

Page 126

1 dated April, 27, 2023, Bates-stamped HEATH\_48499.

2 At the bottom part of this email,

3 Mr. Heath, there's a discussion about a complaint by  
4 someone at Local 52.

5 Do you see that?

6 A I do.

7 Q Do you recognize this email?

8 A I don't recall the specific email, but I  
9 remember the -- the subject.

10 Q But you received this, correct, this  
11 email, and participated in this email chain?

12 A I did.

13 Q And it said that there was a call from  
14 someone at Local 52 that needs the HR department  
15 information immediately regarding a complaint,  
16 correct?

17 A Correct.

18 Q And then you respond, in response to a  
19 question, who handles HR at Wayfarer, you respond,  
20 correct?

21 A I see that.

22 Q And your response is:

23 (As read):

24 "We do have HR at Wayfarer. However,  
25 we may want to have an outside agency

CONFIDENTIAL

Page 127

1 for the show."

2 Why did you say that?

3                   A     I don't have a recollection of why I said  
4     this at that time.

5 Q Looking at this now, do you have any  
6 understanding of why you might want to have an  
7 outside agency for that show?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: I would only be guessing.

10 BY MS. HUDSON:

11 Q And what -- if you were guessing, what  
12 would you say?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: That I would only be  
15 quessing.

16 BY MS. HUDSON:

17 Q So you don't know why Ms. Saks suggested  
18 having an outside entity provide HR services, and  
19 you don't know why you suggested that either; is  
20 that right?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: At this time, there was a  
23 constant flow of suggestions, as we were still  
24 building the foundation for many things, so I don't  
25 know -- I don't know what my exact thought was at

CONFIDENTIAL

Page 128

1       this time other than responding to the email.

2       BY MS. HUDSON:

3           Q     And you didn't -- you didn't think that,  
4       like, Ms. Saks thought that the fact that Justin was  
5       having so many roles in leadership might create a  
6       problem for dealing with HR issues?

7           MS. SHAPIRO: Objection.

8           THE WITNESS: No, I did not think that.

9       BY MS. HUDSON:

10          Q     You didn't think that. And you have no  
11       idea why you might have suggested an outside agency;  
12       is that right?

13           MS. SHAPIRO: Objection.

14           THE WITNESS: This is over two years ago.  
15       I do not recall my feeling at the time.

16       BY MS. HUDSON:

17          Q     And you never did have any outside HR  
18       agency provide support for It Ends with Us, correct?

19          A     We did not have an HR representative  
20       specifically for the movie, as what was determined  
21       was specifically Indies and most other shows don't  
22       have an HR outside of the production company that  
23       provides it.

24          Q     Just to make sure I understand what  
25       you're saying here, you're referring to the bottom

CONFIDENTIAL

Page 129

1 of this email where Andrea Ajemian says:

2 (As read):

3 "Normally on Indies there are no HR  
4 departments, so who should I send?"

5 MS. SHAPIRO: Objection.

6 THE WITNESS: I see that she says that  
7 here. But I'm also saying that any movie that I've  
8 been involved in, and anyone that I know that -- any  
9 other producers have told me they've been involved  
10 in or our studio, there is not an HR presence.

11 BY MS. HUDSON:

12 Q There's no HR presence on movies?

13 A Outside of the production company.

14 Q So you -- when you say "outside the  
15 production company," you mean outside of Wayfarer?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: Outside of whatever  
18 production company or the studio that is running the  
19 movie.

20 BY MS. HUDSON:

21 Q So the studio that was running the movie  
22 here is Wayfarer, right?

23 A Correct.

24 Q Okay. And are you saying that it's your  
25 view that Wayfarer HR was responsible for this

CONFIDENTIAL

Page 130

1 production?

2 MS. SHAPIRO: Objection.

3 THE WITNESS: I'm not saying that. I'm  
4 saying that Wayfarer has HR, and movies don't  
5 typically have an HR person on set.

6 BY MS. HUDSON:

7 Q So what is your understanding of who was  
8 responsible for human resources matters for the  
9 movie It Ends with Us?

10 A My understanding is I deferred to Alex  
11 Saks, ultimately, and Jill Sacco, who was our  
12 production supervisor, as well as Andrea, who was  
13 our line producer, that if there was -- concerns  
14 would go to them if there were any brought up. They  
15 would then learn what the next step was should it  
16 need to go to another step. And in this case, they  
17 had asked for Wayfarer's HR or they wanted to know  
18 who, and that's -- we just followed what their  
19 suggestions were at that time.

20 Q So you deferred the notion of human  
21 resources issues to Alex Saks, Jill Sacco, and  
22 Andrea Ajemian?

23 A For the movie itself?

24 Q Uh-huh.

25 A They were ones that were more experienced

CONFIDENTIAL

Page 131

1 with how policies or -- or what the procedure would  
2 be -- excuse me -- not policies, but the procedure  
3 would be for anything as it pertains to the movie.

4 Q And were Alex Saks, Jill Sacco, or Andrea  
5 Ajemian employees of Wayfarer Studios?

6 A They were employees of It Ends With Us.

7 Q They were not Wayfarer employees, right?

8 A They were not.

9 Q But you were?

10 A Yes.

11 Q And was there any other information given  
12 to anybody who worked on It Ends with Us that if  
13 they had a human resources concern, they should go  
14 to Alex Saks, Jill Sacco or Andrea Ajemian?

15 MS. SHAPIRO: Objection.

16 THE WITNESS: From my understanding, the  
17 normal protocol that happens at all movies, happened  
18 on It Ends with Us.

19 MS. HUDSON: We'll move to strike as  
20 nonresponsive.

21 THE WITNESS: Okay.

22 BY MS. HUDSON:

23 Q Can you answer the question I asked?

24 A I'm happy to. I thought I did.

25 Q You did not.

CONFIDENTIAL

Page 132

1 MS. SHAPIRO: Objection.

2 THE WITNESS: Okay. Give it to me again.

3 BY MS. HUDSON:

4 Q My question was -- I'm going to read it  
5 exactly how I asked it.

6 A All right.

7 Q Was there any information given to  
8 anybody who worked on It Ends with Us that if they  
9 had a human resources concern, they should go to  
10 Alex Saks, Jill Sacco, or Andrea Ajemian?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: I don't know if there was a  
13 specific email that said that.

14 BY MS. HUDSON:

15 Q Or a -- not -- any information?

16 MS. SHAPIRO: Objection.

17 BY MS. HUDSON:

18 Q Verbal, email, text message?

19 A I don't know.

20 MS. SHAPIRO: Objection.

21 BY MS. HUDSON:

22 Q You've never seen anything like that,  
23 correct?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: I don't recall.

CONFIDENTIAL

Page 133

1 BY MS. HUDSON:

2 Q You can't recall ever seeing something  
3 like that, correct?

4 MS. SHAPIRO: Objection.

5 THE WITNESS: I don't have a memory of  
6 it.

7 BY MS. HUDSON:

8 Q As the CEO of Wayfarer, did you do  
9 anything to ensure that cast and crew on  
10 It Ends with Us knew who to raise concerns to if  
11 they had any?

12 A That would not fall under the job  
13 description of the CEO.

14 Q I thought you said it was the CEO's job  
15 to make sure that it was a safe workplace?

16 A Correct, for Wayfarer.

17 Q You didn't -- you didn't consider your  
18 job to make sure that the set was a safe workplace?

19 A No, that's not what I said.

20 Q Okay.

21 A Wayfarer Studios, in our operations, but  
22 It Ends with Us is its own small business. And the  
23 people that were running that business, essentially,  
24 me included for sure, were responsible for how the  
25 procedures went about on there. I deferred to those

CONFIDENTIAL

Page 134

1 who were used to running those small businesses on  
2 the ground.

3 Q Who ran It Ends with Us Movie LLC?

4 A That would have been a combination of  
5 Wayfarer and Sony.

6 Q Wayfarer and Sony?

7 A I believe so.

8 Q Sony had a leadership role in  
9 It Ends with Us LLC?

10 A Your question was who ran it. I believe  
11 the LLC was run -- and I could be wrong on this so I  
12 can confirm this -- but was the both parties in  
13 that.

14 Q Well, you're the CEO of Wayfarer?

15 A Correct.

16 Q Do you understand that It Ends with Us  
17 LLC is a wholly owned subsidiary of Wayfarer?

18 A It may be. I don't have specific memory  
19 of it at the moment.

20 Q So you don't know who owns  
21 It Ends with Us LLC -- It Ends with Us Movie LLC?

22 A I know that Wayfarer is party to it. I  
23 don't know if Sony is as well.

24 Q So you think Sony might have an ownership  
25 interest in It Ends With Us Movie LLC?

CONFIDENTIAL

Page 135

1 A They may. I don't know.

2 Q Okay. You remember when we looked at the  
3 employee handbook, it says that those policies apply  
4 to everyone who interacts with employees of  
5 Wayfarer, right?

6 A Understood.

7 MS. SHAPIRO: Objection.

8 BY MS. HUDSON:

9 Q Okay. So you understood the policies  
10 also applied to people on the set, right?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: Sure.

13 BY MS. HUDSON:

14 Q So going back to who ran the set -- or  
15 who ran It Ends with Us Movie LLC, you're saying  
16 you, as CEO of Wayfarer, you did not consider it  
17 your role as you might -- strike that.

18 I believe you said you had a leadership  
19 role with It Ends with Us LLC also?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: No. I mean, I have a  
22 leadership role in the movie --

23 BY MS. HUDSON:

24 Q In the movie?

25 A -- the actual production.

CONFIDENTIAL

Page 136

1 Q Okay. And would you -- you would  
2 consider yourself a supervisor or management for  
3 the -- for the purposes of the production --

4 MS. SHAPIRO: Objection.

5 BY MS. HUDSON:

6 Q -- correct?

7 MS. SHAPIRO: Objection.

8 THE WITNESS: For particular roles.

9 BY MS. HUDSON:

10 Q For particular roles. Which roles are  
11 that?

12 A Financial. Some creative. And assisting  
13 with department heads when they might need  
14 something.

15 Q And it sounds similar to your duties as  
16 CEO, except you left out making sure that there is a  
17 safe workplace. Is that not part of what your --  
18 you saw your role as a producer of It Ends with Us  
19 and the CEO of Wayfarer?

20 MS. SHAPIRO: Objection.

21 THE WITNESS: As a producer on the set,  
22 there were different hats that we all wore at  
23 different times. So sure. I'm making the  
24 distinction for CEO. Because practically speaking,  
25 I will just give you an example. Let's take a Tom

CONFIDENTIAL

Page 137

1 Rothman, who's the CEO of Sony, who's got 50 movies  
2 happening maybe at one time. Each movie has its own  
3 production and they are the ones implementing and  
4 determining who is running what. He's not  
5 necessarily aware of every production and who is  
6 doing what.

7 BY MS. HUDSON:

8 Q But Tom Rothman isn't a producer on all  
9 of those movies.

10 A Fair enough. That's why --

11 Q You were.

12 A -- I'm saying as a producer, but you're  
13 referring to me as a CEO so I'm just making a  
14 distinction between the CEO of Wayfarer and me as  
15 producer. That's all.

16 Q I think my question referred to you as  
17 the producer and the CEO of Wayfarer.

18 A Okay.

19 Q And in those capacities, you saw -- are  
20 you saying you did not see part of your job duties  
21 as ensuring the safe was set --

22 A Sure.

23 Q -- the set was safe?

24 A Sure.

25 MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 138

1                   THE WITNESS:  Absolutely.

2                   BY MS. HUDSON:

3                   Q        Okay.  All right.  But just to go back  
4                   to -- I want to make sure I understand.  It's your  
5                   understanding that Indie movies just have no HR; is  
6                   that right?

7                   MS. SHAPIRO:  Objection.

8                   THE WITNESS:  That they don't have HR  
9                   departments, that they don't have a representative  
10                   on set specifically that's HR.

11                   BY MS. HUDSON:

12                   Q        That they don't have any human resources  
13                   representatives?

14                   MS. SHAPIRO:  Objection.

15                   THE WITNESS:  That typically there are --  
16                   the understanding is that you would go to one of  
17                   your supervisors, production supervisor, or the line  
18                   producer, or the AD.  Also on call sheets, there are  
19                   numbers of hotlines, and also there are -- you have  
20                   your unions such as SAG and -- and so on.

21                   BY MS. HUDSON:

22                   Q        Do you know whether there was a hotline  
23                   provided to anybody who worked on It Ends with Us to  
24                   call regarding human resources matters?

25                   A        I believe there was a hotline on all the

CONFIDENTIAL

Page 139

1 call sheets that went out regarding if there was  
2 concerns of any matters that there was a line.

3 Q If there was a hotline, who answered  
4 that?

5 A I don't know.

6 Q You don't know who answered the hotline?

7 A I do not.

8 Q Did Wayfarer pay for someone to answer  
9 the hotline?

10 A Wayfarer didn't, but It Ends with Us  
11 would have.

12 Q It Ends with Us would have. Were you  
13 responsible at all for any of the financial  
14 management of It Ends with Us?

15 A On a top level.

16 Q At a top level. Okay. Do you have any  
17 recollection of ever authorizing or paying someone  
18 to man a hotline for the movie It Ends with Us?

19 A No, I would have not seen that  
20 specifically.

21 Q You would not. And sitting here today,  
22 you don't know if that had actually happened, right?

23 A No, I do know there was a hotline.

24 Q There was a hotline?

25 A There was.

CONFIDENTIAL

Page 140

1 Q So was there a contract with an outside  
2 agency to provide a hotline for It Ends with Us?

3 A I do not know.

4 Q You don't know?

5 A I was not in charge of that.

6 Q So we haven't seen any evidence of a  
7 hotline in this case. If you have a hotline, would  
8 you provide that to your lawyer so they can produce  
9 it to us?

10 MS. SHAPIRO: Objection.

11 THE WITNESS: There -- there was some  
12 number. I'm not sure if it's called a hotline. But  
13 there is some number that was afforded to people to  
14 call in case there was safety concerns.

15 BY MS. HUDSON:

16 Q Okay. Safety concerns or human resources  
17 concerns?

18 A I don't have the language in front of me.  
19 I don't know.

20 Q Okay. All right. And, again, do you  
21 recall ever seeing anything in which employees were  
22 told there is a human resources hotline that you can  
23 call if you have any concerns about the types of  
24 things we talked about earlier, harassment,  
25 discrimination or retaliation?

CONFIDENTIAL

Page 141

1 MS. SHAPIRO: Objection.

2 THE WITNESS: I don't know if there was  
3 that particular language or not.

4 BY MS. HUDSON:

5 Q You understand there might be a  
6 distinction between physical workplace safety and  
7 human resources --

8 MS. SHAPIRO: Objection.

9 BY MS. HUDSON:

10 Q -- issues?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: I understand that.

13 BY MS. HUDSON:

14 Q Okay. And you wouldn't expect employees,  
15 if they were given a hotline to call for physical  
16 safety issues like someone being injured on the set,  
17 that that would -- that they would automatically  
18 understand that that's the number they should call  
19 for harassment, discrimination or retaliation  
20 issues, right?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: Understand that basic  
23 premise, yes.

24 BY MS. HUDSON:

25 Q Okay.

CONFIDENTIAL

Page 148

1        '24, after there was chatter online about  
2        It Ends with Us, and she was concerned that that  
3        chatter might have an impact on her movie, and she  
4        didn't want to associate with it.

5        BY MS. HUDSON:

6            Q        Did she also ask that Mr. Baldoni not  
7        come to the set of Empire Waist?

8            A        Never once.

9            Q        So that is not true? That's just a lie  
10        that Ms. Ayoub was telling us?

11          A        That is something the first time we ever  
12        heard --

13          Q        Uh-huh.

14          A        -- expressed. I don't know the date, but  
15        years later.

16          Q        When you say years later?

17          MS. SHAPIRO: Objection.

18          THE WITNESS: Within the last six months,  
19        year, something. She -- she said something to Ashmi  
20        in the marketing -- no, this would have been in  
21        September of '24. She said something that she  
22        didn't want Justin to -- to post something, I  
23        believe it was.

24        BY MS. HUDSON:

25          Q        Are you referencing the text message that

CONFIDENTIAL

Page 149

1           Mr. Baldoni testified about yesterday?

2           A      I don't know what text message that was.

3           Q      Okay.

4           A      So she had conveyed to Ashmi that she  
5           didn't want him to promote the movie based on what  
6           was going on. And in that, she also expressed,  
7           which I heard for the first time or anyone had heard  
8           for the first time, where she said something, he was  
9           banned from set. But I'm sure if you do more  
10           investigation, you will see that there is nothing  
11           that leads for you to believe that. I'm helping you  
12           with that one.

13           Q      Okay. There was also some testimony by  
14           Mr. Baldoni about -- and also Mr. Sarowitz about  
15           Shane Norman.

16                   Do you recall that?

17           A      I do.

18           Q      Mr. Baldoni and Mr. Sarowitz claimed that  
19           Mr. Norman -- there were multiple complaints from  
20           multiple women about his behavior towards them.

21                   Do you recall that?

22           A      I do.

23           Q      And that there was an investigation  
24           conducted; is that right?

25           A      There was.

CONFIDENTIAL

Page 154

1 A Okay.

2 Q -- is this the agreement between Sony and  
3 Wayfarer for It Ends with Us LLC?

4 A Well, I don't see a signature on it,  
5 so...

6 Q So if you turn to the page that's  
7 Bates-stamped SPE\_BL0000049.

8 A Ending in 49?

9 Q Ending in 49, you will see signatures.

10 A Okay. Okay. I see it now.

11 Q And do you recognize what the signature  
12 under Wayfarer Studios LLC as yours?

13 A I do.

14 Q And do you also see the signature under  
15 It Ends with Us Movie LLC as yours?

16 A I do.

17 Q And you see this document identifies you  
18 as the president of both of these entities?

19 A I see it.

20 Q And were you, in fact, the president of  
21 It Ends with Us Movie LLC?

22 A Apparently so.

23 Q Okay. And do you recognize that -- can  
24 you -- is this the agreement between Wayfarer and  
25 Sony for It Ends with Us LLC?

CONFIDENTIAL

Page 156

1 A Okay.

2 Q And we can come back to that later.

3 A Sure.

4 Q Okay?

5 A Are we done with -- here you go.

6 Q Now, at some point, you all began casting  
7 for It Ends with Us, correct?

8 A Yes.

9 Q And a key theme for the movie  
10 It Ends with Us is female empowerment, right?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: Yes.

13 BY MS. HUDSON:

14 Q And did you think that you would need a  
15 strong actress to play the role of Lily Bloom?

16 MS. SHAPIRO: Objection.

17 THE WITNESS: Yes.

18 BY MS. HUDSON:

19 Q And were Sony and Wayfarer hoping to land  
20 an A-list actress?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: I think it's more nuanced  
23 than that, but eventually, we came to the  
24 understanding that that was what we were seeking.

CONFIDENTIAL

Page 160

1       been high maintenance at that time?

2            MS. SHAPIRO: Objection.

3            THE WITNESS: No, because the truth is,  
4       many people are high maintenance. Many people say  
5       things about other people. And so it wasn't a cause  
6       for concern. But being that you asked me had I  
7       heard anything else, that's what I had heard. That  
8       was the extent of it at that time.

9       BY MS. HUDSON:

10       Q        Okay.

11            MS. HUDSON: I'll hand you what's been  
12       marked as Exhibit 6.

13            (Exhibit 6 marked for identification.)

14            THE WITNESS: Sure.

15       BY MS. HUDSON:

16       Q        It's a text chain between Jamey Heath,  
17       Justin Baldoni, dated December 9th, 2022,  
18       Bates-stamped BALDONI\_18877.

19            Do you recognize this as a text chain  
20       that you and Mr. Baldoni participated in?

21       A        If you allow me to read it, I can confirm  
22       that.

23       Q        I'm going to direct you to, you know,  
24       specific areas for questions. I'm just asking --

25       A        I understand.

CONFIDENTIAL

Page 161

1 Q Yeah.

2 A I can give you an advance. I'm not able  
3 to comment on something unless I understand full  
4 context. So I have to read it from -- I have to.  
5 Just for anything that you give me, I'm going to  
6 certainly read it.

7 Q Are you telling me that every document  
8 that I give you, you need to read the entire thing  
9 before I can ask you any questions about it?

10 A No --

11 MS. SHAPIRO: Objection.

12 THE WITNESS: No, but if you're giving me  
13 something of this nature, my intention is I need to  
14 understand the context. That's all.

15 BY MS. HUDSON:

16 Q I don't -- right now, I'm only asking you  
17 if you recognize it as a text chain between you and  
18 Mr. Baldoni?

19 A It appears to be, yes.

20 Q Okay. So --

21 A Can I read it?

22 Q You -- you can take a moment to read it,  
23 but I don't think you need to read the whole thing  
24 for the questions I'm going to ask.

25 A Okay. How about -- how about we do this.

CONFIDENTIAL

Page 163

1 MS. SHAPIRO: Objection.

2 BY MS. HUDSON:

3 Q Okay. You want to read the whole  
4 document before you --

5 A I want to read --

6 Q -- hear my question?

7 A -- what -- yes. Because you're now  
8 ask -- you're reading things to me. I can read for  
9 myself at this point, if that's okay.

10 Q Go ahead.

11 A Thank you.

12 Q Okay. Thank you.

13 Q You done?

14 A I am.

15 Q So I'm going to go back to what I just  
16 read to you.

17 A Okay.

18 Q Which was:

19 (As read):

20 "If we get Blake on this movie, holy  
21 shit. You would be directing and  
22 starring in a movie with one of the  
23 biggest female stars."

24 Is that an accurate reflection of how you  
25 felt at the time you sent this text message?

CONFIDENTIAL

Page 164

1 A Absolutely.

2 Q All right. And then if you go down to  
3 the next thing you write here, you say:

4 (As read):

5 "My son's girlfriend was over last  
6 night and she heard me talking about  
7 Blake and she said, 'OMG, I love her so  
8 much.' She's a black 20 year old."

9 Was this an accurate statement when you  
10 wrote it?

11 A It was.

12 Q Okay. And then Mr. Baldoni responded:

13 (As read):

14 "Everyone loves her. It's pretty  
15 wild."

16 Do you see that?

17 MS. SHAPIRO: Objection.

18 BY MS. HUDSON:

19 Q Well, he says "it's pretty wind."

20 A Yeah.

21 Q And then corrects it, and says "wild."

22 A I see that.

23 Q So and -- and you understood that it was  
24 his view at the time that everyone loves Blake,  
25 right?

CONFIDENTIAL

Page 179

1 Q You produced a video in -- your lawyers  
2 produced a video in this case.

3 Did you provide the video of -- a video  
4 in which your wife is in a tub with a baby to your  
5 lawyers to produce to us in this case?

6 A I did.

7 Q Okay. Where was that video stored?

8 A You mean when I -- at what point?

9 Q At the point that you took it to give it  
10 to your lawyers. Where did you get it? Where was  
11 it?

12 A I believe it was on my phone.

13 Q It was on your phone?

14 A I believe so.

15 Q Okay. Did you edit the video at all  
16 before giving it to your lawyers?

17 A I did not.

18 Q So the video you gave was the complete  
19 video as it existed on your phone?

20 A Correct.

21 Q What, in your memory, did the video  
22 depict?

23 A It's our midwife, my sister, my kids, my  
24 wife, myself, our newborn baby. I believe we were  
25 singing or praying. The baby was crying, and then

CONFIDENTIAL

Page 180

1       at some point we were whispering a prayer in the  
2       baby's ear.

3           Q       That's what you recall?

4           A       Yeah.

5           Q       And your wife was in a tub?

6           A       A birthing tub, yeah.

7           Q       A birthing tub.

8                   And you said she wasn't clothed, but she  
9       had a towel over her?

10                  MS. SHAPIRO: Objection.

11                  THE WITNESS: The towel was more over the  
12       baby, I think, because, you know, when the baby came  
13       out of the water and you bring it up, then it's wet.  
14       So you put a dry towel to cover it.

15       BY MS. HUDSON:

16                  Q       And in the video that you gave to your  
17       lawyers to give to us, were you in the video?

18                  A       I am.

19                  Q       And are you nude in that video?

20                  A       No.

21                  Q       Were -- did your wife give birth in a  
22       tub?

23                  A       She did.

24                  Q       Were you in the tub when she gave birth?

25                  A       I was.

CONFIDENTIAL

Page 181

1 Q The entire time?

2 A I believe so.

3 Q You were there the whole time she was  
4 giving birth?

5 A I was.

6 Q Who filmed the video?

7 A That particular one, I believe, was my  
8 daughter.

9 Q Your daughter?

10 A My older daughter.

11 Q Your older daughter.

12 Did you give your daughter instructions  
13 for filming?

14 A I'm not sure. What do you mean?

15 Q Did you ask her to film any particular  
16 part of the birth?

17 A No. She just was -- her and my sister  
18 both, actually, were filming different stages of the  
19 labor and the birth and afterwards.

20 Q So did someone else film a different  
21 stage other than the stage that is depicted in the  
22 video that you gave to your lawyers to produce to  
23 us?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: I think I'm a little

CONFIDENTIAL

Page 182

1       confused, but I think your question is, are there  
2       other -- is there other video of the duration of my  
3       child being born and after and beforehand?

4       BY MS. HUDSON:

5           Q     Sure.

6           A     Yes.

7           Q     What other stages of the delivery are  
8       depicted in the video?

9           A     Her entire birth.

10          Q     How long was the birth?

11          A     Oh, gosh. I don't remember. The whole  
12       birthing? Couple of hours.

13          Q     And it's all on film?

14          A     No, no, no. I just mean the birth took a  
15       couple of hours at different times. But if you're  
16       wondering if the birth is filmed, it is.

17          Q     The delivery itself?

18          A     It is.

19          Q     So the baby crowning and coming out is  
20       all filmed?

21          A     Yes. The baby being delivered, yes, for  
22       sure.

23          Q     Were you in the tub with your wife when  
24       the baby was actually delivered?

25          A     I was.

CONFIDENTIAL

Page 191

1 time over -- over weeks. And then, eventually, they  
2 decided not to shoot it that way.

3 So Justin -- I believe it was at the  
4 Route, the bar we filmed The Route at. I was  
5 sitting over on a chair, doing some work on my  
6 phone. Justin comes over and says, Hey, I was  
7 talking to Blake. I was talking about your  
8 beautiful video with your wife. Would you mind  
9 showing it to her? I said, yeah, sure. I didn't  
10 think twice about it. I went over, walked over to  
11 her, and then the rest, as I explained already,  
12 happened.

13 Q It's your -- you didn't say anything to  
14 Ms. Lively before you showed her the video because  
15 it was your understanding that Mr. Bal -- that she  
16 had specifically asked for it?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: My understanding at the  
19 time was that they had just had a conversation or  
20 just at some point had a conversation, and that she  
21 was expecting or -- or that she was aware.

22 BY MS. HUDSON:

23 Q So you didn't say anything prefatory,  
24 like, This is the video that Justin said you wanted  
25 to look at?

CONFIDENTIAL

Page 192

1           A     I did say something when I walked up. I  
2     was like, Hey, Blake. Justin had mentioned you  
3     wanted to see this. And then I immediately showed  
4     her the screen.

5           Q     You mean -- and was it playing at the  
6     time?

7           A     I don't recall if it was playing or  
8     paused.

9           Q     Do you know what scene was specifically  
10    showing, what was visible to Ms. Lively when you hit  
11    play?

12          A     Well, the first portion of the video --  
13    which, again, she had only seen maybe a half a  
14    second of it -- is only my wife sitting here, the  
15    baby on top. And that's what she would have seen.

16          Q     So your testimony is, what you showed her  
17    was the very beginning of the video?

18          A     Yeah, for sure.

19           MS. SHAPIRO: Objection.

20           MS. HUDSON: Okay.

21           THE WITNESS: Either it was paused or  
22    playing. I don't recall that, but for sure.

23          BY MS. HUDSON:

24          Q     Do you remember what date this was?

25          A     I have come to believe and know that the

CONFIDENTIAL

Page 197

1 nothing. It seemed in context of -- they were there  
2 filming and a lot of conversations happening. And  
3 so I -- I did not think about that after that.

4 Q And there's been some testimony about  
5 Mr. Sarowitz being at the set the day of the  
6 birthing video. I'm sorry -- the day the birth  
7 scene was filmed?

8 A Yes.

9 MS. SHAPIRO: Objection.

10 BY MS. HUDSON:

11 Q And -- and you recall him being there  
12 that day as well, correct?

13 A He was there later that day.

14 Q I understand. But he was there on the  
15 set at some point during that day, correct?

16 A Correct.

17 MS. HUDSON: I'm going to hand you what  
18 we've marked as Exhibit 9.

19 MS. SHAPIRO: There is already an  
20 Exhibit 9.

21 MS. AHOURAIAN: I have Exhibit 9.

22 THE WITNESS: Do you need this back?

23 MS. HUDSON: It's Exhibit 10.

24 (Exhibit 10 marked for identification.)

25 THE WITNESS: Okay.

CONFIDENTIAL

Page 209

1           A    I don't know that she was in a state of  
2 undress.

3           Q    Do you -- do you have a specific memory  
4 of the incident that Ms. Carroll, Ms. Baker, and  
5 Ms. Lively described?

6           A    I do.

7           Q    Okay. And what is your memory of that  
8 incident?

9           A    Well, this is day two of shooting. We  
10 had got a text that morning, maybe the night before,  
11 but it could have been that morning, from Ms. Lively  
12 that she wanted to meet with me and Ange and Justin  
13 and Alex. We tried to have the meeting that  
14 morning. It didn't work out. We tried to have it  
15 in the afternoon. Several attempts and we were not  
16 able to achieve.

17           At the end of shooting, we were at the  
18 cemetery. I approached her and said, I know you  
19 wanted to meet today, but it's getting late, and  
20 suggested that maybe we do it the next day or  
21 something. She had said that she was going back to  
22 her makeup trailer, could we meet her there, and we  
23 could have the conversation then.

24           Not the conversation that she wanted to  
25 have in the morning, the conversation about whether

CONFIDENTIAL

Page 210

1       or not we were going to do it that night or the next  
2       day.

3           Q       So the conversation, just so I understand  
4       it, was just about when the meeting was going to  
5       take place?

6           A       She was hoping to have it that day, that  
7       night, and now that it was at the end of the day, I  
8       was concerned about her turnaround time.

9           Q       So just to be clear, though, the  
10      conversation that you were going to have with  
11      Ms. Lively in her makeup trailer, in your  
12      understanding, was about when this meeting was going  
13      to take place?

14           MS. SHAPIRO: Objection.

15           THE WITNESS: Whether we were going to do  
16      it that night or the next day.

17      BY MS. HUDSON:

18           Q       Okay.

19           A       So the four of us, Justin, myself,  
20      Ange Giannetti, and Alex Saks, all went to her  
21      makeup trailer, the four of us. I knocked. Heard  
22      some sort of "come in" or "yes" or some indication  
23      that led me to believe it was okay to open the door.

24           Q       So the opposite of what the three  
25      witnesses said?

CONFIDENTIAL

Page 211

1 A You asked me what.

2 Q I just want to make sure I understand.

3 You -- they said -- they all said they said no, and  
4 you heard yes; is that right?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: Can -- I don't --

7 MS. SHAPIRO: Will you let him finish his  
8 answer? You asked him to describe his memory of the  
9 event, and you keep interrupting him.

10 MS. HUDSON: Well, I'm asking questions  
11 as he is providing the answer.

12 THE WITNESS: Would it be okay if I just  
13 give you my answer?

14 BY MS. HUDSON:

15 Q Go ahead.

16 A Is that all right?

17 Q Go ahead.

18 A So I then knocked, to be clear, with  
19 Justin and Ange and Alex with me at the bottom of  
20 her steps. I knocked on the door, heard some  
21 indication to come in. As I took a step up, I saw  
22 that she was leaned back. She looked what I thought  
23 was either maybe breastfeeding or nursing. I said  
24 to her, oh, it looks like you're busy, I can come  
25 back. As I turned around she says, no, that's okay.

CONFIDENTIAL

Page 212

1       You can come in, just look away. And I said, sure.

2               Now, I never saw the front of her. I  
3       just saw this which appeared to me a familiar --  
4       familiar position of her feeding or nursing or  
5       pumping. So then I walked over to the side, looked  
6       away. We had a two-minute conversation, could have  
7       been three minutes, about whether or not we were  
8       going to have the meeting that night or the next  
9       day. I was trying to negotiate with her, could we  
10      do it tomorrow because I was worried about the  
11      turnaround time, and we would lose money, which is  
12      an implication -- we would lose hours in the next  
13      day, which is an implication of money.

14               We had a conversation back and forth.  
15       She eventually said no, she had to have it tonight  
16       and she would not waive any sort of turnaround time  
17       and do it off record. So I then left, walked down  
18       the stairs out of the makeup trailer where Ange,  
19       Justin, and Alex were. Reported to them, she wants  
20       to do it tonight. I tried to convince her to do it  
21       tomorrow, but she wants to do it tonight.

22               She walked out four or five minutes  
23       later, greeted us, said, hello. We went into her  
24       then trailer, and we had a discussion about what she  
25       wanted to meet with us.

CONFIDENTIAL

Page 213

1 Q And when she came to the trailer for the  
2 meeting, did she say anything about what had just  
3 occurred in her makeup trailer?

4 A She did not. This is on day two. This  
5 is May.

6 Q May 16th?

7 A May 16.

8 Q Did you ever learn that Ms. Lively had a  
9 different view of the incident in the trailer prior  
10 to her testimony?

11 A I learned that her different view is when  
12 I read the CRD complaint.

13 Q So you didn't hear any concerns raised by  
14 Ms. Lively regarding this incident in the trailer on  
15 the second day of shooting until the CRD complaint?

16 A We had a conversation about it on  
17 June 1st, two weeks later, but not that there was  
18 a concern.

19 Q Okay. And when you say, "we had a  
20 conversation about it two weeks later," who are you  
21 talking about?

22 A There was a conversation with Blake,  
23 Justin, myself, and Alex Saks, about she had got  
24 COVID and we returned to set. And we had a morning  
25 conversation before we started working.

CONFIDENTIAL

Page 219

1 BY MS. HUDSON:

2 Q Okay. So if Ms. Lively wasn't saying she  
3 was uncomfortable, what was your understanding of  
4 the reason she brought up the video?

5 MS. SHAPIRO: Objection.

6 THE WITNESS: I can tell you what the  
7 interaction was and what I inferred from it.

8 BY MS. HUDSON:

9 Q Sure.

10 A As she came back from having COVID and as  
11 her text said she wanted to get off to a -- to a:

12 (As read):

13 "Back to work on a solid track."

14 She said to me that, "Jamey, you know  
15 when you walked up to me to show me the video with  
16 your wife, I thought you were showing me porn." I  
17 said, Oh my God. I'm so sorry. Really? Oh my  
18 gosh. She was like, I know that it wasn't, but it  
19 startled me. I thought that's what you were showing  
20 me. I was like, Oh my gosh, I'm so sorry. And then  
21 we moved on. She didn't say anything that it was  
22 uncomfortable. She was just telling me that's what  
23 she thought. She recognized that what she thought  
24 it was, that it was, in fact, what I showed her.  
25 And then she moved on to the next subject.

CONFIDENTIAL

Page 223

1       this is what Ms. Lively said. So you're disputing  
2       Ms. Saks' memory?

3                    MS. SHAPIRO: Objection.

4                    THE WITNESS: I don't mean to dispute  
5       anybody's memory. Okay? I can just only tell you  
6       what had happened. That's not -- that's not --

7       BY MS. HUDSON:

8                   Q       Did Ms. Lively discuss the trailer  
9       incident?

10          A       She did bring it up, yeah.

11          Q       What did she say about it in your memory?

12          A       After she had said something about, as I  
13       said, that she thought the video at first was porn,  
14       recognized that it wasn't, because it was not. She  
15       then said, also, you know, when you came into the  
16       trailer a couple of weeks, I asked you to look away  
17       and at some point you made eye contact with me. And  
18       I was like, oh, I didn't even know that. She says,  
19       I'm not saying you were trying to cop a look. I'm  
20       just saying that I had asked you to turn away, and  
21       you made eye contact with me. I was like, oh I'm so  
22       sorry. I didn't even realize that. Maybe I  
23       happened to glance through conversation. I have no  
24       memory of it. But -- and then she moved onto the  
25       next.

CONFIDENTIAL

Page 256

1 MS. SHAPIRO: I'm just pointing it out.

2 MS. HUDSON: We're taking an excessive  
3 amount of time to read documents, respectfully.

4 So --

5 MS. SHAPIRO: This is a two-page  
6 document.

7 THE WITNESS: You've given me four. I'm  
8 trying to do my best --

9 BY MS. HUDSON:

10 Q I understand, but I just want to ask you  
11 questions. So if you don't mind, if I could just  
12 bring you to the -- to the questions I want to ask  
13 you, and then if you need to look, that's fine.

14 That was a suggestion you made. Let's  
15 try and do that. How about it?

16 A Accepted.

17 Q Okay. Thank you.

18 If you would look at the second page,  
19 35493. At the top of the page, it says, from  
20 Mr. Baldoni:

21 (As read):

22 "I told Steve more today."

23 Do you see that?

24 A I see it.

25 Q And then you respond:

CONFIDENTIAL

Page 257

1 (As read) :  
2 "I talked to Steve last night also. I  
3 didn't share about the comments the  
4 ladies had feelings about. Didn't want  
5 to share anything you hadn't yet."

6 Do you see that?

7 A I do.

8 Q Then Mr. Baldoni responds:

9 (As read) :

10 "I shared with him today."

11 Do you see that?

12 A I do.

13 Q My question for you is, the comments the  
14 ladies had feelings about, what does that refer to?

15                   A        Okay. So, respectfully, you asked me  
16                   about this and there's context beforehand, so I  
17                   would like to read it.

18 Q All right. Go ahead.

19 A Okay. Thank you.

20 Q Which ladies' comments were you referring  
21 to there?

22 A I don't really recall exactly what was  
23 happening at this moment, but -- I don't.

24 Q Do you know who the ladies were that you  
25 were referring to there?

CONFIDENTIAL

Page 258

1 A I don't recall sending this.

2 Q Well, I am not asking if you recall  
3 sending it. I'm just asking if you recall which  
4 comments you were talking about there -- or which  
5 ladies you were talking about?

6 A I don't recall sending it, so I don't  
7 recall what I was thinking. So looking at it now, I  
8 would only be guessing. And I might be able to make  
9 a good guess, but I don't want to guess it  
10 incorrectly.

11 Q Well, you read the whole thing for  
12 context, right?

13 A I did.

14 Q Maybe Mr. Baldoni's response will help  
15 provide you some additional context.

16 He said:

17 (As read) :

18 "I shared with him today. He said he  
19 should come to sit and remind Blake  
20 whose money this is. And I said,  
21 'that's not the best idea.'"

22 A Right.

23 Q Does this refresh your recollection that  
24 one of the ladies was Ms. Lively?

25 A It may have been.

CONFIDENTIAL

Page 259

1 Q It may have been. And any other lady  
2 might have been Ms. Slate, right?

3 A It may have been, but I just don't know  
4 for sure.

5 Q It may have been that the comments that  
6 you are referring to were the ones that Ms. Slate  
7 and Ms. Lively had raised to Ms. Giannetti, correct?

8 A I don't recall sending it. I don't  
9 recall this conversation, so I really don't -- I'm  
10 not -- I just don't want to be wrong about something  
11 so...

12 Q Did you ever talk to Mr. Baldoni what it  
13 is that he shared with Steve?

14 A I did not.

15 Q Did you understand Steve to be Steve  
16 Sarowitz?

17 A I did.

18 Q Do you know what you talked to Steve  
19 Sarowitz about?

20 A Did I know what?

21 Q What you talked to Steve Sarowitz about  
22 the night before?

23 A I don't recall what we talked about, but  
24 I know this was during COVID and a shutdown. So  
25 maybe it was an update.

CONFIDENTIAL

Page 260

1 Q Are there any other two ladies who had --  
2 I'm sorry.

3 Are there any other ladies who had  
4 feelings about comments other than Ms. Lively and  
5 Ms. Slate?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: This is why -- I can guess.  
8 This is a tricky one for me here. You're asking me  
9 to deduce, and I can't.

10 BY MS. HUDSON:

11 Q I'm not asking you to deduce. I'm asking  
12 you, are there other ladies who may -- who had  
13 concerns about comments on set?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: No. But I don't see that  
16 I'm saying "on set" here.

17 BY MS. HUDSON:

18 Q Okay. Are there other ladies that you  
19 knew about on May 28th, 2023 who had feelings  
20 about comments?

21 A I could guess that possibly it is about  
22 Blake and Jenny, since that's what you're asking. I  
23 could guess, but I don't know for sure.

24 Q It's an educated guess, right, that  
25 that's probably what you're talking about here?

CONFIDENTIAL

Page 261

1 MS. SHAPIRO: Objection.

2 THE WITNESS: I'm doing my best to not  
3 just hit a wall here. And I can't. I can't say.

4 BY MS. HUDSON:

5 Q Okay.

6 A This is two years ago, and I don't know.

7 MS. HUDSON: Okay. I'm going to hand you  
8 a document that we're marking as Exhibit 13.

9 THE WITNESS: Sure. Do you want this  
10 one?

11 THE STENOGRAPHIC REPORTER: Thank you.

12 (Exhibit 13 marked for identification.)

13 BY MS. HUDSON:

14 Q Exhibit 13 email from Lindsey Strasberg  
15 to Imene Meziane and Joseph Lanius, dated  
16 November 9th, 2023, and it has an attachment  
17 entitled "Protections for Return to Production,"  
18 Bates-stamped WAYFARER 140991 through 140993.

19 A I see it.

20 Q Have you seen this email before,  
21 Mr. Heath?

22 A Yes. Just -- quickly just briefing it,  
23 but yes.

24 Q You understand this to be the cover email  
25 that sends to your -- Wayfarer's lawyers,

CONFIDENTIAL

Page 262

1 Ms. Lively's Protections for Return to Production,  
2 right?

3 A Yes, I see that.

4 Q With the protections attached, right?

5 A I see that.

6 Q Yes. And you understand that's what this  
7 is?

8 A I do.

9 Q Okay. Who is Imene Meziane?

10 A Imene, by the way, is how to pronounce  
11 it. And she's our legal counsel at Wayfarer.

12 Q Is she in-house counsel?

13 A She is.

14 Q And what is her title?

15 A VP of legal affairs.

16 Q And Mr. Lanius is outside counsel?

17 A Correct.

18 Q Okay. All right. And when did you first  
19 see this email and the Protections for Return to  
20 Production?

21 A November 9th, I believe, the day it was  
22 sent.

23 Q Okay. And when you received it, did you  
24 read it?

25 A I did.

CONFIDENTIAL

Page 278

1 words --

2 A Yes.

3 Q -- you understand that that -- that this  
4 is -- that he was saying how he viewed this  
5 document?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: I see that this -- this  
8 suggests that he was considering this to be  
9 something that could be possible.

10 BY MS. HUDSON:

11 Q I see. Okay.

12 And do you know how your in-house  
13 counsel, Imene, I think you said her name was?

14 A Imene.

15 Q How she responded to Ms. Strasberg's  
16 email?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: I don't see that.

19 BY MS. HUDSON:

20 Q Do you recall her saying that the  
21 protections were not -- were not only reasonable but  
22 essential?

23 A I don't recall the -- the language. You  
24 can show it to me.

25 Q Okay. Did you think the 17 protections

CONFIDENTIAL

Page 279

1       that were in that document were reasonable?

2           A    I think taking them -- take -- taking  
3       them as they are written, yes, I think they are  
4       ultimately reasonable.

5           Q    Okay. At some point, did Ms. Lively come  
6       back to the production?

7           A    She did.

8           Q    And did filming resume?

9           A    It did.

10          Q    What date did it resume; do you recall?

11          A    January 5th, 2024, I believe.

12          Q    Prior to returning to filming, was there  
13       a meeting at Ms. Lively's apartment?

14          A    There was.

15          Q    And were you at that meeting?

16          A    I was.

17          Q    And if you go back to the protections  
18       document --

19          A    Okay.

20          Q    -- you will see --

21          A    Can I pull this one up? I think it's  
22       this one. Maybe it's this one. Okay. I see it.

23          Q    Number 17 was:

24                   (As read):

25                           "An all-hands, in-person meeting before

CONFIDENTIAL

Page 280

1 production resumes which will include  
2 the director, all producers, the Sony  
3 representative, the newly-engaged  
4 third-party producer, Ms. -- BL and  
5 BL's designated representative to  
6 confirm and approve a plan for  
7 implementation of all the above that  
8 will be adhered to for the physical and  
9 emotional safety of BL, her employees  
10 and all the cast and crew moving  
11 forward."

12 Do you see that?

13 A I do.

14 Q Okay. And there was a meeting that  
15 included all of those participants in her apartment  
16 on January 4th, the day before production began,  
17 right?

18 A Yes.

19 Q Okay. And have you read Ms. Lively's  
20 second amended complaint?

21 A I have.

22 MS. HUDSON: Okay. I'm going to hand you  
23 that document, the second amended complaint, which  
24 we have marked as Exhibit 15.

25 (Exhibit 15 marked for identification.)

CONFIDENTIAL

Page 281

1                   THE WITNESS: Do you want me to read the  
2 whole thing?

3                   BY MS. HUDSON:

4                   Q     I definitely don't want you to read the  
5 whole thing. I am going to point you to something  
6 very specific in this document.

7                   If you turn to page 7.

8                   A     Okay.

9                   Q     You will see paragraphs 19 and 20 refer  
10 to the January 4th meeting and the participants.

11                  Do you see that?

12                  A     I do.

13                  Q     And the participants that are listed in  
14 paragraph 19, is that an accurate list of who was  
15 present?

16                  A     Chris Surgent was also present for the  
17 beginning portion of it.

18                  Q     Okay. Other than that, is it an accurate  
19 list?

20                  A     Yes.

21                  Q     And then in paragraph 20, the complaint  
22 says that during the meeting, that Ms. Lively read  
23 the list below in its entirety. And then below is a  
24 list of 30 points.

25                  Do you see that?

CONFIDENTIAL

Page 282

1           A    I see the 30-point list that's included  
2    in this document.

3           Q    Okay. And you see in the complaint where  
4    it says Ms. Lively said she read the list below in  
5    its entirety, right?

6           A    I see that.

7           Q    Okay. And did you attend the entire  
8    meeting?

9           A    I did.

10          Q    Okay. And you said you've read the  
11        second amended complaint before, right?

12          A    I have, but I don't recall every single  
13        detail of it. There's been many legal motions  
14        moving on around. So I did at the time, yes.

15          Q    Well, I would like you to take a moment  
16        and look at this 30-point list, and tell me if you  
17        recall Ms. Lively discussing each of these things  
18        during the January 4th meeting.

19          A    You mean did she -- I just want to be  
20        clear -- discuss any of the things inferred in these  
21        things? Because she did not read this list.

22          Q    Your position is she did not read from a  
23        list?

24          A    She did read a few things from her phone.  
25        She did not read this list. So I just want to know

CONFIDENTIAL

Page 283

1 what you want me to do because...

2 Q Are you saying Ms. Lively read a  
3 different list?

4 A I'm saying Ms. Lively read a few things  
5 from her phone, maybe nine or ten things, that were  
6 not phrased in this way at all.

7 Q When you say they "were not phrased in  
8 this way," what do you mean by that?

9 A Well, nothing ever said "no more." And  
10 the way that it's written was not -- she read  
11 more -- it wasn't firsthand, but it was -- it was  
12 less -- it was not phrased like this.

13 Q So each one of these 30 points addresses  
14 a topic. Are -- are there any topics that are  
15 addressed in these 30 points that Ms. Lively did not  
16 cover during the meeting?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: Yeah.

19 BY MS. HUDSON:

20 Q Which ones?

21 A Okay. Well, we can take our time going  
22 through them. I -- I don't know how you want to do  
23 this. But, like, starting with number 1, "no more  
24 showing nude videos or images of women." Then it  
25 says "including producer's wife," which insinuates

CONFIDENTIAL

Page 284

1       that there were other ones. "To BL and her or her  
2       employees." So, yeah, we -- we talked about that  
3       video again where she had brought it up.

4           Q       So you talked about the video but --

5                MS. SHAPIRO: Can you let him finish?

6                THE WITNESS: So we talked about the  
7       video. We didn't talk about the details of it. We  
8       just talked to -- brought up again that that video  
9       was shown. Again, I apologized to her recognizing  
10      that she was surprised by it. And -- but this  
11      wasn't written. But that topic was.

12               So no more mention of Baldoni or Heath's  
13      previous pornography addiction. I don't have a  
14      pornography addiction. So certainly, she wouldn't  
15      have never read that, and I don't know what that  
16      refers to. So no, that was not discussed.

17               Q       Did she talk about Mr. Baldoni's  
18      referencing pornography addiction during this  
19      meeting?

20               A       I believe she mentioned something about  
21      it.

22               Q       Okay. Did she talk about wanting to --  
23      neither her nor her employees to hear personal  
24      experiences of -- of other people's sex lives,  
25      including as it relates to spouses or others?

CONFIDENTIAL

Page 285

1           A    Where -- what number are you reading,  
2        please?

3           Q    Three.

4           A    I think she said something about that.

5           Q    Did she say -- did she talk about  
6        number -- in number 4, did she want to -- did she  
7        say that she wanted no discussion about -- with her  
8        or her employees of personal times that physical  
9        consent was not given in sexual acts either -- as  
10       either the abuser or the abused?

11          A    I do not recall that.

12          Q    You don't recall that?

13          A    I do not.

14          Q    Okay. Did she recount a story in which  
15        Mr. Baldoni talked about times that he had engaged  
16        in actions with women without consent?

17          A    No.

18          Q    She didn't talk about that. Okay.

19                 Did she talk about the description --  
20        anyone describing their own genitalia to her and  
21        asking that that not happen?

22          A    No.

23          Q    She didn't talk about Mr. --

24          A    Let me rephrase it. No, not that I  
25        remember in any sense.

CONFIDENTIAL

Page 290

1       there.

2           Q     And you've given me a full scope of your  
3     memory about what was discussed in that five or six  
4     hours?

5           MS. SHAPIRO: Objection.

6           THE WITNESS: No, a lot of it was Ryan  
7     belittling Justin.

8     BY MS. HUDSON:

9           Q     For five or six hours?

10          A     A lot of it was.

11          Q     And when you say "belittling," what do  
12     you mean by that?

13          A     When this first -- when she first started  
14     reading a couple of her things and Justin was  
15     hearing this, taking this in, and trying to make  
16     sense of it, he was frozen by hearing this stuff.  
17     And instead of -- well, let me not say instead of --  
18     and his reaction was -- was that he was being a  
19     coward. That what you do when a woman says this to  
20     you and points out these things, you just stand up  
21     and you just apologize and apologize. And Justin  
22     was just like, but I didn't do this. And then he  
23     raised his voice and used some language and  
24     insinuated that he was not a good guy.

25          Q     That Mr. Baldoni was not a good guy?

CONFIDENTIAL

Page 291

1           A    Yeah.

2           Q    Yeah.

3           A    And he -- and he did it very  
4           aggressively. He did it to me as well. More at  
5           him. It was -- it may have been the hardest thing I  
6           have ever witnessed someone talking to another  
7           person with such belittlement.

8           Q    So after that meeting, did you have an  
9           understanding that there were things that were  
10          happening in connection with filming this movie that  
11          Ms. Lively was uncomfortable with?

12           MS. SHAPIRO: Objection.

13           THE WITNESS: I understood that she had  
14          shared some things that did not make sense, and I  
15          believe were fabricated.

16           BY MS. HUDSON:

17           Q    You believe were fabricated?

18           A    Not all of them.

19           Q    Uh-huh.

20           A    Either distorted --

21           Q    Uh-huh.

22           A    -- or fabricated.

23           Q    Now, did you think it would be a good  
24          idea to conduct an investigation at that point?

25           MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 292

1                   THE WITNESS: Her letter started with --  
2                   as we went back to it after this meeting, with in  
3                   lieu of an HR report, we would sign these things.  
4                   And if any -- at this point, if any of these things  
5                   were referencing that, there was nothing to  
6                   investigate.

7                   BY MS. HUDSON:

8                   Q        In lieu of a formal HR process, I think  
9                   it said.

10                  A        Yes.

11                  Q        So you decided that since Ms. Lively said  
12                  in November, in lieu of an HR process, there was no  
13                  need for an investigation?

14                  MS. SHAPIRO: Objection.

15                  THE WITNESS: We did not determine that  
16                  that was necessary.

17                  BY MS. HUDSON:

18                  Q        You -- you did not determine. You -- so  
19                  you determined it was not necessary; is that right?

20                  A        We did not determine it was necessary.  
21                  We never came to the point to think that it was  
22                  necessary because in it, while she was expressing  
23                  it, it was very confusing because she was not -- it  
24                  was almost like he was a child. Not that she felt  
25                  threatened or that she felt -- it just felt like he

CONFIDENTIAL

Page 293

1       was a child and it was talking that. It wasn't --  
2       so our perspective from that point was, once we left  
3       and had some conversations with Ange, and Justin was  
4       a little frozen because of -- of the aggressive  
5       nature of it, she couldn't wait to -- appeared to  
6       could not wait to get back to work tomorrow, and we  
7       moved forward.

8           Q     So did Ms. Lively -- did you consider  
9       that other people might be uncomfortable on set?

10          A     No, we hadn't heard anything else about  
11       anybody being uncomfortable. There was a lot of  
12       insinuations about -- I think she brought up also --  
13       she brought up saging, talking to her dead father.  
14       There was a lot of stuff that was mixed in here that  
15       was just -- she didn't like Justin. She didn't like  
16       me. She didn't like that he cried. She mentioned  
17       that. There was a lot in there, so it was -- there  
18       was a lot going on.

19          Q     Did you actually have a conversation and  
20       make a decision not to do an investigation?

21          A     No.

22                MS. SHAPIRO: Objection.

23                BY MS. HUDSON:

24          Q     Did the topic of an investigation come up  
25       at any time prior to receiving Ms. Lively's CRD

CONFIDENTIAL

Page 294

1 | complaint?

2 A No. Not that I recall.

3 Q At some point, did you have a dinner with  
4 Colleen Hoover in connection with the trailer  
5 launch?

6 A We did.

7 Q And when was that?

8                   A     You're going to have to refresh my  
9                   memory.

10 Q I will do that.

11                   A     I think it was, you know, two or three  
12                   months before. Two months before release, I think.  
13                   Three months maybe. But I don't know.

14 MS. SHAPIRO: Jonathan, how much more  
15 time?

16 THE VIDEOGRAPHER: We've been on the  
17 record for five hours and 14 minutes.

18 MS. SHAPIRO: Thank you.

19 THE WITNESS: Ms. Hudson, I won't need  
20 this anymore, will I?

21 BY MS. HUDSON:

22 Q No, thank you. Do you recall what day  
23 the trailer launch event took place? Was that  
24 May 6th?

25 A I don't recall.

CONFIDENTIAL

Page 313

1 the subject of testimony with your attorneys during  
2 your break?

3 MS. SHAPIRO: I direct you not to answer  
4 any questions about your discussions with your  
5 attorneys.

6 BY MS. HUDSON:

7 Q Are you following that instruction?

8 A Yes.

9 Q Okay.

10 MS. HUDSON: Hand you Exhibit 16.

11 (Exhibit 16 marked for identification.)

12 THE WITNESS: Sure.

13 BY MS. HUDSON:

14 Q Exhibit 64 is a --

15 MS. SHAPIRO: Sixty-four or 16?

16 MS. HUDSON: I'm sorry.

17 BY MS. HUDSON:

18 Q Exhibit 16 is a text chain from --  
19 between Jamey Heath and Mitz Toskovic, dated  
20 June 17th, 2024, Bates-stamped TOSKOVIC\_677.

21 Do you recognize this as a text chain  
22 between you and Ms. Toskovic?

23 A Yes.

24 Q And you participated in this text  
25 communication with Mitz Toskovic, correct?

CONFIDENTIAL

Page 314

1           A    Yes.

2           Q    And you ask her in this text chain, you  
3   say you have -- you've got a big job for you.

4                   Do you see that at 3:14 p.m. on page 1?

5           A    I see it.

6           Q    And then if you turn to the next page,  
7   you tell her:

8                   (As read):

9                   "I need you to start putting a timeline  
10                  doc. Try to get as close to dates as  
11                  possible. We can fill in the links  
12                  when I get back. But when Justin and  
13                  Blake met to write. AJ maybe had in  
14                  calendar. Can you access? When we  
15                  shot the first karaoke scene, it's when  
16                  I showed her the video of Tasha. When  
17                  Ange visited the first time and had  
18                  the, quote, 'makeup trailer convo that  
19                  apparently looked at her,' end quote.  
20                  When we shot the graveyard scene. When  
21                  Justin met with trainer. When Justin  
22                  had convo with Blake and Ryan regarding  
23                  asking about her weight. When we had  
24                  the convo when we went back in Blake's  
25                  house with Ange and Todd. Essentially,

CONFIDENTIAL

Page 315

1 anything we can get either the date and  
2 alleged incident or the general time  
3 frame and we can narrow in later.

4 Something chronological. Best you can.  
5 Consult with Reese where needed. The  
6 doc can be have gaps but at least let's  
7 get something started."

8 And then you go on to say:

9 (As read):

10 "Whatever you can remember. Whatever  
11 Reese remembers. Whatever AJ may  
12 remember. Anything at all. Also, when  
13 we got letter from Blake. Just  
14 anything that tells the story  
15 chronologically, and then we will just  
16 continue to build it."

17 Do you see that?

18 A I do.

19 Q Okay.

20 MS. HUDSON: I'm going to give you  
21 another document now. What are we, Exhibit 17? And  
22 Exhibit 18.

23 (Exhibit 17 marked for identification.)

24 (Exhibit 18 marked for identification.)

CONFIDENTIAL

Page 316

1 BY MS. HUDSON:

2 Q You asked Ms. Toskovic to put together a  
3 timeline on June 17th, correct?

4 A Are you referring to this document?

5 Q Yes.

6 A I see that.

7 Q Okay. And Exhibit 17 is an email  
8 forwarding a timeline.

9 Do you see that?

10 A I do.

11 Q And then Exhibit 18, I'll represent for  
12 the record, is the document that was produced to us  
13 that is reflected in the attachment to that email  
14 that says "document produced in native format."

15 A Can you repeat the -- the last thing?

16 Sorry, I was --

17 Q Sure.

18 A -- I was finishing 17.

19 Q Sure.

20 So Exhibit 17 is an email forwarding a  
21 timeline.

22 Do you see that?

23 A I do.

24 Q Okay. And then it says, on the second  
25 page of that email, "produced in native format"?

CONFIDENTIAL

Page 317

1 A Uh-huh. I do. Yes.

2 Q I'm representing to you that the native  
3 format that we received in the production from your  
4 lawyers is that document.

5 A Okay.

6 Q Okay? Is this document, Exhibit 18, the  
7 timeline that you asked Ms. Toskovic to create?

8 A It looks to be so.

9 Q Okay. Why did you ask Ms. Toskovic to  
10 create a timeline on June 17th?

11 A Just to have a timeline of our whole  
12 experience of the movie.

13 Q Your whole experience of the movie, as it  
14 relates to Ms. Lively?

15 A Just our -- the timeline of what we  
16 experienced throughout the movie, yes.

17 Q For what purpose?

18 A So we could have a record of our --  
19 our -- the last year and a half of what we have  
20 experienced.

21 Q Why?

22 A There was a lot that went on over the  
23 year and a half on different levels, production and  
24 all levels. I just wanted to have a timeline of it.

25 Q Well, your -- your text message to

CONFIDENTIAL

Page 318

1       Ms. Toskovic doesn't say anything about things that  
2       happened during production in general, right?

3            MS. SHAPIRO: Objection.

4            THE WITNESS: Right. Uh-huh.

5       BY MS. HUDSON:

6           Q     All of the things that are in your text  
7       message to Mitz Toskovic relate to Ms. Lively,  
8       correct?

9           MS. SHAPIRO: Objection.

10           THE WITNESS: Yeah, I see that's in the  
11       -- in the text message. Yeah.

12       BY MS. HUDSON:

13           Q     So why did you ask Ms. Toskovic to create  
14       a timeline on June 17th, 2024 related to Ms. Lively?

15           A     That was one of the aspects of our whole  
16       time on the movie, and I also wanted to include  
17       that.

18           Q     Well, you didn't say reference anything  
19       else, correct? You only referenced issues related  
20       to Ms. Lively in your text messages to Mitz  
21       Toskovic, correct?

22           MS. SHAPIRO: Objection.

23           THE WITNESS: In this particular text  
24       message, that's -- that's all it speaks to.

CONFIDENTIAL

Page 319

1 BY MS. HUDSON:

2 Q Yeah, that's all you said when you asked  
3 Ms. Toskovic to create a timeline, correct?

4 MS. SHAPIRO: Objection.

5 THE WITNESS: In this text message,  
6 that's what it refers to. Yes.

7 BY MS. HUDSON:

8 Q Do you have another text message?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: I don't know.

11 BY MS. HUDSON:

12 Q Okay. Well, why are -- my question to  
13 you, Mr. Heath, is: Why you were asking Ms.  
14 Toskovic to create a timeline that references events  
15 related to Ms. Lively on June 17th, 2024?

16 A Our experience of the movie, and at this  
17 point in June, we were unsure. Justin had lost the  
18 movie, I think, by this point. We were dealing with  
19 a lot of conversations with Sony about how to  
20 navigate moving forward with him as the director.  
21 We've got the release of the movie coming up -- and  
22 in all of this and being confused of where we stood  
23 with all of this, I just wanted to have documented  
24 just our -- our whole experience with the movie.

25 Q For what purpose?

CONFIDENTIAL

Page 320

1           A     Just so I could have a good recollection  
2     of it. So that I knew what our last year and a half  
3     was.

4           Q     Were you looking for a timeline of  
5     incidents related to Ms. Lively's complaints?

6           MS. SHAPIRO: Objection.

7           THE WITNESS: No, not necessarily. We  
8     just -- I just wanted any experience that we had in  
9     all capacities to be -- have a timeline.

10          BY MS. HUDSON:

11           Q     Well, but the timeline doesn't address  
12     every experience that you had in all capacities,  
13     does it?

14           A     I haven't gone through the whole thing,  
15     but in all capacities, just with our experience.  
16     Certainly with -- I mean, I can see that, you know,  
17     a lot of this is with Blake, so that was a big part  
18     of our experience.

19           Q     That was a big part of your experience.  
20     And incidents where Ms. Blake -- or Ms. Lively  
21     expressed concerns, correct?

22           MS. SHAPIRO: Objection.

23           THE WITNESS: I would say it's exactly  
24     what I said it was.

CONFIDENTIAL

Page 321

1 BY MS. HUDSON:

2 Q And the incidents that you identified to  
3 Ms. Toskovic are incidents that you were aware that  
4 Ms. Lively had raised concerns of prior to  
5 June 17th, 2024, correct?

6 A Can you repeat that, please?

7 MS. HUDSON: The incidents that you  
8 raised to Mitz Toskovic were incidents that you were  
9 aware of prior to June 17th, 2024 that Ms. Lively  
10 had raised concerns about, correct?

11 MS. SHAPIRO: Objection.

12 THE WITNESS: In this text message, it  
13 references some of those. Yes.

14 BY MS. HUDSON:

15 Q Yes. So the -- you -- you were aware of  
16 the incidents that you told Ms. Toskovic about prior  
17 to June 17th, 2024, correct?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: Was I aware? Yes, I was  
20 aware that Justin met with the trainer. I was aware  
21 about -- he asked about the weight. I was aware of  
22 some of these things. Yes.

23 BY MS. HUDSON:

24 Q Well, you were aware of all of them  
25 because you wrote them down, right?

CONFIDENTIAL

Page 322

1 A Yes.

2 Q And you wouldn't have been able to write  
3 them down if you weren't aware of all of them,  
4 correct?

5 A I was aware --

6 MS. SHAPIRO: Objection.

7 THE WITNESS: I was aware that these were  
8 included, yes.

9 BY MS. HUDSON:

10 Q That these were all things that  
11 Ms. Lively had raised concerns about, correct?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: Some of them; some of them  
14 not.

15 BY MS. HUDSON:

16 Q Okay. Which one of these lists are not  
17 things that Ms. Lively had raised concerns about  
18 that you were aware of on June 17th?

19 MS. SHAPIRO: Objection.

20 THE WITNESS: Well, just as I go through  
21 it, when we shot the graveyard scene. When we had a  
22 meeting at Blake's home.

23 BY MS. HUDSON:

24 Q Why did you want to have a record of when  
25 you had the meeting at Blake's home?

CONFIDENTIAL

Page 323

1           A    It was one of the things that we'd  
2           experienced on the movie.

3           Q    Uh-huh. And when you said "essentially  
4           anything we can get either the date and alleged  
5           incident," what did you mean by "alleged incident"?

6           A    I don't recall. I don't know.

7           Q    Are -- are -- you don't know what you  
8           meant by "alleged incident"?

9           A    I don't know exactly.

10          Q    Okay. And did you have any further  
11         follow-up with Mitz Toskovic about what you meant by  
12         "alleged incident"?

13          A    I don't know.

14          Q    You don't know if you did?

15          A    I don't know.

16          Q    But somehow from -- did you give her any  
17         direction beyond what you put in this Exhibit 16?

18          A    I don't know.

19          Q    Had you talked to Ms. Toskovic about the  
20         alleged incidents before?

21          MS. SHAPIRO: Objection.

22          THE WITNESS: I don't recall.

23          BY MS. HUDSON:

24          Q    Do you -- did you assume she understood  
25         what you meant by that?

CONFIDENTIAL

Page 324

1 MS. SHAPIRO: Objection.

2 THE WITNESS: I don't know what I meant  
3 by that, but I see that there's a list of things  
4 here that specifically asked her to. So other than  
5 that, I don't.

6 BY MS. HUDSON:

7 Q What I'm asking you, Mr. Heath, is: Did  
8 you have a belief that Mitz Toskovic would  
9 understand what you meant by "alleged incidents"?

10 A I don't know.

11 Q You don't know?

12 A I don't know. I don't know what I meant  
13 by that.

14 Q Do you -- is it Ms. Toskovic that created  
15 the timeline in Exhibit 18?

16 A She was -- she assisted, yes.

17 Q Who else was involved in creating this  
18 timeline?

19 A Myself.

20 Q What did you do to create this timeline?

21 A Just gave -- gave more info to -- what  
22 this is here, added to this timeline.

23 Q How much of the information in this  
24 timeline did you put in the timeline?

25 A I don't know.

CONFIDENTIAL

Page 329

1 any way after, at minimum, August 6th, 2024,  
2 correct?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: I don't know.

5 BY MS. HUDSON:

6 Q You don't know?

7 A I don't.

8 Q Okay. You have no recollection of making  
9 any changes to this timeline after August 6th, 2024,  
10 correct?

11 A To this timeline --

12 MS. SHAPIRO: Objection.

13 THE WITNESS: -- I don't have a  
14 recollection.

15 BY MS. HUDSON:

16 Q Okay. And you don't know -- you didn't  
17 direct Ms. Toskovic to make changes to this timeline  
18 after August 6th, 2024, correct?

19 A I don't recall. I don't know.

20 Q Okay. Why did you send the timeline --  
21 or why did you have the timeline sent to -- well,  
22 strike that.

23 Do you know why the timeline was sent to  
24 The Agency Group?

25 A To TAG?

CONFIDENTIAL

Page 330

1 Q Yes.

2 A I think at that point, it was a -- a  
3 quick way to give them a glimpse of a timeline of  
4 our experience.

5 Q Your experience with Ms. Lively?

6 A Our experience that was outlined in this  
7 timeline.

8 Q Your experience with Ms. Lively?

9 A That is part of it.

10 Q Okay. It was a way to give TAG a quick  
11 update -- or a summary of the alleged incidents, as  
12 you described them, correct?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: I wouldn't characterize it  
15 as that. I just think it was a quick way to get a  
16 little bit of an update of some of the elements.

17 BY MS. HUDSON:

18 Q Some of the elements of issues that had  
19 arisen with Ms. Lively, correct?

20 A Of our experience of the set, and some of  
21 that included experiences with Ms. Lively for sure.

22 Q And that's because you had retained TAG  
23 at that point to help you with crisis management  
24 related to your concerns about Ms. Lively  
25 potentially going public, correct?

CONFIDENTIAL

Page 331

1 MS. SHAPIRO: Objection.

2 THE WITNESS: No, it wasn't about

3 Ms. Lively going public.

4 BY MS. HUDSON:

5 Q What was it about?

6 A We didn't know what would become public.

7 We knew that there was a lot of contention. We knew  
8 that Justin was at a point where he had lost the  
9 movie. People had unfollowed him. We heard  
10 whisperings that she was saying some things about us  
11 that were not kind. We didn't know where we stood,  
12 and some of this was like, what is this -- if any  
13 sort of media or people start looking into why are  
14 they unfollowing, what is going on there? We just  
15 wanted some guidance and some -- some consultation  
16 of how we manage that.

17 Q And this information that's in this  
18 timeline is what you wanted TAG to know if people  
19 were speculating about why Mr. Baldoni was being  
20 unfollowed, correct?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: This was part of it.

23 BY MS. HUDSON:

24 Q Did you ever tell someone that you were  
25 hiring a crisis management team that was costing you

CONFIDENTIAL

Page 332

1       \$9 million?

2           A Yeah, I said that. It was a hyperbole.

3       It was a joke.

4           Q      What does that mean?

5                   MS. SHAPIRO: Objection.

6                   THE WITNESS: I said to my wife yesterday  
7       about a sandwich that cost \$6,000. It was a way to  
8       say that we're spending money. And it was an  
9       exaggeration just to make a funny point.

10       BY MS. HUDSON:

11           Q      Meaning, it was, in your view, expensive?

12           A      I mean, that's relative. It just was  
13       we're having to spend money. PR is expensive  
14       Lawyers are expensive, as you know, like right now.  
15       Everything you do is expensive. It's just a  
16       reference to things cost money. But it certainly  
17       was not mine -- \$9 million. That's just a way to  
18       have fun with a number.

19           Q      And in addition to TAG, you also hired  
20       Jed Wallace and Street Relations, right?

21           A      We eventually did, yes.

22           Q      And you were involved in the decision to  
23       hire Mr. Wallace and Street Relations, correct?

24           A      I was.

25           Q      Who else was involved in that decision?

CONFIDENTIAL

Page 333

1           A Part of the consultation was me, Jen.  
2           Melissa was the one that suggested it to me. But in  
3           terms of the ultimate decision, I'm the one who  
4           signed off on it.

5           Q        You authorized it?

6           A        I did.

7           Q        When did you first hear about Mr. Wallace  
8 and Street Relations?

9           Q        I don't recall when it was.

10          A        You -- you said Melissa Nathan  
11          recommended --

12          A        Correct.

13          Q        -- them?

14          A        Correct.

15          Q        Okay. And what did Melissa Nathan tell  
16 you about Mr. Wallace and Street Relations?

17          A        That he was someone that helps supported.  
18 crisis PR. That they would need some additional.  
19 support in monitoring. That was pretty much it.

20          Q        That was it, just additional support and  
21 monitoring?

22          A        That was -- that was most -- mostly it.  
23 Yeah.

24          Q        That was your understanding?

25          A        It was.

CONFIDENTIAL

Page 338

1 I had.

2 Q Did you discuss with Mr. Baldoni hiring  
3 Jed Wallace of Street Relations?

4 A I don't recall. I don't remember.

5 Q Did you discuss with anyone else at  
6 Wayfarer what Mr. Wallace was being hired to do?

7 A I may have.

8 Q Did you discuss it with Mr. Sarowitz?

9 A I don't have a particular memory of it  
10 but I -- but I may have. I don't know.

11 Q Did you receive an email outlining the  
12 work that Mr. Wallace would be doing for Wayfarer?

13 MR. GLOVER: Objection. Form.

14 THE WITNESS: I believe there was an  
15 email that came in that I only know about more  
16 recently, but I never looked at it.

17 BY MS. HUDSON:

18 Q You didn't look at it?

19 A I did not.

20 Q Did it come to you?

21 A I believe my email was on it, yes.

22 Q You believe it did come to you?

23 A I believe so.

24 Q But you're saying --

25 A Only because I've learned more recently

CONFIDENTIAL

Page 356

1           A     A handful. I don't know exactly.

2           Q     And do you recall any of the -- those  
3     conversations with any specificity?

4           A     From our first conversation, he seemed  
5     like a really nice guy. We talked about -- I  
6     remember we talked about our kids, and he would just  
7     check in, how are you doing. He knew that there was  
8     a lot of social noise going on, and he was just  
9     oftentimes calling to express his -- for lack of a  
10    better word, his love.

11           Q     So Mr. -- your conversations with  
12    Mr. Wallace after meeting him in August of 2024 were  
13    about his love for you?

14           MS. SHAPIRO: Objection.

15           MR. GLOVER: Objection. Form.

16           THE WITNESS: No.

17           BY MS. HUDSON:

18           Q     When you say "his love," what do you mean  
19    by that?

20           A     That's a term I would use just to express  
21    some -- some nice words of encouragement. You know,  
22    we see what's going on. We're monitoring. I hope  
23    you're well. Things of that nature.

24           Q     Did he tell you what he saw going on?

25           A     We did not really get into that much,

CONFIDENTIAL

Page 357

1 other than him saying things like, things are  
2 looking okay out there. So sorry for what's going  
3 on. He would give some general acknowledgments of  
4 that nature, but we didn't get into the weeds.

5 Q He didn't tell you what it was he saw?

6 A I don't recall exactly what was said, but  
7 we did not get into weeds of stuff.

8 Q So your -- your testimony is that in the  
9 conversations that you had with Mr. Wallace, they  
10 were just check-ins essentially about your  
11 well-being?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: I mean, I'm looking at our  
14 text threads here. "I appreciate this message.  
15 Congrats on a big weekend. Appreciate you. Looking  
16 forward to meeting you. Just checking in." That  
17 was typically, you know -- we connected.

18 BY MS. HUDSON:

19 Q You didn't have conversations about the  
20 work, though, is that what you're saying, that you  
21 had contracted with Mr. Wallace to do for nearly  
22 \$100,000?

23 MS. SHAPIRO: Objection.

24 MR. GLOVER: Objection. Form.

25 THE WITNESS: It would be like me having

CONFIDENTIAL

Page 358

1 a conversation with somebody about a world in a  
2 language I just don't understand. That wasn't our  
3 conversation. It was just more -- we connected and  
4 that was what our conversations were.

5 BY MS. HUDSON:

6 Q I'm trying to understand why you feel the  
7 world that Mr. Wallace occupied was something that  
8 you couldn't understand. Why is that?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: I am not a digital  
11 monitoring person that understands social media and  
12 all of that. So...

13 BY MS. HUDSON:

14 Q What did you understand digital  
15 monitoring to mean?

16 A Monitoring what was going on in the  
17 digital realm.

18 Q And you weren't curious about how  
19 Mr. Wallace did that?

20 A It wasn't one of my -- I didn't have any  
21 reason to be concerned about it or think about it  
22 beyond that. It just was he was here to help, and  
23 that's all that -- that's all that mattered. He was  
24 doing it in a way that I understood was aligned with  
25 us.

CONFIDENTIAL

Page 359

1 Q On August 11th, Mr. Wallace said --  
2 you -- you refer to Signal.

3 Do you see that?

4 A Which one is this?

5 Q August 11th at 12:02 a.m.

6 A Hey, man, I appreciate your message. I  
7 could tell after speaking with you --

8 Q In the middle, you say:

9 (As read):

10 "As for Signal, I'm not on it, but  
11 we'll set that up this week for sure.  
12 I'll let you know once I've done that."

13 Do you see that?

14 A I do.

15 Q Did you set up Signal at this time?

16 A I must have. I think I might -- I think  
17 I did.

18 Q And did you let Mr. Wallace know that you  
19 had set it up?

20 A I don't know.

21 Q Did you communicate with Mr. Wallace on  
22 Signal at this -- after August 11th, 2024?

23 A I think there was a few -- a few messages  
24 sent.

25 Q And when did you first send a Signal

CONFIDENTIAL

Page 360

1       message to Mr. Wallace?

2           A    I don't recall.

3           Q    When did you first receive a Signal  
4        message from Mr. Wallace, if at all?

5           A    I don't recall. I guess it would have  
6        been around this time. That's my guess.

7           Q    Okay. And did you communicate on Signal  
8        with anyone else after you obtained Signal?

9           A    I don't think so.

10          Q    The only person --

11          A    There could have been somebody, but I  
12        don't think so.

13          Q    The only one you recall communicating  
14        with on Signal was Mr. Wallace?

15           MS. SHAPIRO: Objection.

16           THE WITNESS: The time, I don't remember.  
17        It could have been. I -- I would have to refresh my  
18        memory. Maybe there was something with Jen and  
19        Melissa on there, but I don't have a specific memory  
20        of it.

21          BY MS. HUDSON:

22          Q    Did you have a group chain with  
23        Mr. Wallace, Ms. Abel, and Ms. Nathan at this time?

24          A    I don't know if that was on Signal or a  
25        text message, but I think that we did.

CONFIDENTIAL

Page 361

1 Q You think you did on Signal?

2 A I don't know which one.

3 MS. SHAPIRO: Objection.

4 BY MS. HUDSON:

5 Q You might have on Signal?

6 MS. SHAPIRO: Objection.

7 THE WITNESS: We may have.

8 BY MS. HUDSON:

9 Q You believe that there was at minimum a  
10 text chain with you, Ms. Nathan, and Mr. Wallace?

11 MR. GLOVER: Objection. Form.

12 BY MS. HUDSON:

13 Q Regardless of platform?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: I think there may have  
16 been. I don't -- I'm happy to be refreshed.

17 BY MS. HUDSON:

18 Q Other than Mr. Wallace and possibly  
19 Ms. Nathan and Ms. Abel, is there anyone else that  
20 you recall communicating with on Signal and in  
21 August of 2024?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: I don't know the month.

24 There was so many ways of communicating, email,  
25 phone -- excuse me -- text messages. Signal could

CONFIDENTIAL

Page 362

1 have been one of them. I just don't know.

2 BY MS. HUDSON:

3 Q So you may have communicated with other  
4 people on Signal in August of 2024 other than the  
5 ones you identify?

6 A I don't have a particular recollection of  
7 it because I think that was the only people that I  
8 communicated with at that time, but I don't know.

9 Q Did you communicate with Mr. Freedman on  
10 Signal in August of 2024?

11 A I don't know.

12 Q You may have?

13 A I don't know.

14 Q Did you communicate with Mr. Baldoni on  
15 Signal in August of 2024?

16 A I don't know.

17 Q When you downloaded Signal, did you make  
18 any effort to change any of the settings for the  
19 handling of preservation of messages?

20 A In August?

21 Q When you downloaded Signal?

22 A No.

23 Q Did the messages that you exchanged on  
24 Signal in August of 2024 automatically disappear as  
25 far as you know?

CONFIDENTIAL

Page 363

1 MS. SHAPIRO: Objection.

2 THE WITNESS: I think that depends on  
3 whatever thread I was on, whoever initiated it may  
4 have set the settings. I don't have any particular  
5 memory of myself setting something to disappear.

6 BY MS. HUDSON:

7 Q And did you set up your Signal messages  
8 so that they would not disappear?

9 A In August?

10 Q Yes.

11 A I don't believe I was thinking about  
12 that.

13 Q Did you communicate by Signal in  
14 September of 2024?

15 A I may have.

16 Q And who do you believe you may have  
17 communicated with on Signal in September of 2024?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: It would be a guess. I  
20 just don't know.

21 BY MS. HUDSON:

22 Q Did you communicate with Mr. Wallace on  
23 Signal in September of 2024?

24 MR. GLOVER: Objection. Form.

25 THE WITNESS: I may have.

CONFIDENTIAL

Page 364

1 BY MS. HUDSON:

2 Q Did you communicate with Ms. Abel on  
3 Signal in September of 2024?

4 A I may have.

5 Q Did you communicate with Ms. Nathan on  
6 Signal in 2024?

7 A I may have.

8 Q Is -- did you communicate with  
9 Mr. Freedman on Signal in 2024 -- in September of  
10 2024?

11 A I know for sure not.

12 Q And why do you know that one for sure?

13 A Well, because I only had one conversation  
14 with Mr. Freedman.

15 Q On Signal?

16 A No. I had one conversation with him  
17 in -- I don't remember what month it was. Maybe it  
18 was in August.

19 Q Did you communicate with anyone on Signal  
20 in October of 2024?

21 A I may have.

22 Q And did you speak with -- did you  
23 communicate with Mr. Wallace on Signal in October of  
24 2024?

25 A It's the same. I may have. I'm -- I

CONFIDENTIAL

Page 365

1       don't have a particular recollection of it. I'm  
2       certainly not disputing that I would or would. I  
3       just don't have a memory. I mean, I don't know.

4           Q       Did you communicate -- do you have any  
5       memory of communicating with Mr. Wallace in November  
6       of 2024 on Signal?

7           A       I may have.

8           Q       And I asked you about Mr. Wallace in  
9       October and November. In those months, did you  
10      communicate with Ms. Nathan or Ms. Abel on Signal?

11           MS. SHAPIRO: Objection.

12           THE WITNESS: I may have.

13       BY MS. HUDSON:

14           Q       Did you communicate with anyone -- any  
15      Wayfarer employees on Signal between August and  
16      December 2024?

17           A       I don't know during that -- during that  
18      period of time.

19           Q       You don't know but you may have?

20           A       I don't have a memory of it during that  
21      time, no.

22           Q       For any of the communications that you  
23      had on Signal between August and December 2024, do  
24      you have any of them still?

25           MR. GLOVER: Objection. Form.

CONFIDENTIAL

Page 364

1 BY MS. HUDSON:

2 Q Did you communicate with Ms. Abel on  
3 Signal in September of 2024?

4 A I may have.

5 Q Did you communicate with Ms. Nathan on  
6 Signal in 2024?

7 A I may have.

8 Q Is -- did you communicate with  
9 Mr. Freedman on Signal in 2024 -- in September of  
10 2024?

11 A I know for sure not.

12 Q And why do you know that one for sure?

13 A Well, because I only had one conversation  
14 with Mr. Freedman.

15 Q On Signal?

16 A No. I had one conversation with him  
17 in -- I don't remember what month it was. Maybe it  
18 was in August.

19 Q Did you communicate with anyone on Signal  
20 in October of 2024?

21 A I may have.

22 Q And did you speak with -- did you  
23 communicate with Mr. Wallace on Signal in October of  
24 2024?

25 A It's the same. I may have. I'm -- I

CONFIDENTIAL

Page 370

1 Q Have you taken any steps to learn if  
2 Wayfarer has any policies, practices, or procedures  
3 regarding document retention or deletion?

4 MS. SHAPIRO: Objection. Just to be  
5 clear again, he's not here as a 30(b)(6) witness.

6 THE WITNESS: I have not taken any  
7 particular steps as a company to make sure that  
8 our -- there is some sort of policy. But Wayfarer  
9 is -- is aware to not delete anything.

10 BY MS. HUDSON:

11 Q And how would you know? How is Wayfarer  
12 aware not to delete anything?

13 MS. SHAPIRO: Objection.

14 THE WITNESS: Once we received the CRD  
15 complaint, sometime at that point we were made  
16 aware, and that was communicated.

17 BY MS. HUDSON:

18 Q So you -- you weren't aware of any  
19 obligations to preserve or not delete documents  
20 until you received the CRD complaint?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: Was not aware.

23 BY MS. HUDSON:

24 Q So did you make any effort to preserve or  
25 not delete documents prior to receiving the CRD

CONFIDENTIAL

Page 371

1       complaint?

2                   MS. SHAPIRO: Objection.

3                   THE WITNESS: Other than what I said,  
4                   that there was no reason or auto delete happening,  
5                   there was no particular effort to go outside the  
6                   normal scope.

7                   BY MS. HUDSON:

8                   Q        And you said that you received  
9                   instructions to preserve documents after Ms. Lively  
10                  filed her CRD complaint?

11                  MS. SHAPIRO: Objection.

12                  THE WITNESS: I don't know if it was the  
13                  CRD complaint or the lawsuit. I don't recall, but  
14                  during that period we learned that there was -- or  
15                  maybe it was a -- maybe it was a notice from  
16                  Mr. Gottlieb. Sometime in that frame we were made  
17                  aware. I don't recall where it came from.

18                  BY MS. HUDSON:

19                  Q        Are you talking about the cease and  
20                  desist letter that we sent?

21                  A        It may have been that. I don't recall  
22                  exactly. It was just in that time frame.

23                  Q        And did you take some steps to preserve  
24                  documents once you received the cease and desist  
25                  letter?

CONFIDENTIAL

Page 372

1 A Yes.

2 Q What steps did you take?

3 A Made sure that personally, if there was  
4 anything that was said to disappear or delete, that  
5 they were not. Told Wayfarer parties to not delete  
6 anything, that in case they otherwise might. I  
7 can't recall at the moment, but I think those were  
8 the general steps.

9 Q Okay. And did you have any personal  
10 devices that were set for automatic deletion at that  
11 time?

12 MS. SHAPIRO: Objection.

13 THE WITNESS: There may have been some  
14 threads that were on Signal. So I just reviewed  
15 them and made sure that they were not on  
16 disappearing mode.

17 BY MS. HUDSON:

18 Q So what was -- what was there between  
19 August and December 2024, you ensured it was not on  
20 auto disappearing mode?

21 MS. SHAPIRO: Objection.

22 THE WITNESS: I don't understand the  
23 question.

24 BY MS. HUDSON:

25 Q Well, you said that you had some

CONFIDENTIAL

Page 373

1       communications between August and December of 2024,  
2       correct?

3           A       Yes.

4           Q       And when you got the cease and desist  
5       letter, you looked at the threads to make sure that  
6       they were not on automatic disappearing mode,  
7       correct?

8           A       Correct.

9           Q       So at the time that you did that, those  
10      threads existed, correct?

11        A       Correct. I imagine so.

12        Q       And they should still be there then,  
13      right?

14        A       I believe they would be.

15        Q       And were any of those threads related in  
16      any way to Ms. Lively, Mr. Reynolds, or any of the  
17      issues in this litigation?

18           MS. SHAPIRO: Objection. Form.

19           THE WITNESS: I didn't pay attention to  
20      the content. I just made sure that whatever thread  
21      there was, was -- was not -- there is no nothing in  
22      there that would auto delete or auto disappear.

23        BY MS. HUDSON:

24           Q       And that's for all your Signal  
25      communications?

CONFIDENTIAL

Page 386

1 Q Are you refusing to answer questions  
2 unless you read this entire document?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: If you're going to ask me  
5 something about a document, I just want to be able  
6 to read it.

7 BY MS. HUDSON:

8 Q I -- go ahead. Finish reading it.  
9 You've already read about half of it. You can  
10 finish.

11 A No, I hadn't. I would like to read it.  
12 If you're going to ask me, I just -- I just want to  
13 be -- understand what I'm responding to.

14 MS. HUDSON: Okay. Let's go off the  
15 record.

16 MS. SHAPIRO: We're not going off the  
17 record.

18 MS. HUDSON: I'm taking a break. Yes, we  
19 are.

20 MS. SHAPIRO: We're not going off the  
21 record.

22 MS. HUDSON: Yes, we are. Yes, we are.  
23 It's not up to you. This is my deposition. We're  
24 going to go off the record.

25 MR. BACH: How much time is left?

CONFIDENTIAL

Page 387

1 MS. SHAPIRO: There's six-minutes left.  
2 Oh, sorry, seven minutes.

3 MS. HUDSON: Okay. I have seven minutes.

4 THE VIDEOGRAPHER: Nine minutes left.

5 MS. HUDSON: Nine. There you go. We're  
6 gonna take a 10-minute break. We'll come back for  
7 the last nine.

8 MR. BACH: Let's make a record before you  
9 go. Let's make a record.

10 (Cross talk.)

11 MS. HUDSON: Not on the record. Not on  
12 my time.

13 MR. BACH: Can we go on the record?

14 MS. HUDSON: Absolutely not. Okay. You  
15 can go on the record and make any statement you  
16 want --

17 MR. BACH: I'm going to go on the record.

18 MS. HUDSON: -- but you're not taking my  
19 nine minutes. I'm not -- you are not taking my nine  
20 minutes to make a record.

21 MS. SHAPIRO: So you can ask more  
22 questions about a dead former client of one of the  
23 lawyers in this case?

24 MS. HUDSON: If you want to make a --

25 MS. SHAPIRO: And how is that -- how is

CONFIDENTIAL

Page 388

1       that proper?

2               MS. HUDSON: I understand that you are  
3       new to this case, and you don't understand  
4       everything.

5               MR. BACH: I want to go on the record. I  
6       don't care whether --

7               (Cross talk.)

8               MS. SHAPIRO: I'm new to this case, but  
9       I'm not new to the practice of law. I've been  
10      practicing law for over 30 years. I know the rules,  
11      ma'am.

12              MS. HUDSON: We're going off the record.  
13      I have nine minutes left, and I'm going to use them  
14      to ask some questions. If you want to make a  
15      record, you can add time and make whatever record  
16      you want.

17              MR. BACH: Okay.

18              MS. HUDSON: Okay? Will you agree that  
19      you will -- this is not counting against my nine  
20      minutes?

21              MR. BACH: That's fine. But I want it on  
22      the record. I want a record of what's happened.

23              MS. HUDSON: You -- you want a record of  
24      what's happened?

25              MR. BACH: Yes.

CONFIDENTIAL

Page 389

1 MS. HUDSON: You can make a record if --  
2 if you will --

3 MR. BACH: I would like to, if you will  
4 let me.

5 MS. HUDSON: If -- I will let you if you  
6 will agree that it is not going to impact my nine  
7 minutes.

8 MR. BACH: I've already said fine to  
9 that. Do I need to say it again?

10 MS. HUDSON: Okay. You can make whatever  
11 record you want. I'm going to take a break.

12 MR. BACH: Okay. Can we go on the record  
13 for this?

14 MS. HUDSON: You don't need the video for  
15 this. You can just do it for the --

16 MR. BACH: I'll do it on the video.  
17 We're -- I don't need the video.

18 THE VIDEOGRAPHER: We're still on the  
19 record.

20 MR. BACH: Are we on the record?

21 Yeah, I just want to say, we had a break  
22 less than an hour ago. We made clear to counsel  
23 that we didn't want another break, that this same  
24 witness is being deposed tomorrow. That this  
25 process is exhausting. That he's expected to

CONFIDENTIAL

Page 390

1       testify for another seven hours plus breaks  
2       tomorrow.

3               She came back from a break and part of  
4       her questioning had nothing whatsoever to do with  
5       the claims and defenses in this case. She was  
6       clearly at the point where the questioning becomes  
7       optional and rhetorical, and she engaged in a series  
8       of questions aimed to drive a wedge between this  
9       deponent and his lawyer, and to tarnish the  
10      reputation of the lawyer. That is how she has used  
11      her time --

12               MS. HUDSON: This has nothing --

13               MR. BACH: Excuse me. I'm making a  
14      record.

15               MS. HUDSON: Then we are going to excuse  
16      the witness from the room because you are speaking  
17      and coaching the witness right now.

18               MR. BACH: I am not coaching the witness  
19      at all.

20               MS. HUDSON: This is totally  
21      inappropriate. This is totally inappropriate. You  
22      are coaching the witness. You are making a very  
23      long speaking objection. It -- there is no purpose.  
24      There's no judge in the room. Everything that  
25      you're saying is -- you can make an argument about

CONFIDENTIAL

Page 391

1       it. We're not going to do this in front of the  
2       witness.

3            MR. BACH: Technically, a speaking  
4       objection is when there's a question pending and you  
5       object to the question.

6            MS. HUDSON: No.

7            MR. BACH: I'm not objecting to --

8            (Cross talk.)

9            MS. HUDSON: Speaking on the record is  
10       not permitted like this. You're objecting to the  
11       break. Objection noted. We're taking a break.

12           MR. BACH: All right. This isn't -- this  
13       is silly.

14           MS. HUDSON: Okay.

15           MR. BACH: This is silly.

16           MS. HUDSON: I do not want you to coach  
17       the witness anymore and --

18           MS. SHAPIRO: We're not coaching the  
19       witness.

20           MS. HUDSON: -- make other statements on  
21       the record about the witness. If you insist on  
22       doing that, the witness should leave the room.  
23       Okay?

24           MR. BACH: I am going to defer to you in  
25       every respect. Whatever I need to do to let you

CONFIDENTIAL

Page 392

1 make my statement on the record, I'm going to do.

2 Okay?

3 MS. HUDSON: Then you can excuse the  
4 witness from the room if you insist on making this  
5 statement.

6 MR. BACH: Okay. Jamey, go outside. Go  
7 outside, as I continue.

8 After we made clear our concerns about  
9 breaks, the witness is --

10 MS. HUDSON: Yeah. I would like to also  
11 note that you are not the -- the -- you are not the  
12 representative lawyer.

13 MR. BACH: If you cut me off again, I'm  
14 going to call Judge Hyman on the phone now.

15 MS. HUDSON: You want to tell him that  
16 you, who are not defending the deposition, are  
17 wanting to make a ten-minute speaking objection?

18 MR. BACH: Can you let me speak and then  
19 you can make whatever speech you want about me and  
20 you can say whatever you want about me. But you are  
21 going to let me --

22 (Cross talk.)

23 MS. HUDSON: Yeah, Mr. Bach, you are not  
24 defending this deposition. You are a participant  
25 here who has decided to make a speech on the record.

CONFIDENTIAL

Page 393

1                   MR. BACH: We're not kids on a  
2 playground. You just said if Mr. Heath left the  
3 room, I could make my statement. Now you're not  
4 letting me make my statement. Can I make my  
5 statement?

6                   MS. HUDSON: You can make your statement  
7 over my objection. Okay? That you --

8                   MR. BACH: Just let me know when I can  
9 make my --

10                  MS. HUDSON: -- you should --

11                  MR. BACH: -- statement. I'm just going  
12 to sit here and not say --

13                  MS. HUDSON: -- you should not be making  
14 any statement on the record.

15                  MR. BACH: -- anything until you tell me  
16 I can make my statement.

17                  MS. HUDSON: If you -- you are disrupting  
18 the deposition in order to make a statement as the  
19 non-defending lawyer in this deposition.

20                  MR. BACH: Are you done?

21                  MS. HUDSON: And if you -- I don't agree.  
22 I excused the witness. If you want to continue, I'm  
23 just going to let you do this so we can finish this  
24 deposition. And then we're going to take a break,  
25 and we're going to take our last nine minutes. So

CONFIDENTIAL

Page 394

1 if you want to make this statement, for whatever  
2 reason, go ahead.

3 MR. BACH: Are you done?

4 MS. HUDSON: I am done.

5 MR. BACH: Okay. Can I talk?

6 MS. HUDSON: You can talk.

7 MR. BACH: Okay.

8 As I've been saying, after we made clear  
9 that we're concerned about the breaks, we're  
10 concerned about the witness being tired, the next  
11 line of questioning had to do -- had nothing to do  
12 with the case, but simply had to do with the client  
13 and his lawyer and trying to drive a wedge. And  
14 now, the questioning lawyer wants to take yet  
15 another break. It's clear from the content of her  
16 questioning that she's no longer focused on the  
17 merits of the case, and that she's conducted her  
18 substantive questioning.

19 I don't see another need for a break. I  
20 think the deposition is practically over. The  
21 client is tired and has to go tomorrow. I think  
22 this is abusive. I think it's unnecessary, and I  
23 object.

24 MS. HUDSON: All right. Ten minutes.

25 Off the record. Thank you.

CONFIDENTIAL

Page 395

1                   THE VIDEOGRAPHER: We are going off the  
2 record. The time is 7:24 p.m.

3                   (Recess.)

4                   THE VIDEOGRAPHER: We're back on the  
5 record. The time is 7:34 p.m.

6 BY MS. HUDSON:

7                   Q        Mr. Heath, as Wayfarer's sole human  
8 resources representative, has Ms. Barnes Slater, to  
9 your knowledge, provided human resources support to  
10 any Wayfarer production?

11                  MS. SHAPIRO: Objection.

12                  THE WITNESS: I don't know.

13 BY MS. HUDSON:

14                  Q        You're not aware of Ms. Barnes Slater  
15 providing human resources support to any Wayfarer  
16 production?

17                  MS. SHAPIRO: Objection.

18                  THE WITNESS: I don't know.

19 BY MS. HUDSON:

20                  Q        Did Wayfarer provide copies of its  
21 handbook to the cast and crew on It Ends with Us?

22                  A        I don't know.

23                  Q        Did Wayfarer provide access to its  
24 employee -- employee handbook to the cast and crew  
25 of It Ends with Us?

CONFIDENTIAL

Page 396

1 MS. SHAPIRO: Objection.

2 THE WITNESS: I don't know.

3 BY MS. HUDSON:

4 Q Do you know whether a training was  
5 provided to cast and crew regarding respectful  
6 workplace on It Ends with Us?

7 MS. SHAPIRO: Objection.

8 THE WITNESS: Yes.

9 BY MS. HUDSON:

10 Q Are there -- do you know who attended  
11 that training?

12 A I believe all the crew.

13 Q Are there any records reflecting who  
14 attended the training?

15 A I don't know.

16 Q Who would know?

17 A I don't know.

18 Q You don't know who would know about the  
19 records?

20 A I don't.

21 Q Did you have any discussions with  
22 Ms. Barnes Slater regarding providing human resource  
23 support to It Ends with Us?

24 A I don't recall.

25 Q You have no specific recollection of

CONFIDENTIAL

Page 397

1 talking to Ms. Barnes Slater about providing human  
2 resources support for the film?

3 MS. SHAPIRO: Objection.

4 THE WITNESS: The one complaint that came  
5 in, she provided support. That's all I know.

6 BY MS. HUDSON:

7 Q Which complaint is that?

8 A When the sound mixer was not hired.

9 Q You're talking about the complaint that  
10 came through Local 52 that we looked at earlier?

11 A Correct.

12 Q You said Ms. Barnes Slater provided  
13 support for that?

14 MS. SHAPIRO: Objection.

15 THE WITNESS: I believe so.

16 BY MS. HUDSON:

17 Q And what support did she provide for that  
18 complaint?

19 A I don't know.

20 Q Why do you believe Ms. Barnes Slater  
21 provided support for that complaint?

22 A That's what I can recall. That's all I  
23 recall.

24 Q And in what manner did she provide  
25 support?

CONFIDENTIAL

Page 398

1           A    I don't recall at the moment. I don't  
2    recall.

3           Q    Did you speak with Ms. Barnes Slater  
4    about the complaint from Local 52?

5           A    I have a vague recollection of speaking  
6    to her. That's...

7           Q    Did she give you any advice on how to  
8    proceed with respect to that complaint?

9           A    I don't recall. I know specifically they  
10   had asked to speak to HR at Wayfarer, so I put them  
11   in contact with them. That's what I remember.

12          Q    Did you discuss with Ms. Barnes Slater  
13   providing support to address any cast or crew  
14   concerns on It Ends with Us?

15           MS. SHAPIRO: Objection.

16           THE WITNESS: I don't recall.

17          BY MS. HUDSON:

18          Q    You don't recall having done that?

19          A    I don't.

20          Q    What is the basis for your understanding  
21   that concerns of employees on an independent film  
22   should be raised to the line AD or the production  
23   supervisor?

24           MS. SHAPIRO: Objection.

25           THE WITNESS: That's what I was told.

CONFIDENTIAL

Page 399

1 BY MS. HUDSON:

2 Q By whom?

3 A By the production supervisor, I believe  
4 Alex Saks.

5 Q Alex Saks told you that employee  
6 complaints should be brought to the line AD and  
7 production supervisor?

8 A I don't know specifically. I just know  
9 that they were saying if there's anything that  
10 needed to be -- any concerns, that they would report  
11 to them. That was standard protocol.

12 Q That's what Ms. Saks told you?

13 A At some point, yes.

14 Q And did she say that that was her  
15 understanding of the protocol with respect to human  
16 resources concerns on an independent film?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: I don't recall beyond that.

19 BY MS. HUDSON:

20 Q You don't recall beyond that. So you  
21 don't recall her specifically saying human resources  
22 concerns of employees should be brought to the line  
23 AD and production supervisor?

24 A I don't recall that.

25 Q The training that you referenced, did you

CONFIDENTIAL

Page 400

1       attend in person?

2           A     It was a Zoom that I -- that I attended.

3           Q     Did you attend in person?

4               MS. SHAPIRO: Objection.

5               THE WITNESS: The individual giving it  
6        was on Zoom so I was in person on the computer, but  
7        he was on Zoom.

8        BY MS. HUDSON:

9           Q     You were in person on a computer?

10          A     The training was remote. The individual  
11        giving the training was remote so I was in front of  
12        my computer on the training.

13          Q     So were you -- you were not in a room  
14        with the other cast and crew; is that right?

15          A     No.

16          Q     Was the other cast and crew assembled in  
17        a room for the training; do you know?

18          A     I don't know.

19          Q     And where -- where were you physically  
20        located when you took it?

21          A     I was at the production offices in New  
22        Jersey.

23          Q     In an office?

24          A     Correct.

25          Q     And do you have any record of having

CONFIDENTIAL

Page 401

1       attended the training?

2           A    I don't know.

3           Q    Did you disclose any of the alleged  
4       incidents related to Ms. Lively to Ms. Barnes  
5       Slater?

6           MS. SHAPIRO: Objection.

7           THE WITNESS: No.

8       BY MS. HUDSON:

9           Q    Did you ever speak with Ms. Barnes Slater  
10      about Ms. Lively?

11       A    I don't recall.

12       Q    Did you ever speak with Ms. Barnes Slater  
13      about Ms. Slate?

14       A    I don't recall.

15       Q    Did you ever speak with Ms. Barnes Slater  
16      about any concerns on the production of  
17      It Ends with Us?

18       A    I don't recall.

19       Q    You have no recollection of having done  
20      so, correct?

21       MS. SHAPIRO: Objection.

22       THE WITNESS: I don't recall. I do not.

23       BY MS. HUDSON:

24       Q    Earlier we talked about call recording.

25       A    Uh-huh.

**October 09, 2025**

CONFIDENTIAL

Page 1

WAYFARER STUDIOS LLC, ET AL.,

## Defendants.

\*\*CONFIDENTIAL\*\*

19                   VIDEO-RECORDED DEPOSITION OF JAMEY HEATH  
20                   Los Angeles, California  
21                   Thursday, October 9, 2025

23 Stenographically Reported by: Ashley Soevyn,  
24 CALIFORNIA CSR No. 12019

CONFIDENTIAL

Page 2

WAYFARER STUDIOS LLC, ET AL.

Defendants.

CONFIDENTIAL

Page 3

1 A P P E A R A N C E S :

2

3 For the Plaintiffs Stephanie Jones and Jonesworks  
4 LLC:

5 QUINN EMANUEL URQUHART & SULLIVAN

6 BY: LAURENNE BABAYAN

7 BY: OLIVIA HOLMES

8 Attorneys at Law

9 865 S. Figueroa Street

10 8th Floor

11 Los Angeles, California 90017

12 laurennebabayan@quinnemanuel.com

13 oliviaholmes@quinnemanuel.com

14 (212) 849-7000

15 -AND-

16 QUINN EMANUEL URQUHART & SULLIVAN

17 BY: MAAREN A. SHAH

18 Attorney at Law

19 51 Madison Avenue

20 22nd Floor

21 New York, New York 10010

22 maarenshah@quinnemanuel.com

23 (212) 849-7000

24

25

CONFIDENTIAL

Page 4

1 A P P E A R A N C E S :

2

3 For the Plaintiff Blake Lively:

4 MANATT PHELPS & PHILLIPS LLP

5 BY: ESRA HUDSON

6 BY: STEPHANIE ROESER

7 BY: KATELYN CLIMACO (Via Zoom)

8 Attorneys at Law

9 2049 Century Park East

10 Suite 1700

11 Los Angeles, California 90067

12 [ehudson@manatt.com](mailto:ehudson@manatt.com)

13 [sroeser@manatt.com](mailto:sroeser@manatt.com)

14 [ehudson@manatt.com](mailto:ehudson@manatt.com)

15 (310) 312-4207

16 -AND-

17 MANATT PHELPS & PHILLIPS LLP

18 BY: MATTHEW F. BRUNO (Via Zoom)

19 Attorney at Law

20 Times Square Tower

21 7 Times Square, 23rd Floor

22 New York, New York 10036

23 [mbruno@manatt.com](mailto:mbruno@manatt.com)

24 (212) 790-4500

25

CONFIDENTIAL

Page 5

1 A P P E A R A N C E S:

2 For the Plaintiff Blake Lively:

3 WILLKIE FARR & GALLAGHER

4 BY: MICHAEL GOTTLIEB (Not present)

5 Attorney at Law

6 2029 Century Park East

7 Los Angeles, California 90067

8 mgottlieb@willkie.com

9 (310) 855-3000

10

11 -AND-

12

13 WILLKIE FARR & GALLAGHER

14 BY: KRISTIN BENDER (Via Zoom)

15 Attorneys at Law

16 1875 K Street

17 Northwest

18 Washington, D.C. 20006

19 kbender@willkie.com

20 (202) 303-1245

21

22

23

24

25

CONFIDENTIAL

Page 6

1 A P P E A R A N C E S:

2

3 For the Plaintiff Blake Lively:

4 SLOANE OFFER WEBER AND DERN

5 BY: LINDSEY STRASBERG (VIA ZOOM)

6 Attorney at Law

7 10100 Santa Monica Blvd., Ste. 750

8 Los Angeles, California 90067

9 (310) 248-5100

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CONFIDENTIAL

Page 7

1 A P P E A R A N C E S:

2 For the Defendants Wayfarer Studios LLC, Jennifer  
3 Abel, Melissa Nathan and Justin Baldoni, Jamey Heath  
4 and Steve Sarowitz:

5 LINER FREEDMAN TAITELMAN+COOLEY

6 BY: BRYAN FREEDMAN

7 BY: SUMMER BENSON

8 BY: JASON SUNSHINE (VIA ZOOM)

9 Attorneys at Law

10 1801 Century Park West, 5th Floor

11 Los Angeles, California 90067

12 bfreedman@lftcllp.com

13 sbenson@lftcllp.com

14 jsunshine@lftcllp.com

15 (310) 201-0005

16

17

18

19

20

21

22

23

24

25

CONFIDENTIAL

Page 8

1 A P P E A R A N C E S:

2 For the Defendants Wayfarer Studios LLC, Jennifer  
3 Abel, Melissa Nathan and Justin Baldoni, Jamey Heath  
4 and Steve Sarowitz:

5 SHAPIRO ARATO BACH

6 BY: ALEXANDRA SHAPIRO

7 BY: JONATHAN P. BACH

8 Attorneys at Law

9 1140 Avenue of the Americas

10 17th Floor

11 New York, New York 10036

12 ashapiro@shapiroarato.com

13 jbach@shapiroarato.com

14 (212) 257-4880

15

16

17

18

19

20

21

22

23

24

25

CONFIDENTIAL

Page 9

1 A P P E A R A N C E S:

2 For the Defendants Wayfarer Studios LLC, Jennifer  
3 Abel, Melissa Nathan and Justin Baldoni, Jamey Heath  
4 and Steve Sarowitz:

5

6 AHOURAIAN LAW

7 BY: MITRA AHOURAIAN

8 Attorney at Law

9 2029 Century Park East

10 Suite 400

11 Los Angeles, California 90067

12 mitra@ahouraiianlaw.com

13 (310) 376-7878

14

15 For the Defendants Jed Wallace and Street Relations,  
16 Inc.:

17 JACKSON WALKER LLP

18 BY: JOEL R. GLOVER

19 Attorney at Law

20 1401 McKinney Street

21 Suite 1900

22 Houston, Texas 77010

23 jglover@jw.com

24 (713) 752-4226

25

CONFIDENTIAL

Page 10

1 A P P E A R A N C E S:

2

3 Also Present:

4 Justin Baldoni

5 Jennifer Abel

6 Melissa Nathan (Via Zoom)

7 Steve Sarowitz (Via Zoom)

8 Dan Acosta, Veritext Legal Solutions Concierge (Via  
9 Zoom)

10 Jonathan Hernandez, Videographer

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CONFIDENTIAL

Page 15

1                   ---00---

2                   CONFIDENTIAL DEPOSITION PROCEEDINGS

3                   THURSDAY, OCTOBER 9, 2025

4                   ---00---

5                   THE VIDEOGRAPHER: Good morning. We're  
6 on the record. The time is 9:08 a.m. Pacific  
7 Daylight Time. Today is October 9th, 2025.

8                   My name is Jonathan Hernandez. I'm a  
9 video technician with Veritext Legal Solutions  
10 located in Los Angeles, California. We are  
11 recording these proceedings at 2049 Century Park  
12 East, Los Angeles, California.

13                   This is the video deposition of  
14 Jamey Heath in the action entitled Blake Lively v.  
15 Wayfarer Studios LLC, et al. This deposition is  
16 being taken on behalf of the plaintiff. The Case  
17 No. is 24-CV-10049.

18                   Now, would you all please identify  
19 yourselves and who you represent, starting with the  
20 noticing attorney.

21                   MS. SHAH: Maaren Shah from Quinn Emanuel  
22 Urquhart & Sullivan for Stephanie Jones and  
23 Jonesworks.

24                   MS. HOLMES: Olivia Holmes from Quinn  
25 Emanuel for Stephanie Jones and Jonesworks.

CONFIDENTIAL

Page 16

1 MS. BABAYAN: Laurenne Babayan from Quinn  
2 Emanuel for Stephanie Jones and Jonesworks.

3 MS. HUDSON: Esra Hudson of Manatt,  
4 Phelps & Phillips for Plaintiff, Blake Lively.

5 MS. ROESER: Stephanie Roeser of Manatt,  
6 Phelps & Phillips, also for Plaintiff, Blake Lively.

7 MR. GLOVER: Joel Glover of Jackson  
8 Walker for Jed Wallace and Street Relations, Inc.

9 MR. FREEDMAN: Bryan Freedman for the  
10 Wayfarer-related parties.

11 MS. BENSON: Summer Benson of  
12 Liner Freedman Taitelman & Cooley on behalf of the  
13 Wayfarer parties.

14 MS. AHOURAIAN: Mitra Ahouraian on behalf  
15 of the Wayfarer parties.

16 MR. BACH: Jonathan Bach, Shapiro Arato  
17 Bach, Wayfarer parties.

18 MS. SHAPIRO: Alexandra Shapiro of  
19 Shapiro Arato Bach for Mr. Heath and the Wayfarer  
20 parties.

21 THE VIDEOGRAPHER: Thank you.

22 Will the court reporter please swear in  
23 the witness.

24 THE STENOGRAPHIC REPORTER: Do you  
25 solemnly state that the testimony you're about to

CONFIDENTIAL

Page 17

1 give in this deposition will be the truth, the whole  
2 truth, and nothing but the truth?

3 THE WITNESS: I do, indeed.

4 THE STENOGRAPHIC REPORTER: Great. Thank  
5 you.

6 MS. SHAPIRO: Before we start, Mr. Heath  
7 wanted to clarify one of his answers from yesterday.

8 MS. SHAH: Okay. Please go ahead.

9 THE WITNESS: Thanks.

10 I just want to make a point regarding the  
11 17-point list. I was in bed all night, I was  
12 reflecting, and realizing that everything that I  
13 said yesterday, while I was, indeed, true about how  
14 I saw it, I kind of tripped myself up, and I was not  
15 able to see clearly that, indeed, at that time, I  
16 also saw that it may have insinuated some of past  
17 feelings. And I just want to be clear about that so  
18 that my testimony today can reflect that.

19 MS. SHAH: Okay. Thank you.

20 EXAMINATION

21 BY MS. SHAH:

22 Q Now, you said in your last answer that  
23 you came to this realization by reflecting  
24 overnight; is that correct?

25 A Indeed.

CONFIDENTIAL

Page 27

1           A       I am.

2           Q       Did you discuss with them, yes or no,  
3       what you were going to testify about with respect to  
4       that answer this morning?5           MS. SHAPIRO: Same objection and same  
6       instruction.

7 BY MS. SHAH:

8           Q       Are you going to follow that instruction?

9           A       I think it's best.

10          Q       Okay. I don't have the words right in  
11       front of me, but you did give me the correction that  
12       you wanted to correct at the top of the testimony  
13       today. Would you just explain that to me again?  
14       What it is about yesterday's testimony that you  
15       wanted to correct in today's testimony.16          A       I think simply, as I was testifying as it  
17       pertains to 17-point list and my state of mind and  
18       how I viewed it, in reflecting, while, of course, I  
19       agreed that all of these things were reasonable  
20       things that anyone asked for, I think I also  
21       messaged that I may not have considered that some of  
22       these things had some -- a nod to how -- what may  
23       have been brought up in the past. And that's what I  
24       wanted to.

25          Q       I see. So am I understanding correctly

CONFIDENTIAL

Page 28

1 that what you're essentially saying is, you think  
2 during the deposition yesterday, it may have  
3 appeared from your testimony that you were not  
4 leaving room for the possibility that some of the  
5 things on the 17-point list related in some way to  
6 past incidents, and -- and that's the aspect of it  
7 that you want to expand on this morning?

8 MS. SHAPIRO: Objection.

9 Go ahead.

10 THE WITNESS: Not necessarily that it  
11 related or not, but that I -- that I had considered  
12 that could some of these things have some sort of  
13 nod -- for lack of a better term -- to what we had  
14 discussed in the past.

15 BY MS. SHAH:

16 Q What you and Ms. Lively and others had  
17 discussed in the past?

18 A What -- yeah, some of the concerns that  
19 she may have spoken about.

20 Q Okay. And when you say the word "nod,"  
21 like it may have some nod to those things, do you  
22 mean reference, or relatedness, or can you give me  
23 another verb?

24 A That it could have insinuated that  
25 possibly, is this related to anything that's come up

CONFIDENTIAL

Page 29

1 before? While I didn't necessarily land on that,  
2 but that it was a consideration.

3 Q It's something that went through your  
4 mind at the time?

5 A Sure.

6 Q Okay. Why was it important to you to  
7 correct that aspect of your testimony this morning?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: I want to really do my best  
10 to reflect and to be truthful. And if that was  
11 sitting in me, that did I convey that correctly?  
12 And so that was -- that was the purpose.

13 BY MS. SHAH:

14 Q Is there anything else about your  
15 testimony yesterday that you want to take the  
16 opportunity now to correct?

17 A No.

18 Q Okay. You were in the room, the breakout  
19 room with your lawyers last night after the  
20 deposition with some of the other defendants here,  
21 and I believe your wife and Mr. Baldoni's wife for  
22 quite a long time last night. During that time, did  
23 you discuss the substance of your deposition  
24 testimony yesterday in any respect?

25 A I don't believe so.

CONFIDENTIAL

Page 38

1 Q Okay. Thank you.

2 Can you describe for me what are your  
3 responsibilities as CEO of Wayfarer?

4 A I can. Quickly, the financial strategy  
5 of Wayfarer, what we're investing in. Everything  
6 that has to do with that, investments, the way that  
7 we do our deals, where we are holding our money,  
8 anything of that nature. Creatively, projects that  
9 we do, are they in line with who we are, are they  
10 good, the quality of it. There is more to it than  
11 that, but that's the basic.

12 Also, our leadership and culture. How we  
13 walk, our purpose as a company, what our goals are,  
14 and to build relationships with others.

15 Q What is Wayfarer's purpose as a company?

16 A We want to make art that lifts the human  
17 spirit, that speaks to things that oftentimes don't  
18 have an opportunity to be commercial. They don't  
19 have to be commercial, but oftentimes they're --  
20 they don't have a path. To give filmmakers,  
21 sometimes new filmmakers, opportunities to make  
22 movies. To tell stories that a lot of people may  
23 not see are worth telling.

24 And, as I say -- and my CFO gets mad at  
25 me all the time -- is we want to make things that

CONFIDENTIAL

Page 39

1 have impact whether or not they make money. Of  
2 course we have to make money, but that's not our  
3 primary goal.

4 Q Is Wayfarer profitable?

5 A No.

6 Q Has it ever been?

7 A No.

8 Q I believe Mr. Sarowitz testified that  
9 Wayfarer is paying for the litigation fees and  
10 expenses of the various defendants in these two  
11 related litigations; is that correct?

12 A I don't know about -- well, the  
13 defendants, yes, we are paying for those.

14 Q And that includes litigation fees and  
15 expenses for Mr. Baldoni's defense?

16 A It does.

17 Q And for Ms. Abel's defense?

18 A It does.

19 Q And for Ms. Nathan's defense?

20 A It does.

21 Q And for Wayfarer's defense?

22 A Yes.

23 Q For Mr. Wallace's defense?

24 A Yes. Sorry. I just needed to -- there  
25 is a lot of expenses, so I'm just making sure.

CONFIDENTIAL

Page 40

1 Q And for Street Relations' defense?

2 A I believe so. I don't know if there is a  
3 distinction between the two.

4 Q And for The Agency Group's defense?

5 A I believe so.

6 Q For your defense?

7 A Yes.

8 Q For Mr. Sarowitz's defense?

9 A Yes.

10 Q Am I missing any defendants that you are  
11 paying for?

12 A I don't think --

13 MS. SHAPIRO: Objection.

14 THE WITNESS: -- there's any other  
15 defendants.

16 BY MS. SHAH:

17 Q Okay. How about attorneys' fees for  
18 Ms. Case's legal fees related to this case?

19 MS. SHAPIRO: Objection. Objection.

20 THE WITNESS: I don't know.

21 BY MS. SHAH:

22 Q How about for the attorneys' fees related  
23 to Ms. Koslow's involvement in this case?

24 MS. SHAPIRO: Objection.

25 THE WITNESS: Similarly, I don't know.

CONFIDENTIAL

Page 52

1 very well aware of that, but to all capacities, I  
2 don't know.

3 Q Okay. Okay.

4 And after the time of this agreement,  
5 Wayfarer paid for the portion of Jonesworks' fee  
6 attributable to its personal publicity services for  
7 Mr. Baldoni; is that correct?

8 MS. SHAPIRO: Objection.

9 THE WITNESS: Correct.

10 BY MS. SHAH:

11 Q And you're aware, are you not, that  
12 Wayfarer had requested of Jonesworks around the time  
13 that this agreement in Exhibit 23 was signed, that  
14 Jonesworks issue a single invoice to Wayfarer for  
15 payment that encompassed both the fee for Wayfarer  
16 services and the fee for Mr. Baldoni's personal  
17 publicity services, correct?

18 MS. SHAPIRO: Objection.

19 THE WITNESS: I believe that to be  
20 accurate.

21 BY MS. SHAH:

22 Q Okay. And Wayfarer regularly paid those  
23 joint or bundled invoices when they were issued by  
24 Jonesworks on behalf of both Wayfarer's services and  
25 Mr. Baldoni's personal publicity services, correct?

CONFIDENTIAL

Page 53

1 MS. SHAPIRO: Objection.

2 THE WITNESS: We did.

3 BY MS. SHAH:

4 Q Okay. And that total fee for Jonesworks  
5 services that was paid by Wayfarer and that  
6 encompassed both Jonesworks' services for Wayfarer  
7 and Jonesworks' services for Mr. Baldoni, was  
8 \$25,000 a month; is that right?

9 MS. SHAPIRO: Objection.

10 THE WITNESS: Yes.

11 BY MS. SHAH:

12 Q And you understand that Wayfarer had  
13 requested, around the time that this agreement in  
14 Exhibit 23 was signed -- well, let me ask it this  
15 way.

16 Prior to the time when Jonesworks began  
17 working for Wayfarer and before this agreement that  
18 we looked at in Exhibit 23 was signed, Jonesworks  
19 had already been working for Mr. Baldoni personally,  
20 right?

21 A I have knowledge that they worked  
22 together, yes, that Stephanie was his publicist. I  
23 don't know to what capacity and what agreements  
24 because it was before I was there.

25 Q Sure.

CONFIDENTIAL

Page 54

1 A But I know they worked together.

2 Q Okay. And once this agreement between  
3 Wayfarer and Jonesworks was signed that we're  
4 looking at in Exhibit 23, you're aware that Wayfarer  
5 asked Jonesworks to bundle Mr. Baldoni's contract  
6 together with this Wayfarer contract, right?

7 MS. SHAPIRO: Objection.

8 A I don't know if I understand the  
9 mechanics that happened when they were bundled, but  
10 I'm aware that they were bundled at some point.

11 Q Okay.

12 MS. SHAH: I am going to show you what's  
13 been marked as tab 3 -- sorry.

14 THE STENOGRAPHIC REPORTER: Twenty-four.

15 MS. SHAH: Thank you. What is going to  
16 be marked as Exhibit 24.

17 THE WITNESS: Thank you.

18 (Exhibit 24 marked for identification.)

19 BY MS. SHAH:

20 Q For the record, this is a text thread  
21 between Labid Aziz and Stephanie Jones dated  
22 June 10th, 2020, and it's marked JONESWORKS\_,  
23 several zeroes, 41594.

24 Have you seen this text exchange before?

25 A I have not.

CONFIDENTIAL

Page 76

1 Wayfarer. So if this person was putting in their  
2 notice and moving on, what would that mean for  
3 Wayfarer? So it was something to consider.

4                   But I do recall that in her notice, that  
5 that didn't mean she was leaving tomorrow. There  
6 was a duration of time. I don't know -- I don't  
7 know if that was a month or two months or  
8 three months or whatever it would have been. But  
9 certainly, that would have been on my mind.

10 BY MS. SHAH:

11                   Q     You just said something about Matthew not  
12 being the person you felt safe considering to be  
13 like the leader of the Wayfarer account, right? Who  
14 was the person that you felt safe with being the  
15 leader of the Wayfarer account?

16                   A     Jen.

17                   Q     Okay. Anyone else at Jonesworks?

18                   A     Jen.

19                   Q     Okay. How would you describe the cadence  
20 of your relationship and interactions with Jen as  
21 Wayfarer's publicist over the four years she had  
22 been on that account?

23                   MS. SHAPIRO: Objection.

24                   THE WITNESS: Jen is on top of it. She  
25 understands and gets what we're about and how we

CONFIDENTIAL

Page 77

1 like to operate. And I trusted her judgment. And  
2 based on that, we built a relationship that was a  
3 professional trusting of the path we wanted to take.  
4 While I liked Matthew Mitchell, he didn't feel to be  
5 a leader to me in the way that Jen is.

6 BY MS. SHAH:

7 Q Did you feel like you had that close  
8 relationship of trust on a professional level with  
9 anyone else than Jen at Jonesworks?

10 A I didn't have distrust with anybody, but  
11 Jen was our point.

12 Q Okay.

13 THE STENOGRAPHIC REPORTER: Was our what?

14 THE WITNESS: Point. Point person.

15 Sorry.

16 BY MS. SHAH:

17 Q And I think you testified a little bit  
18 ago that, like, sure, when you found out Jen was  
19 considering leaving, Jonesworks, it was a  
20 consideration for you in terms of what would happen  
21 to Wayfarer after she left?

22 A Sure.

23 Q Can you tell me a little bit more about  
24 how you thought about that in your mind?

25 MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 88

1       through Josh Greenstein that Stephanie had been  
2       engaging with someone. I didn't know the extent of  
3       it at the time because it was all new information.  
4       I didn't know all the backstory, but when I called  
5       to talk to her about it, her behavior and her  
6       ability to be present as someone who was working for  
7       Wayfarer versus her own, God bless her, personal  
8       stuff, and her own was conflicting for me and, I  
9       felt, unprofessional.

10           And as I was having the conversation with  
11       her and trying to separate those things, she did not  
12       have the ability, in my estimation, to separate  
13       them. And this went on for a while. And I needed  
14       her to hear my instruction to not contact anybody.  
15       Even though, again, I understand she was worried  
16       about a reputation. And I feel for her. But we had  
17       a big fire going on we were trying to manage, and  
18       she was one of our firefighters, and she was  
19       concerned about her own fire. No judgment, but I  
20       needed a firefighter in ours. And I did not feel I  
21       was getting that. And it gave me great concern  
22       moving forward how to work with that.

23           Q       Do you recall where you were when that  
24       phone call took place?

25           A       I was in Chicago, I believe.

CONFIDENTIAL

Page 96

1                   THE WITNESS: Sorry. Danny then called  
2 me after the call with Patrick. He may have been on  
3 the call as Patrick, as well, Danny. I just don't  
4 recall. He called me shortly after the call and was  
5 going to read to us a letter that the Reynolds -- I  
6 guess I can refer to both of them as the Reynolds --  
7 had written, and I could not believe what was  
8 happening. So I recorded it because I wanted it  
9 documented.

10 BY MS. SHAH:

11 Q        What about the --

12 A        Not -- not only documented. I also -- he  
13 was going to dictate to me a letter, and I didn't  
14 have a hard copy of it, so I wanted to record it so  
15 that I could actually write it down and have it.

16 Q        And what about the Sony marketing call?

17 MS. SHAPIRO: Objection.

18                   THE WITNESS: In the Sony call, we were  
19 planning how to navigate these two different  
20 premieres, the ins and outs about it or whatever was  
21 gonna -- how it was going to look. And we had, from  
22 what I believed, a really good relationship with  
23 Sony. But it started feeling like there was -- and  
24 while I understand they have to kind of pay  
25 middleman to whatever they think is going on or not

CONFIDENTIAL

Page 106

1 record. The time is 11:28 a.m.

2 BY MS. SHAH:

3 Q Coming back to something that you  
4 testified about earlier, I just want to make sure  
5 the record is clear.

6 I asked you about the recording that you  
7 made of your call with Stephanie Jones on  
8 August 7th or 8th of 2024.

9 A Yeah.

10 Q And I believe you said that you did not  
11 inform her that you were recording that call; is  
12 that correct?

13 A That's correct.

14 Q Meaning, you did not inform her that you  
15 were recording that call?

16 A I did not inform her.

17 Q Thank you.

18 And did I hear you correctly that you  
19 believe you listened to that call shortly before you  
20 provided it to your attorneys in early September of  
21 2024?

22 MS. SHAPIRO: Objection.

23 THE WITNESS: I don't believe I said  
24 that.

CONFIDENTIAL

Page 107

1 BY MS. SHAH:

2 Q Okay. What do you recall? Or --

3 A I don't recall exactly when I listened to  
4 it. I think that I testified that I would -- well,  
5 forget what I testified to.

6 Q Sure. Tell me what your recollection is.

7 A I believe I listened to it at the time  
8 that I had turned everything over to the attorneys.

9 Q Okay.

10 A That's -- that's my recollection.

11 Q Okay. And when you say turned everything  
12 over to your attorneys, did you turn -- did you give  
13 them your entire physical phone?

14 A Yes.

15 Q Okay. Do you have an understanding of  
16 whether or not they made a forensic image of your  
17 phone?

18 A They did.

19 Q Okay.

20 A Not my attorneys, but whatever the party  
21 is. I mean --

22 Q Sure.

23 A -- whatever their method is.

24 Q Yes. Was it your attorneys who were in  
25 charge of deciding what materials from your phone

CONFIDENTIAL

Page 108

1       would be produced in this litigation and when?

2           A     I imagine so.  My job was to give them  
3     everything and then they follow the rules of  
4     engagement.

5           Q     You did not make the individual decisions  
6     about what from your phone was going to be provided  
7     in this litigation and when?

8           A     I did not.

9           Q     Okay.  When you -- when did you turn your  
10    phone over to your attorneys?

11          A     Sometime during discovery, whenever it  
12    was requested.  So we're in -- what are we in?

13          Q     October.

14          A     We're in October.  I don't know.

15          Q     Was it before this summer?

16          MS. SHAPIRO:  Objection.

17          THE WITNESS:  Summer is July?

18          MS. SHAPIRO:  What year?

19    BY MS. SHAH:

20          Q     This year.

21          A     I -- I don't recall.

22          Q     Okay.  It was certainly before the first  
23    production of documents and materials from your  
24    phone was made in this case, right?

25          MS. SHAPIRO:  Objection.

CONFIDENTIAL

Page 109

1 BY MS. SHAH:

2 Q Like, you had to have given your phone to  
3 your attorneys before they provided materials to us  
4 in this case, right?

5 A I imagine so.

6 Q Okay.

7 A I'm only just being careful, not for any  
8 other reason.

9 Q Sure.

10 A I just don't -- as soon as I was informed  
11 that we had to -- they needed information, we gave  
12 all that stuff over.

13 Q Okay.

14 A So I don't know when that was.

15 Q You gave your phone over to your  
16 attorneys before October 1st, right?

17 A Yes.

18 Q Yes. Before September 1st, right?

19 A I imagine so.

20 Q Okay.

21 A That makes sense.

22 Q Were the four recordings that you  
23 recalled to me that you had made of calls involving  
24 Stephanie Jones, Patrick Whitesell, Danny Greenberg,  
25 and the Sony marketing people, contained on your

CONFIDENTIAL

Page 111

1 MS. SHAH: Can you pull tab 7?  
2 I'm going to show you what's been marked  
3 as Exhibit 27. It's a document -- email with an  
4 attachment, dated October 24th, 2024,  
5 Bates-stamped JONESWORKS\_WAYFARER\_, several zeroes,  
6 3754.

7 (Exhibit 27 marked for identification.)

8 BY MS. SHAH:

9 Q Do you see that?

10 A I do.

11 Q Who is Mitz Toskovic at Wayfarer? And  
12 forgive my pronunciation.

13 A Mitz Toskovic or Toskovic. She's our  
14 vice president of operations.

15 Q Who is Laura Voglesong?

16 A She's our controller.

17 Q Who is brian@wayfarerstudios?

18 A He's our CFO.

19 Q What is his last name?

20 A Singer.

21 Q You're not on this email, it doesn't  
22 appear to me. Unless, are you part of the -- so  
23 there is a --

24 A I'm on it.

25 Q You're on the accounting listserv?

CONFIDENTIAL

Page 127

1 It Ends with Us?

2 A I have no memory of it.

3 Q Coming back to the subject of these  
4 recorded calls that you -- the call recordings that  
5 you made of the four calls, do you know, yes or no,  
6 whether or not your attorneys ever shared any of  
7 those recordings with any of the witnesses in this  
8 case or those witnesses' counsel?

9 A Say it one more time so I understand it  
10 clearly. I'm sorry.

11 Q Sure.

12 With respect to the four call recordings  
13 that you made that we've discussed earlier today, do  
14 you have any knowledge, yes or no, whether your  
15 attorneys ever shared any of those recordings with  
16 any of the witnesses in this case or their counsel?

17 A No, I have no knowledge.

18 Q Okay. Now, at some point in time,  
19 Wayfarer made the decision to bring on TAG and  
20 Melissa Nathan as crisis communications  
21 professionals, right?

22 A We did.

23 Q And by "TAG" you understand I'm referring  
24 to The Agency Group, which is Melissa Nathan's  
25 company, right?

CONFIDENTIAL

Page 131

1 having control of edits and all of her ideas being  
2 embraced. Justin did his best with that, but you  
3 know, he had a line. Her not getting them caused a  
4 lot of feelings. We had a year prior, if not more,  
5 had some conversations that were of her expressing  
6 that she wasn't happy with certain things. And  
7 there was this veiled, like, what does that mean?

8                   What -- so we didn't know. There was  
9 this -- for me, there was this fear of an unknown,  
10 but also things happening that we were witnessing.  
11 What do we do? Jen at some point recommended, I  
12 think you should talk to crisis PR. I think they  
13 would be helpful. So the purpose to originally meet  
14 with them and to hire them was to have some  
15 consultation. What does someone do in this  
16 particular time? And that's what led us to hire  
17 them.

18                   Q     Okay.

19                   A     Sorry for the long-winded explanation,  
20 but there was probably more in there but I just --  
21 just giving you -- you asked me specifically what  
22 led us to do that.

23                   Q     Sure.

24                   A     Some of those things --

25                   Q     Thank you. I appreciate that.

CONFIDENTIAL

Page 134

1       Isabela Ferrer's experiences on the set and what she  
2       has testified to in this case, right?

3           A       I don't believe we talked about Isabela  
4       yesterday.

5           Q       Okay. Counsel talked to you yesterday  
6       about Ms. Hoover's experiences on the set, and what  
7       she has testified to about in this case, right?

8           MS. SHAPIRO: Objection.

9           THE WITNESS: I don't recall that.

10          BY MS. SHAH:

11           Q       Okay. At least with respect to then  
12       three women involved in the film; Ms. Lively,  
13       Ms. Slate, and Alex Saks, coming into August of  
14       2024, how do you think it's possible that by then  
15       you did not recognize indications of their  
16       discomfort and concerns about what had happened on  
17       the set and people's on-set behavior?

18           MS. SHAPIRO: Objection.

19           THE WITNESS: In order to have this  
20       conversation or for me to give testimony -- it's not  
21       really a conversation. I don't know how this is  
22       working. We're going to have to separate Alex Saks.  
23       Because other than what I heard and some testimony  
24       and until she then also would not go to the  
25       premiere, up until that time, we were on fine

CONFIDENTIAL

Page 135

1 speaking terms. She and I were -- everything was  
2 good.

3 So other than, which I acknowledge there  
4 was a moment that they bumped heads on set, there  
5 was no indication that there was anything more than  
6 that with Alex Saks, nor have I heard any  
7 accusations that there was more other than they  
8 bumped heads a few times.

9 I don't want to belittle what someone may  
10 feel, but I want to be clear that in intense  
11 situations, people bump heads all the time. I'm  
12 sure you've bumped heads with an attorney once or  
13 twice. I saw you guys going at it a few times. It  
14 happens, but then do you go and think that there is  
15 a problem with this person because you bumped heads?  
16 That's what the experience was with Alex. So I  
17 think it's important to separate that from anything  
18 else. Because there was no indication for me at  
19 that point to think when you say "other women" to  
20 include Alex, if that's fair.

21 BY MS. SHAH:

22 Q I don't know whether it's fair or not,  
23 but I accept your answer.

24 And I guess my question is, respectfully,  
25 your perspective of these various incidents seems

CONFIDENTIAL

Page 145

1 to discuss or clear the air about. One of them was  
2 the incident with you and she in her trailer, right,  
3 when she was getting her body makeup removed. And  
4 you mentioned that she had said something to you  
5 like, I asked you to look away and I turned around  
6 and we made eye contact or something like that,  
7 right?

8 A In the June 1st meeting?

9 Q Okay.

10 A Is that what you mean?

11 Q Sure. At any point in time.

12 A Okay. I didn't know if you talked about  
13 --

14 Q Fair.

15 A -- other things.

16 Q I guess my question is, you understood,  
17 though, from your discussions with her that the  
18 issue about you entering her trailer was because she  
19 was nude from the waist up, right?

20 A No.

21 MS. SHAPIRO: Objection.

22 BY MS. SHAH:

23 Q You didn't think she asked you to turn  
24 around because she was nude from the waist up?

25 MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 146

1                   THE WITNESS: I did not think that.

2 BY MS. SHAH:

3                   Q     Does she typically ask you to turn around  
4 when she's having conversations with you when she  
5 has her clothes on?

6                   MS. SHAPIRO: Objection.

7                   THE WITNESS: Fair.

8 BY MS. SHAH:

9                   Q     Okay.

10                  A     I didn't see her, what she was wearing or  
11 not wearing. I saw that she was leaning back, and  
12 it looked like she was either feeding or maybe  
13 nursing -- or pumping. That's what it appeared she  
14 was doing. When she asked me to look away, I  
15 thought it was in that regard.

16                  Q     I understand --

17                  A     So I never saw it, so I didn't question  
18 that. So I moved over and looked away based on  
19 that.

20                  Q     Okay. But even nursing or pumping  
21 involves activity with a woman's breasts, right?

22                  A     Sure.

23                  Q     And you understood that it was in that  
24 context that she was asking you not to look, right?

25                  A     Fair. She asked me to look away, so

CONFIDENTIAL

Page 147

1       whatever she was doing, she didn't want me to --

2           Q     Right.

3           A     Sure.

4           Q     And what she was doing was something that  
5       had to do with her breasts being exposed or  
6       involved?

7           A     Okay.

8           Q     Okay. The video that you mentioned that  
9       she -- that you showed her of your wife was one of  
10       the things that she raised for discussion with you,  
11       right?

12           MS. SHAPIRO: Objection.

13           THE WITNESS: Correct.

14       BY MS. SHAH:

15           Q     Okay. However you want to characterize  
16       that video, that is a video -- I don't mean that in  
17       any way other than I'm trying not to say "birthing  
18       video," because I understand there's been some  
19       discrepancy around what exactly is in the video.

20           A     Okay.

21           Q     That is a video of some portion of your  
22       wife in an intimate scene with you during the  
23       process of birthing your child, right?

24           A     The word "intimate" throws me when you  
25       say that.

CONFIDENTIAL

Page 163

1       whether the conversations referenced only incidents  
2       that happened within some ten-day or short period of  
3       time --

4           A       Okay.

5           Q       -- do you think that the fact that it  
6       kept being brought up over and over and over, at  
7       least on June 1st in the November 17-point letter  
8       and in the January 2024 meeting, was an indication  
9       that, perhaps, at least from Blake's perspective,  
10      whatever had happened before was not, in fact,  
11      resolved?

12           MS. SHAPIRO: Objection.

13           THE WITNESS: Again, I think there wasn't  
14      multiple, multiple ones. June 1st was the first  
15      conversation. There was the first conversation with  
16      Blake, right? Some thoughts had been shared. We  
17      had a conversation on June 1st. No other  
18      conversations about it. You're referencing the  
19      November 9th letter as if that's a conversation.  
20      But it was clear. I'm not trying to hide away from  
21      the language.

22           In lieu of an HR complaint, we know that  
23      there's a lot of things that happened on set. That  
24      involved a lot. There was a lot. We had a lot of  
25      strikes. We had COVID. We had issues, production,

CONFIDENTIAL

Page 164

1 that had nothing to do with you and me bumping  
2 heads. But to say it and characterize that as it's  
3 coming up again, it was like, here's the protections  
4 that I need to make sure that I feel safe, as she  
5 put it, moving forward.

6 It wasn't bringing back up the June 1st  
7 stuff, the conversation. It was like, here's what I  
8 need moving forward. Here's some guidelines. We'd  
9 give this to anybody, but it wasn't a conversation  
10 about it. We did not think it was kept being  
11 brought up and brought up. This is, contracts  
12 happen all the time of what they need to go on set.  
13 Here was one.

14 The January 4th is what I would  
15 consider the second conversation, no matter how you  
16 want to frame the other. And that meeting, with a  
17 Sony representative, the new Sony producer, myself,  
18 Justin, Alex Saks, our other producer, no one felt  
19 that this was a -- a nod to then, what do you do  
20 next? She got -- she wanted to express it. She  
21 said, just want to clear the air, after we talked  
22 about it, then we talked about production. See you  
23 guys tomorrow.

24 There was no indication that we were  
25 supposed to take another step. We thought the step

CONFIDENTIAL

Page 165

1 was done. We talked about it. She got it off  
2 her -- even though we disagreed. I still contend to  
3 this day that most of what she is saying, either all  
4 of it -- either it's twisted or fabricated.

5 She says I talked about my genitals. I  
6 still haven't had -- heard anybody ask me. She said  
7 I had a porn addiction in her complaint. No one has  
8 asked me where that came from as it pertains to me.  
9 But we talked about it.

10 And our belief -- I don't know if lawyers  
11 like it if I say this or not, whether we were right  
12 or wrong, our belief at the time was that it was  
13 handled, it was discussed, and then we moved on.  
14 I'm sorry.

15 BY MS. SHAH:

16 Q Don't be sorry.

17 THE WITNESS: Can we take a break?

18 MS. SHAH: Yes, absolutely. Why don't we  
19 take the lunch break?

20 MS. SHAPIRO: Forty-five minutes?

21 MS. SHAH: We can go off the record.

22 Forty minutes?

23 MS. SHAPIRO: Forty minutes is fine.

24 THE VIDEOGRAPHER: We are going off the  
25 record. The time is 12:50 p.m.

CONFIDENTIAL

Page 166

1 (Lunch recess.)

2

3 THE VIDEOGRAPHER: We're back on the  
4 record. The time is 1:42 p.m.

5 BY MS. SHAH:

6 Q Good afternoon, Mr. Heath.

7 A Good afternoon.

8 Q Before lunch we were discussing your  
9 decision to bring on TAG and Melissa Nathan to  
10 handle crisis communications. You had mentioned  
11 that at some point, Jen had recommended to you that  
12 you should consider bringing on crisis  
13 communications professionals; is that right?

14 A Correct.

15 Q What do you recall about that  
16 conversation?

17 A I recall her saying that she doesn't do  
18 crisis PR and this might be a conversation with a  
19 crisis PR firm.

20 Q Do you recall when that conversation  
21 occurred?

22 A I don't.

23 Q Do you think it was like within several  
24 days of when you first talked to Melissa Nathan?

25 MS. SHAPIRO: Objection.

CONFIDENTIAL

Page 167

1                   THE WITNESS: I don't know if it was in  
2 several days, but it wasn't weeks.

3 BY MS. SHAH:

4                   Q     Okay. Did she recommend Melissa Nathan  
5 to you as a potential person that you could hire for  
6 crisis comms?

7                   A     I believe it was her. Yes.

8                   Q     Okay. Meaning, it was Jen?

9                   A     I believe so.

10                  Q     Did she give you any other names of any  
11 other people or firms other than Melissa Nathan that  
12 you should consider for crisis communications?

13                  A     I don't remember. She may have. I don't  
14 remember.

15                  Q     Okay. You can't think of any as you sit  
16 here today?

17                  A     I can't.

18                  Q     Did you personally speak with  
19 Melissa Nathan or anyone from TAG before you decided  
20 to hire them?

21                  A     I did.

22                  Q     Did you personally speak with or  
23 interview any other crisis communications  
24 professional?

25                  A     I did not.

CONFIDENTIAL

Page 168

1 Q Did anyone at Wayfarer ever speak with or  
2 interview any other crisis communications  
3 professional than Melissa Nathan?

4 A Not that I'm aware of.

5 Q Okay. Did you also ask or did anyone at  
6 Wayfarer ask Stephanie Jones for recommendations for  
7 crisis communications professionals?

8 A I believe we did.

9 Q Okay.

10 A Or -- I don't know if we asked or if they  
11 were just shared. But I do know that we got some  
12 recommendations from Stephanie Jones. I don't  
13 recall how that happened.

14 Q Okay. And Melissa Nathan was not on  
15 Stephanie Jones' list of recommendations to you for  
16 crisis communications, right?

17 A She was not.

18 Q You were aware that Stephanie Jones  
19 expressly warned you that you should not hire  
20 Melissa Nathan for this role, correct?

21 A I was aware.

22 Q What was your understanding of the  
23 reasons that Stephanie thought you should not hire  
24 Melissa Nathan in this role?

25 A To start with, I had a phone conversation

CONFIDENTIAL

Page 169

1 with Stephanie also because she -- I believe she  
2 called me about it. And there was some either text  
3 or email or something suggesting it. I don't know  
4 what happened when. At some point, yes, she had  
5 said that she didn't think she was the right fit  
6 because she thought she was shady.

7 Q What did you understand Stephanie to mean  
8 when she said she thought Melissa Nathan was shady?

9 A I didn't know exactly. But she went on  
10 to tell me, I believe on a phone call, and she was  
11 very passionate, as Stephanie wonderfully can be,  
12 about her feelings for her.

13 Q And what did she tell -- what did  
14 Stephanie tell you on that phone call about the  
15 reasons that she thought Melissa Nathan was shady?

16 A I don't think on that phone call that I  
17 recall anything specific of what she said. It's one  
18 of the many phone calls that you have with people so  
19 I don't remember exactly. But the sentiment was,  
20 she didn't like her. I remember knowing that they  
21 had some history. She was pretty adamant about it.  
22 Where by the end of the call, I had deduced that  
23 they had personal history.

24 Maybe some of it was based on fact.  
25 Maybe some of it was based on personal differences.

CONFIDENTIAL

Page 204

1 A I would almost 99 percent say I did not.

2 Q Okay.

3 A But -- because, yeah.

4 Q Okay. That's all I have on that.

5 A Okay.

6 Q Do you recall at some point in time also  
7 bringing on Jed Wallace and Street Relations onto  
8 the Wayfarer team?

9 A Yeah.

10 Q Whose suggestion was that?

11 A I believe it would have been Melissa's.

12 Q Did you ever discuss that with  
13 Stephanie Jones?

14 A No.

15 Q Okay. Did you ever discuss that with  
16 Jen Abel?

17 A I'm sure.

18 Q Do you recall a point in time, we  
19 discussed it a little bit earlier in part, when  
20 there were some issues around like whether and who  
21 had reached out to The Daily Mail?

22 A Say that one more time. You probably  
23 said that perfectly fine, but I didn't follow.

24 Q It's all right.

25 There was a Daily Mail article published

CONFIDENTIAL

Page 218

1 text from you at 11:35 a.m. that says:

2 (As read):

3 "Hold on, guys. Please, no one call  
4 Daily Mail right now. Melissa is in  
5 the middle of it."

6 What did you mean by, "Melissa is in the  
7 middle of it"?

8 A It looked like that she was fielding --  
9 we brought in, at this point, crisis to navigate  
10 through this. And she was discussing it, and I  
11 didn't want multiple people calling. Stephanie, as  
12 I had mentioned, was not in the daily loop in  
13 conversations. So what she might know the marching  
14 orders are and the intricacies of it, she's not  
15 involved or I don't know how much she knows. So  
16 I've asked Michelle to take care of it. Please,  
17 it's okay. She's taking care of it.

18 Q Okay. So at this point in time, you were  
19 having Melissa Nathan handle any inquiries from The  
20 Daily Mail and otherwise manage the press around  
21 this, and you did not want Stephanie Jones to do it;  
22 is that fair?

23 MS. SHAPIRO: Objection.

24 THE WITNESS: I didn't want anyone doing  
25 it that wasn't in our inner circle talking about it

CONFIDENTIAL

Page 219

1 all the time. Because there were daily, hourly,  
2 possibly, whatever, decisions and conversations of  
3 navigating it. And unless you were in that loop  
4 every day, I didn't want anyone doing something.

5 BY MS. SHAH:

6 Q I understand that. But Stephanie Jones  
7 in your mind was not in that loop and so you did not  
8 want her interfacing with The Daily Mail on this; is  
9 that correct?

10 A Correct. I did not want her to.

11 Q Okay. And that was at least in part  
12 because Melissa Nathan was already doing it and --  
13 and you wanted Melissa Nathan as the crisis person  
14 to be doing that, right?

15 A I don't know if I would -- I can say  
16 that. I think it was, there's a team of people that  
17 are meeting. We've consulted. That's how I wanted  
18 to handle it. Now, whether it was Melissa or  
19 whether it was another person at TAG or maybe it  
20 would have been Jen, I don't know, necessarily,  
21 again this wasn't my world. But I just knew it was  
22 all people that were hearing from me, and Stephanie  
23 was not one.

24 Q Okay. Who were the people that were  
25 hearing from you on this that were in the circle?

CONFIDENTIAL

Page 228

1 remember getting -- answer [sic] me the question one  
2 more time, if you don't mind.

3 BY MS. SHAH:

4 Q Sure.

5 Do you have any basis to tell me as you  
6 sit here today that Stephanie Jones didn't follow  
7 your instruction for her to stand down after you  
8 told her to do that?

9 A I don't know. I -- I can't recall  
10 anything.

11 Q Okay. And after the point in time that  
12 you told Stephanie she was not to contact any  
13 reporters on behalf of Wayfarer or Justin, did you  
14 have any substantive or strategy or other  
15 conversations or communications with Stephanie about  
16 Wayfarer's publicity after that?

17 MS. SHAPIRO: Objection.

18 THE WITNESS: After I asked her to stand  
19 down?

20 BY MS. SHAH:

21 Q Uh-huh.

22 A Did I have any subsequent conversations  
23 with her?

24 Q Yes.

25 A About the positioning of Jonesworks with

CONFIDENTIAL

Page 229

1           **Wayfarer?**

2           **Q      About -- no, about Wayfarer's publicity**  
3      **plans.**

4           **A      Right. Not immediately after, I don't.**  
5      **When I say "immediately," I don't mean within days**  
6      **because we were dealing with the current flames.**  
7      **But that is something that became a little -- became**  
8      **apparent to me that there seemed to be no discussion**  
9      **on that at some point. Once I had learned -- you**  
10     **mean during this time or at anytime?**

11           **Q      What I'm essentially asking is, after you**  
12     **told her to stand down, did you later, like, loop**  
13     **her back onto the team and get her involved, or no?**

14           **A      As I said, she's never been involved.**

15           **Q      Okay.**

16           **A      As far as I'm concerned.**

17           **Q      Okay. So you didn't invite her into the**  
18     **team after that?**

19           **MS. SHAPIRO: Objection.**

20           **THE WITNESS: She was -- she was never a**  
21     **part of it.**

22     **BY MS. SHAH:**

23           **Q      Okay.**

24           **A      No -- no offense to Stephanie.**

25           **Q      Understood.**

CONFIDENTIAL

Page 230

1           A     She just never was. So other than some  
2 of these instances, but...

3           Q     Now, there came a time in late August of  
4 2024 where Wayfarer provided notice to Jonesworks  
5 that it was terminating Jonesworks; is that right?

6           A     Late August?

7           Q     Uh-huh.

8           A     I probably need to see an email or  
9 something so I can confirm the date, but for the  
10 moment I can take your word for it.

11          Q     Sure. Even apart from the date, you  
12 recall that there came a point in time when Wayfarer  
13 terminated Jonesworks, right?

14          A     Yes.

15          Q     Okay. Who made that decision?

16          A     Ultimately?

17          Q     Uh-huh.

18          A     Me.

19          Q     Okay. Why did you make that decision?

20          A     I mean, I think I expressed it before so  
21 I will just give you the short version.

22          Q     Please.

23          A     I had come to the conclusion that I had  
24 lost faith. I don't like saying -- I had lost faith  
25 in what I believed Stephanie could provide and

CONFIDENTIAL

Page 231

1 Jonesworks felt like -- thank you so much -- a place  
2 that we've been for some years and, you know,  
3 changes happen. And also, our point person who I  
4 trusted with my kids, going back to the babysitter  
5 analogy, I just trusted her. And here she's going  
6 somewhere else. And this happens all the time with  
7 agencies and managers. You know, you have a  
8 relationship with -- with Ms. Shah, not the law firm  
9 you are at.

10 THE WITNESS: Thank you.

11 MS. SHAPIRO: Do you want a break?

12 MS. SHAH: Yes. I think the reporter  
13 would like a break. Why don't we go off the record.  
14 How long would you like?

15 THE WITNESS: Was this for me?

16 THE VIDEOGRAPHER: We are going off the  
17 record. The time is 3:04 p.m.

18 (Recess.)

19 (Recess.)

20 THE VIDEOGRAPHER: We're back on record.  
21 The time is 3:44 p.m.

22 BY MS. SHAH:

23 Q You're aware that Wayfarer filed  
24 counterclaims against Jonesworks and Ms. Jones in  
25 this case, correct?