

OCTOBER 3, 2025

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
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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,
vs.
JONESWORKS, LLC,
Third-party Defendant.

WAYFARER STUDIOS LLC, et al.,
Consolidated Plaintiffs,
vs.
BLAKE LIVELY, et al.,
Consolidated Defendants.

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VIDEO-RECORDED DEPOSITION OF STEVE SAROWITZ
Los Angeles, California
Friday, October 3, 2025

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

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Consolidated Plaintiffs,
vs.
BLAKE LIVELY, et al.,
Consolidated Defendants.

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Video-recorded Deposition of
STEVE SAROWITZ, taken on behalf of the Plaintiff
Blake Lively, Pursuant to Notice, at the offices of
Willkie Farr & Gallagher, 2029 Century Park East,
Los Angeles, California beginning at 9:28 a.m. and
ending at 7:16 p.m. on Friday, October 3, 2025,
before me, ASHLEY SOEVYN, California Certified
Shorthand Reporter No. 12019.

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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: KRISTIN TAHLER

7 Attorney at Law

8 865 S. Figueroa Street

9 8th Floor

10 Los Angeles, California 90017

11 kristintahler@quinnemanuel.com

12 (212) 849-7000

13 -AND-

14 QUINN EMANUEL URQUHART & SULLIVAN

15 BY: MAAREN A. SHAH (Not present)

16 BY: MORGAN ANASTASIO (Not present)

17 Attorneys at Law

18 51 Madison Avenue

19 22nd Floor

20 New York, New York 10010

21 maarensah@quinnemanuel.com

22 manastasio@quinnemanuel.com

23 (212) 849-7000

24

25

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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: STEPHANIE ROESER (VIA ZOOM)

6 BY: ESRA HUDSON (VIA ZOOM)

7 Attorneys at Law

8 2049 Century Park East

9 Suite 1700

10 Los Angeles, California 90067

11 sroeser@manatt.com

12 ehudson@manatt.com

13 (310) 312-4207

14

15

16

17

18

19

20

21

22

23

24

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Page 5

1 A P P E A R A N C E S :

2

3 For the Plaintiff Blake Lively:

4 WILLKIE FARR & GALLAGHER

5 BY: MICHAEL GOTTLIEB

6 Attorney at Law

7 2029 Century Park East

8 Los Angeles, California 90067

9 mgottlieb@willkie.com

10 (310) 855-3000

11 -AND-

12 WILLKIE FARR & GALLAGHER

13 BY: MELISSA TAUSTINE

14 BY: KRISTIN BENDER (VIA ZOOM)

15 Attorneys at Law

16 1875 K Street

17 Northwest

18 Washington, D.C. 20006

19 mtaustine@willkie.com

20 kbender@willkie.com

21 (202) 303-1245

22

23

24

25

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Page 6

1 A P P E A R A N C E S :

2

3 For the Plaintiff Blake Lively:

4 WILLKIE FARR & GALLAGHER

5 BY: AARON E. NATHAN (VIA ZOOM)

6 BY: MICHAELA CONNOLLY (VIA ZOOM)

7 Attorneys at Law

8 787 Seventh Avenue

9 New York, New York 10019

10 anathan@willkie.com

11 mconnolly@willkie.com

12 (212) 728-8000

13 -AND-

14 SLOANE OFFER WEBER AND DERN

15 BY: LINDSEY STRASBERG (VIA ZOOM)

16 Attorney at Law

17 10100 Santa Monica Blvd., Ste. 750

18 Los Angeles, California 90067

19 (310) 248-5100

20

21

22

23

24

25

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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: ELLYN GAROFALO

8 BY: SUMMER BENSON (VIA ZOOM)

9 BY: KYLE FINKEL (NOT PRESENT)

10 BY: JASON SUNSHINE (VIA ZOOM)

11 Attorneys at Law

12 1801 Century Park West, 5th Floor

13 Los Angeles, California 90067

14 bfreedman@lftcllp.com

15 egarofalo@lftcllp.com

16 sbenson@lftcllp.com

17 kfinkel@ftcllp.com

18 jsunshine@lfcllp.com

19 (310) 201-0005

20

21

22

23

24

25

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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 AHOURAIAN LAW

6 BY: MITRA AHOURAIAN

7 Attorney at Law

8 2029 Century Park East

9 Suite 400

10 Los Angeles, California 90067

11 mitra@ahouraianlaw.com

12 (310) 376-7878

13 -AND-

14 MEISTER SEELIG & FEIN

15 BY: KEVIN FRITZ (VIA ZOOM)

16 125 Park Avenue, 7th Floor

17 New York, New York 10017

18 kaf@msf-law.com

19 (212) 655-3570

20

21

22

23

24

25

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1 A P P E A R A N C E S :

2 For the Defendants Jed Wallace and Street Relations,
3 Inc.:

4 JACKSON WALKER LLP

5 BY: JOEL R. GLOVER

6 BY: TORI EMERY (NOT PRESENT)

7 Attorney at Law

8 1401 McKinney Street

9 Suite 1900

10 Houston, Texas 77010

11 jglover@jw.com

12 temery@jw.com

13 (713) 752-4226

14

15

16

17

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1 And if they changed during that time, it's fine,
2 just give me the full list.

3 A In 2024, the three directors were the
4 three of us that I mentioned already. In 2025, we
5 added on several more directors right before we shut
6 the foundation down. Andilib Khelghati, Daryn
7 Dodson, Shabnam -- and I'm going to mess up her last
8 name, it's a long Persian last name -- Nanabah,
9 Native American, and Sean Hinton.

10 Q Why were those -- when exactly were those
11 directors added?

12 A February.

13 Q And the -- I think the announcement that
14 the foundation was shutting down was in May; is that
15 right?

16 A Yes.

17 Q Did you know in February that you would
18 be shutting down the foundation?

19 A No.

20 Q When did you decide to shut down the
21 foundation?

22 A Shortly before we shut it down; shortly
23 before the announcement.

24 Q Why did you decide to shut down the
25 foundation?

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1 A A variety of reasons.

2 Q Can you please list them or explain them?

3 MS. GAROFALO: To the extent the response
4 includes any attorney-client communications or
5 advice, you're instructed not to answer. You may
6 otherwise answer.

7 THE WITNESS: The decision was made in
8 commune -- consultation with my attorneys.

9 BY MR. GOTTLIEB:

10 Q I understand that the decision may have
11 been made in consultation with your attorneys, and
12 I'm not going to ask you about any conversations
13 that you had with your attorneys about the
14 foundation or any other topic. But certainly, you
15 had views on whether or not to shut down the
16 foundation; is that right?

17 A Yes.

18 Q And you made a decision to do so,
19 correct?

20 A The board made the decision.

21 Q And did you vote in favor of that, I
22 assume resolution or proposal, as a member of the
23 board?

24 A Yes.

25 Q What was your reason for doing so?

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1 MS. GAROFALO: Again, other than advice
2 you may have been provided by attorneys, you can
3 answer.

4 BY MR. GOTTLIEB:

5 Q I am not asking for your conversations
6 with your lawyers. As you sat in the boardroom as a
7 board member, I imagine a proposal was presented.
8 It's a serious proposal. It meant shutting down an
9 organization that I imagine you'd given a lot of
10 time and money to. And all I'm trying to ask is why
11 you decided to do that.

12 A One of the deciding factors was death
13 threats against both me and my family as a result of
14 this litigation.

15 Q And as a result of those threats --
16 sorry, what else did you want to say?

17 A And arson at my house.

18 Q And that informed the decision to shut
19 down the foundation in what way?

20 A You were asking me about my personal
21 opinion, correct?

22 Q I was asking you about why you made the
23 decision to support closing the foundation.

24 A Well, as I said before, the board made
25 the decision, and then you asked me about my

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1 is: Have those threats been made to your knowledge
2 against other employees, directors -- let's start
3 with employees.

4 Have -- are you aware of any threats that
5 have been made to employees of the foundation?

6 A There was a threat made to the foundation
7 itself.

8 Q And what was that threat?

9 A I don't recall the exact threat, but I
10 remember we had to get security and it was during
11 the course of this litigation, where -- I want to
12 say this very clearly -- antisemitism was weaponized
13 against me and anything I was associated with, even
14 though I'm a Baha'i. And it was weaponized
15 violently and purposefully. And as someone who lost
16 20 members of my family in the holocaust and was
17 beaten up for being Jewish when I was a child, lost
18 my great-grandfather who I'm named after, I don't
19 appreciate that. And I want to go on record as
20 saying that religious prejudice has no place in
21 America.

22 Q And I appreciate all that. And I am
23 deeply sorry that that occurred. I'm also a
24 descendant of holocaust survivors and so I don't
25 appreciate it either.

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1 I'm trying to understand the link between
2 the threats that you received and your decision
3 respecting the foundation. I think I understand you
4 to be saying that that link is this threat that the
5 foundation itself received. Am I understanding you
6 correctly?

7 A In addition to the personal death
8 threats, in addition to the death threats and
9 kidnapping threats and arson against my family, the
10 foundation also received a threat as a direct result
11 of this litigation because of the actions taken by
12 the people within this litigation, which were
13 purposefully leveled against me and my family.

14 Q As a direct result, that antisemitic
15 threats against you and the Wayfarer Foundation, you
16 said -- I think you just testified are direct
17 results of actions taken by people in this
18 litigation?

19 MS. GAROFALO: Objection.

20 THE WITNESS: Yes.

21 BY MR. GOTTLIEB:

22 Q By which people?

23 A I don't know who authorized it, but I
24 know it was done by someone on -- on the other side.

25 Q What was done by someone on the other

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1 (As read) :

2 "David, I spoke with Bryan. We are
3 both on board with engaging your
4 services ASAP to do this"?

5 A Is that what you -- you're asking me to
6 look at the document?

7 Q Yes. In your email to Mr. Keyes and
8 Mr. Freedman, you say:

9 (As read) :

10 "David, I spoke with Bryan, and we are
11 both on board with engaging your
12 services ASAP to do this"?

13 A So are you asking me if we engaged his
14 services?

15 Q My question is, do you see where you've
16 said:

17 (As read) :

18 "David, I spoke with Bryan, and we are
19 both on board with engaging your
20 services ASAP to do this"?

21 A Yes.

22 Q And this is making Sage Steele's video go
23 viral. That's what you were proposing to do? We'll
24 get to whether it happened. That's what you were
25 proposing to do at this point in time?

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1 A Yes.

2 Q You and Mr. Freedman, at least as of
3 1:15:09 a.m. on January 2, were on board with the
4 notion of retaining David Keyes to make
5 Sage Steele's video go viral?

6 MS. GAROFALO: Objection.

7 MR. GOTTLIEB: You can answer the
8 question.

9 THE WITNESS: Yes.

10 BY MR. GOTTLIEB:

11 Q Okay. Now, I gather you are trying to
12 tell me that you did not, in fact, engage Mr. Keyes?

13 A Yes.

14 Q Okay. Why did you not engage Mr. Keyes?

15 A I don't recall.

16 Q Did you engage anyone else to help make
17 Sage Steele's video go viral?

18 A I have no knowledge of that.

19 Q You do not know?

20 A I don't know.

21 Q Okay.

22 Were you involved in conversations with
23 any other individuals -- sorry. Strike that.

24 It looks like if you look through the
25 rest of this email, you did, in fact, at some point,

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1 Q Fair enough.

2 But I will preface my line of questions
3 here with, I am not asking you, and I do not intend
4 to ask you, about the content of your communications
5 with your attorneys. So I'm trying to figure out
6 how you've communicated.

7 When were you -- when do you recall using
8 Signal for the first time?

9 MS. GAROFALO: Objection. With respect
10 to this case or any --

11 MR. GOTTLIEB: At all.

12 MS. GAROFALO: Okay.

13 THE WITNESS: I don't recall.

14 BY MR. GOTTLIEB:

15 Q When do you recall using Signal for the
16 first time with respect to the film It Ends with Us?

17 A I don't recall.

18 Q Were you using Signal to communicate
19 about It Ends with Us in -- at any point in 2023?

20 A No.

21 Q Were you using Signal to communicate
22 about It Ends with Us at any point between
23 January 1, 2024 and August 1, 2024?

24 A I don't believe so.

25 Q It's possible, but you don't believe so?

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1 A I think the answer is no.

2 Q Okay. But you're not certain?

3 A Fairly certain the answer is no.

4 Q Okay.

5 Now, August of 2024, did you have any
6 Signal communications about -- that had anything to
7 do with the film It Ends with Us in August of 2024?

8 A No.

9 Q When do you believe the first moment in
10 time was that you had a Signal communication with
11 anyone that related in any respect to the film
12 It Ends with Us?

13 A I don't recall.

14 Q But you think it was not in August?

15 A Correct.

16 Q September?

17 A No.

18 Q So if you know it wasn't during those
19 times, what is it that you have in your mind about
20 when you think the first moment might have been when
21 you begin to have Signal communications about the
22 film?

23 A Can you be more specific?

24 Q I'm trying to understand what is in your
25 head. You seem to be very clear that you didn't

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1 have Signal communications. I think we're up to
2 September now. At what point in time do you recall
3 having Signal communications that had anything to do
4 with the film It Ends with Us?

5 A I don't recall the exact first time I
6 used Signal.

7 Q Okay. At any point in time did you have
8 an understanding for any of your communications
9 relating -- on Signal -- for any of your
10 communications on Signal that had anything to do
11 with the film It Ends with Us, did you have an
12 understanding of what the retention policy --

13 A I'm sorry.

14 Q Yes.

15 A I'm sorry. Hold on for one second.

16 THE WITNESS: Are you okay, Ellen?

17 MS. GAROFALO: Ask the question again, if
18 you don't mind.

19 THE WITNESS: Sorry about that.

20 MR. GOTTLIEB: It's okay.

21 BY MR. GOTTLIEB:

22 Q At any point in time, have you had an
23 understanding of the retention policy on any
24 messaging communications that you've had relating to
25 the film It Ends with Us that has been on Signal?

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1 MS. GAROFALO: Again, he's not asking you
2 about any communications with counsel. You're
3 instructed not to answer with information you
4 obtained solely from counsel. You can otherwise
5 answer the question. Is that -- do you understand
6 the instruction?

7 THE WITNESS: Yes.

8 So just to repeat so I make sure I -- are
9 you asking me if I'm aware of any policy on
10 retention of messages?

11 BY MR. GOTTLIEB:

12 Q Yes.

13 A No, I'm not aware.

14 Q Have you ever personally gone into your
15 Signal application and set or adjusted auto delete
16 functions on any chats that you've had?

17 A No.

18 Q So you do not know one way or the other
19 whether these Signal chats that you have relating to
20 the film have an auto delete function on them or
21 not; is that correct?

22 MS. GAROFALO: Again, he's not asking you
23 about anything you may have learned from attorneys
24 in the course of this litigation. He's asking about
25 your independent knowledge.

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1 THE WITNESS: No.

2 BY MR. GOTTLIEB:

3 Q No, you do not know?

4 A I don't know.

5 Q Have you ever had any person take your
6 phone and adjust your auto delete settings so far as
7 you know?

8 A No.

9 Q Did you take any steps, after you learned
10 about the possibility of litigation in this case, to
11 adjust the retention policies or look at the
12 retention policies for your [REDACTED] email address?

13 A No.

14 Q Do you know what the default setting is
15 in your system?

16 A No.

17 Q Do you know what the default setting is
18 in Signal for message deletion and retention?

19 A No.

20 Q So there's no steps that you took, as you
21 sit here today, that you can think of -- steps that
22 you took to determine whether any of your messages
23 were being deleted?

24 MS. GAROFALO: Again, he's not asking you
25 to respond with anything you learned from attorneys

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1 in connection with the litigation, just you
2 individually.

3 THE WITNESS: No.

4 MR. GOTTLIEB: Right.

5 BY MR. GOTTLIEB:

6 Q And just to make sure, because I'm not
7 sure how clear my last question was, with respect to
8 Signal, there's no steps, not conversations you had
9 with your lawyers, but things that you actually did.
10 You're unaware of anything you did to determine
11 whether your messages were being deleted or not?

12 A Yes.

13 Q Yes, you're -- yes, you're not aware?

14 A Yes, I am not aware.

15 Q Okay. Did you review any of the
16 documents that you produced as part of this
17 litigation?

18 MS. GAROFALO: Objection.

19 THE WITNESS: And, again, this is just
20 asking the question. If I reviewed them with my
21 attorneys?

22 BY MR. GOTTLIEB:

23 Q No. No. Just did you review, at any
24 time, any of the documents that were produced in
25 this litigation?

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1 BY MR. GOTTLIEB:

2 Q That doesn't surprise you?

3 A No, it does not.

4 Q You're the financier of Wayfair Studios?

5 A Yes.

6 Q You're co-founder?

7 A Yes.

8 Q Is Wayfarer Studios an LLC?

9 A I believe so.

10 Q Who are the members?

11 A I don't recall.

12 Q Who are the shareholders?

13 MS. GAROFALO: Objection.

14 THE WITNESS: The major shareholders are
15 Justin and myself.

16 BY MR. GOTTLIEB:

17 Q Do you know what the -- oh, sorry. I
18 didn't mean to interrupt. Did you have something
19 else you wanted to say?

20 Okay.

21 Do you know what the ownership
22 percentages are as of -- let's start with today --
23 between you and Mr. Baldoni?

24 A Not exactly.

25 Q Do you have a rough estimate?

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1 my question first?

2 A I don't recall.

3 Q You don't recall saying that? Do you
4 dispute saying that?

5 MS. GAROFALO: Objection.

6 THE WITNESS: No.

7 BY MR. GOTTLIEB:

8 Q Do you recall giving an interview that is
9 on YouTube entitled, "Billionaire, Steve Sarowitz,
10 on wealth, philanthropy, and ethical success," in
11 August of 2024?

12 A Yes.

13 Q Do you recall saying about Mr. Heath that
14 you could pull rank on him because it's your money,
15 in October of 2024?

16 A I don't recall the exact context.

17 Q Is that true?

18 A Is what true?

19 Q That the money in Wayfarer Studios is
20 your money?

21 A Yes.

22 Q And is it true that that, in effect,
23 allows you to pull rank on Mr. Heath if you choose
24 to do so?

25 A That's too broad.

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1 that.

2 Q That is the second sentence in that first
3 bullet after --

4 A Oh, yes. I see it now.

5 Q Is that accurate? Does that accurately
6 reflect your conversation with Ms. Hunter-Hart?

7 A No.

8 Q Do you remember your precise conversation
9 with Ms. Hunter-Hart?

10 A No.

11 Q So then how do you know that this doesn't
12 accurately reflect it?

13 A That my general gist of what I would have
14 told her is the general gist of what I always say,
15 which is that I was protecting our studio. And I
16 think that the general gist of what I said is closer
17 to me spending the money, that \$100 million figure,
18 whatever the figure would be, in order to defend our
19 studio. So I don't -- I don't believe that's
20 accurate.

21 Q Do you believe that Ms. Hunter-Hart was
22 incorrect that you said to her that you might very
23 well have used that language?

24 A I believe that I could have used the
25 figure language, but not the ruining part. So that

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1 is where I think the issue is.

2 Q A little bit ago I was asking you
3 questions about a call that you had with David Keyes
4 four days before this email was sent. And you said
5 you couldn't recall virtually anything about that
6 conversation; is that right?

7 A Yes.

8 Q Are you saying now that you can recall
9 your specific conversation with Ms. Hunter-Hart?

10 A No.

11 Q Do you ever recall saying -- calling up
12 Ms. Hunter-Hart and saying, "I did not say to you
13 that I might very well have used this language.
14 You're wrong"?

15 A No.

16 Q Did you ever ask anyone, and I'm not
17 asking about conversations with your attorneys, but
18 Ms. Abel is copied on here. Did you ask Ms. Abel or
19 Ms. Nathan to call up this reporter from Forbes and
20 say, "that's not right. I didn't -- I didn't use
21 that language"?

22 A I believe based on what is here, we
23 corrected this to say that I was prepared to spend
24 whatever is necessary to defend Baldoni, Wayfarer
25 Studios, and myself. So that was corrected at that

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1 the truth about Baldoni and Wayfarer.
2 His lawyer says he was barely involved
3 with the film. Besides providing the
4 funding, he only visited the set twice
5 and was not involved in the PR for the
6 film."

7 Do you see that?

8 A Yes.

9 Q Is all of that accurate?

10 A Yeah. Oh, wait. Could you ask me
11 specifically -- are you asking me specifically about
12 the statement that we provided, or are you asking me
13 about the previous thing? Could you tell me if what
14 you're asking me is accurate?

15 Q Fair clarification.

16 Is everything after, "Through his
17 lawyer," accurate?

18 A Can I -- can you read specifically the
19 words, because I want to make sure. This is a very
20 important point.

21 Q Is it accurate that you were barely
22 involved with the film besides providing its
23 funding?

24 A Yes.

25 Q Is it accurate that you only visited the

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1 set twice?

2 A Yes.

3 Q Is it accurate that you were not involved
4 in the PR for the film?

5 A Yes.

6 Q And that was all of the information that
7 was provided in response to this third allegation;
8 is that right?

9 A I don't recall.

10 Q In other words, you don't see here
11 anywhere that, It's actually false that I provided
12 input and ideas on ways to negatively influence the
13 narrative against Ms. Lively, that's not true. You
14 don't see that anywhere in here; do you?

15 A It's implied very strongly by this
16 answer, by saying I'm not involved with the PR, that
17 I would not -- since I wasn't involved with the PR,
18 which is correct, that I would not have provided
19 ideas. Also, we never did a smear campaign.

20 Q So it's implied strongly; that's your
21 testimony, right?

22 A It's my testimony that I never gave any
23 input on ideas or ways to negatively influence the
24 narrative against Ms. Lively and her family. It's
25 my testimony that I never did that, then or now.

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1 Q Never?

2 A Correct.

3 Q Even after litigation was commenced?

4 A Correct.

5 Q How do you define "negatively"?

6 MS. GAROFALO: Objection.

7 THE WITNESS: It's my testimony that the
8 sole intent was to use my money to promote the truth
9 about Baldoni and Wayfarer.

10 BY MR. GOTTLIEB:

11 Q So if I were to take out the word
12 "negatively" from this sentence, and ask you, did
13 you ever provide input and ideas on ways to
14 influence the narrative, and then I modify
15 "against," and have it be "about" -- let me -- let
16 me -- let me read it the way I'm modifying it, and
17 then I will ask you the question.

18 Did you ever provide input and ideas on
19 ways to influence the narrative about Ms. Lively and
20 her family?

21 MS. GAROFALO: Objection.

22 THE WITNESS: No.

23 BY MR. GOTTLIEB:

24 Q You never provided any ideas about ways
25 that the media narrative about Mr. Reynolds could be

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1 influenced at any time?

2 A I don't recall.

3 Q Do you want to spend a minute and think
4 about it?

5 A There was one time that I suggested that
6 we should point out, after Ms. Lively had said that
7 Ryan Reynolds rewrote a scene, that we should point
8 out that that was a scene written by a female
9 writer. That was the sole time I remember.

10 Q And why did you point that out?

11 A I don't recall.

12 Q What influence would it have in coverage
13 of the dispute to point out that it was a female
14 writer?

15 MS. GAROFALO: Objection.

16 THE WITNESS: I don't know.

17 MR. GOTTLIEB: Really?

18 MS. GAROFALO: Objection.

19 BY MR. GOTTLIEB:

20 Q That's really your testimony as you sit
21 here today? You can't -- you really don't know why
22 it would have mattered if there had been coverage
23 that followed the suggestion that you made?

24 MS. GAROFALO: Objection.

25 THE WITNESS: I don't know what the

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1 had made on It Ends with Us by Q2 2025, how would I
2 figure that out?

3 A I don't know.

4 Q You really cannot think of a single piece
5 of paper or document or file I could look at that
6 would tell me that?

7 MS. GAROFALO: Objection.

8 THE WITNESS: I'm not involved in the
9 day-to-day running of Wayfarer. I imagine you could
10 talk to Wayfarer management and ask them.

11 BY MR. GOTTLIEB:

12 Q No one ever provided any kind of a report
13 to you in the ordinary course of your duties and
14 responsibilities as the co-chairman of the studio
15 that told you how much money this movie made?

16 A I don't recall.

17 Q Do you recall giving interviews in which
18 you talked about how much money the movie made
19 opening weekend?

20 A Yes.

21 Q Do you recall how much?

22 A No.

23 Q Do you recall it being more than you
24 anticipated?

25 A Yes.

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1 BY MR. GOTTLIEB:

2 Q Is there any correlation -- in other
3 words, there is a number that you see in green
4 across from affiliate assets under dollar growth;
5 it's in green. And then the bottom text is also in
6 green. Are those two -- is that text related to
7 that number?

8 A I don't know.

9 Q Okay.

10 A I didn't produce this. I mean, I didn't
11 create this.

12 Q Okay.

13 Do you know if you, in fact, transferred
14 \$18 million to Wayfarer Studios in 2024 for
15 operating costs?

16 A That sounds reasonable.

17 Q Do you know if you provided operating
18 costs in the form of a transfer to Wayfarer Studios
19 in 2023?

20 A I don't recall.

21 Q Do you know if you provided any in 2025?

22 A I don't recall.

23 Q Is that -- do you play that role
24 personally with respect to Wayfarer Studios? In
25 other words, if Wayfarer Studios needs capital, are

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1 you the source of funding or financing that would
2 provide that capital to Wayfarer Studios?

3 A Yes.

4 Q Okay.

5 As you sit here today, do you have any
6 idea of whether you have provided money in the form
7 of affiliate transfers to Wayfarer Studios for the
8 purpose of financing It Ends with Us?

9 A Yes.

10 Q Do you know the amount that you've
11 provided?

12 A Not the precise amount.

13 Q Do you have an estimate?

14 A Perhaps \$30 million.

15 Q Okay. And do you know when you
16 provided -- any idea when you might have provided
17 that financing or that money?

18 A Over the course of making the movie,
19 which spans several months.

20 Q Okay. Not all at one time; it happened
21 at different -- different points?

22 A Yes.

23 Q And do you know if it went to the
24 It Ends with Us LLC entity, or if it went -- by "it"
25 the money that you provided, it went to Wayfarer?

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1 A I'm not involved with the details of that
2 so I don't know exactly where the money would have
3 flowed.

4 Q Okay.

5 How would you become aware of the need to
6 provide additional capital or financing for purposes
7 of the movie?

8 A I didn't provide capital specifically for
9 the movie.

10 Q So the -- the 30 million estimate that
11 you were providing was money that was provided to
12 Wayfarer Studios that then Wayfarer Studios
13 allocated for purposes of the film?

14 A Yes.

15 Q Okay.

16 So how would you typically become aware
17 that there was a need for you to provide -- during
18 this period of time we're talking about, that there
19 was a need for you to provide capital to Wayfarer
20 Studios?

21 A Through our CFO.

22 Q Okay. So you would have a conversation
23 with the CFO of Wayfarer Studios?

24 A About?

25 Q If you were -- if there was a need for

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1 capital?

2 A Yes.

3 Q Okay. Who was the CFO of Wayfarer
4 Studios during this period of time?

5 A Brian Singer.

6 Q Okay. And so you would have a
7 conversation with Brian Singer who would tell you,
8 we have a need for some amount of additional money?

9 A Yes. He and/or Jamey Heath.

10 Q Okay. And then, I imagine that would be
11 memorialized in some kind of written request for
12 transfer. How does that work?

13 A I would fund the studio as needed.

14 Q Would there be documentation of that
15 funding?

16 A Yes.

17 Q Would you get a request for a wire
18 transfer or an invoice or something like -- like a
19 piece of paper or digital document that would
20 reflect a request was made on this date for this
21 amount and it was provided at this later date?

22 A Yes.

23 Q Okay.

24 MR. GOTTLIEB: You can put this one away
25 and we can go off AEO.

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1 A Yes.

2 Q And that is a, I'm imagine, genuine
3 sentiment you were expressing to Mr. Baldoni?

4 A Yes.

5 Q And you recall being very proud of the
6 success of this movie in its opening days, right?

7 A Yes.

8 Q Okay. And you say:

9 (As read):

10 "Your interviews have been sterling."

11 Do you see that?

12 A Yes.

13 Q Had you been watching some of
14 Mr. Baldoni's press interviews in connection with
15 the release of the film?

16 A Yes.

17 Q And you thought they were sterling?

18 A Yes.

19 Q Did you participate in any respect in any
20 of the preparation in advance of Mr. Baldoni's
21 interviews?

22 A No.

23 Q Did you -- you yourself did some
24 interviews in the first couple weeks that the film
25 was released; is that right?

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1 A Can you be more specific?

2 Q Sure.

3 Did you do any media interviews in
4 conjunction with the release of It Ends with Us?
5 So, you know, the -- either the, let's call it, the
6 first couple of weeks of August 2024?

7 A Not specifically.

8 Q Did you do any media interviews that
9 occurred around that time?

10 A Yes.

11 Q And did you prepare for those interviews
12 with the assistance of any people in advance of your
13 interviews?

14 A Sorry. I'm not trying to hesitate, I'm
15 just trying to remember. Not -- not really.

16 Q Did you ever receive any kind of talking
17 points or briefing materials in advance of the media
18 interviews you were doing in the first two weeks of
19 August 2024?

20 A Not that I recall.

21 Q Did you ever discuss with Mr. Baldoni in
22 advance of doing the interviews that you did, what
23 might be asked and what you might say?

24 A Yes.

25 Q Okay. I will come back to that.

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1 had also been some rumors that they were attacking
2 the Baha'i faith. There is probably a lot more, but
3 that's a good start.

4 BY MR. GOTTLIEB:

5 Q Okay.

6 A Oh, one other -- couple other things.
7 They had locked -- our entire team, including
8 myself, put, as you mentioned, that \$30 million
9 figure into the movie, and they locked me completely
10 out of the premiere, and along with Justin and Jamey
11 and everyone else and relegated us to the basement
12 in a separate -- and also not allowed us to be on
13 the red carpet except in specified times.

14 And had -- I don't know if I mentioned
15 this -- isolated Justin from all the -- all the
16 publicity. So he was not allowed to do publicity
17 with anyone else. Not allowed to be photographed
18 with anyone else. And I guess, probably, believe it
19 or not -- and fired -- this is probably the things
20 that bothered me the most. Were -- they -- she
21 actively fired our editors, our composer, and
22 assistant producer, among others. And had removed
23 the -- had removed Justin from the poster. And then
24 removed what Justin had in his cut, from her cut,
25 which was released, the reference to the

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1 Q Who did you ask?

2 A Ask what?

3 Q Who did you ask the question to, did we
4 have any idea that this would be promoted this way?

5 A I never asked.

6 Q You never asked anyone that question?

7 A Correct.

8 Q Okay. Did you ever review any of the
9 marketing materials for the film that were created
10 by Wayfarer Studios?

11 A No.

12 Q Did you ever review any of the marketing
13 materials for the film that were created by Sony?

14 A No.

15 Q Have you ever seen any marketing
16 materials of any kind about the film that were
17 created or influenced or edited by Ms. Lively?

18 A I was not involved in the marketing.

19 Q And so, therefore, you would have no way
20 of knowing whether Ms. Lively had any involvement at
21 all in how the film was marketed?

22 A I was told that Ms. Lively and Sony took
23 over the marketing, by Jamey.

24 Q Would it surprise you to learn that every
25 document that has been produced in this case that

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1 paying for the PR teams. That's you
2 loving me, and I appreciate you."

3 A Yes.

4 Q Was Wayfair paying for the PR teams?

5 A I don't know the details. I just
6 literally don't.

7 Q Would you have to approve that before
8 Wayfarer hired a PR team?

9 A No.

10 Q And in this case, you're aware that The
11 Agency Group was retained to perform crisis
12 communication services; is that correct?

13 A Yes, for the reasons I've already stated.
14 I can go through them again if you'd like.

15 Q Well, that's not my question.

16 Did you approve the hiring of The Agency
17 Group?

18 A No.

19 Q Were you asked your opinion on it before
20 they were retained?

21 A No.

22 Q Did you vet The Agency Group before they
23 were retained?

24 A No.

25 Q Did you have any conversation with

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1 Ms. Melissa Nathan before they were retained?

2 A No.

3 Q How about Street Relations? Are you
4 familiar with Street Relations?

5 A Yes.

6 Q You are aware that Street Relations was
7 at one point retained by Wayfarer?

8 A Yes.

9 Q Did you -- were you asked for your view
10 on that retention?

11 A I don't recall.

12 Q Did you approve -- or sorry. Strike
13 that.

14 Did you speak with Jed Wallace, the head
15 of Street Relations, before Street Relations was
16 retained?

17 A I don't recall.

18 Q Do you recall anything about the
19 retention of Street Relations?

20 A They were retained in regards to --
21 actually, let me change my answer. No, I was not
22 consulted before they were hired. I just had to
23 remember.

24 Q Okay. What did you just remember?

25 A I just remembered when they were hired.

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1 Because at that point, I was not involved in the
2 day-to-day.

3 Q Okay. So when were they retained?

4 A I believe, I'm not 100 percent sure,
5 sometime around August of 2024.

6 Q And how --

7 A I wasn't involved in that decision.

8 Q How do you recall learning about that?

9 A I don't recall.

10 Q What do you recall learning about Street
11 Relations?

12 A Not 100 percent sure because we've been
13 through this case for, you know, I guess it's been a
14 year and a half, a year now, that we've gone through
15 this. And so there's been a lot that's been
16 reported. So in my memory it may be a little bit
17 confused. But to my knowledge now, I'm not sure if
18 I knew it then, Street Relations was monitoring the
19 negative press against us that was being put out by
20 the Lively camp.

21 Q What does that mean, "monitoring"?

22 A Helping with our crisis PR.

23 Q So what does it mean to "monitor" social
24 media or PR or press?

25 MS. GAROFALO: Hold on. Objection.

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1 amended complaint, you raised legal claims against
2 my client on behalf of yourself?

3 MS. GAROFALO: I'm going to caution you
4 that Mr. Gottlieb is not asking you about anything
5 you learned from your lawyers. So you're going to
6 respond based on your knowledge independent of what
7 you may have learned from lawyers.

8 THE WITNESS: Not based on personal
9 knowledge.

10 BY MR. GOTTLIEB:

11 Q Did you read the complaints that you
12 filed against my clients?

13 A Not in detail.

14 Q Did you review any part of the complaints
15 that you filed against my clients?

16 A I don't recall.

17 Q So you do not know one way or the other
18 then whether the factual allegations contained in
19 your complaint, your federal complaint, against
20 Ms. Lively and Mr. Reynolds are accurate?

21 A To the best of my knowledge, the
22 allegations in the complaint are accurate.

23 Q But if I'm understanding your testimony
24 correct, you didn't read the entire document; is
25 that right?

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1 A Correct.

2 Q And so your testimony that to the best of
3 your knowledge it's accurate, would be based on
4 things I can't ask you about, right?

5 A Correct.

6 Q Okay. So that would be discussions
7 you've had with your attorneys, which we're not
8 going to wade into; is that a fair understanding?

9 A Yes.

10 Q Okay.

11 Do you know that in the complaint you
12 filed, and I'm not asking you about conversations
13 you had with your attorney, but in the complaint you
14 actually filed on the public docket, that you sued
15 Ms. Lively and Mr. Reynolds for something called
16 civil extortion?

17 A Did I sue them personally or did Wayfarer
18 sue them?

19 Q Do you know whether you sued them,
20 Mr. Reynolds and Ms. Lively, in your personal
21 capacity in the name of Steve Sarowitz, for civil
22 extortion?

23 A I believe that would have been Wayfarer
24 that would have sued them, not me personally.

25 Q So you don't believe that you -- you

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1 don't believe that you did sue my clients for civil
2 extortion?

3 A I don't recall.

4 Q Are you aware of whether you sought
5 punitive damages from my clients for civil
6 extortion?

7 A I don't recall.

8 Q Do you have any personal knowledge of
9 anything Mr. Reynolds has ever done to extort you?

10 A Me personally or Wayfarer?

11 Q You personally, not Wayfarer,
12 Steve Sarowitz.

13 A Not that I recall.

14 Q What about Ms. Lively?

15 Do you have any personal knowledge of
16 anything Ms. Lively has ever done to extort you,
17 Steve Sarowitz, not Wayfarer Studios, but you,
18 Steve Sarowitz?

19 A Not that I recall.

20 Q Do you have any knowledge of any public
21 statement Mr. Reynolds has ever made that has
22 mentioned your name?

23 A Not that I recall.

24 Q So I gather then that you are unaware of
25 any circumstance in which Mr. Reynolds has ever

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1 defamed you?

2 MS. GAROFALO: Objection.

3 THE WITNESS: Privately or publicly?

4 BY MR. GOTTLIEB:

5 Q Are you aware of, as you sit here today,
6 of any way in which Ryan Reynolds has defamed you
7 personally, Steve Sarowitz? Again, not Wayfarer
8 Studios or your other co-plaintiffs?

9 A No.

10 Q How about Ms. Lively? Are you aware of
11 any occasion where Ms. Lively has defamed you
12 personally, as in Steve Sarowitz?

13 A Yes.

14 Q And what is that?

15 A And I don't -- I'm just asking this. I'm
16 not trying to cause any issues, but can I talk about
17 her deposition? Is that -- or is that something I
18 should not address in this and -- as part of my
19 answer?

20 Q If you believe that that -- so my
21 question is, if you're aware of when Ms. Lively has
22 defamed you?

23 A Yes.

24 Q So let me modify it to be, are you aware
25 of any public statement that Ms. Lively has ever

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1 made about you that you believe to be defamatory?

2 A Again, sorry. I'm just trying to get
3 clarification. I'm not trying to be difficult.
4 During the course of the complaint or as part of the
5 complaint, would that be considered -- since that
6 was public in The New York Times and Ms. Lively was
7 the source of that statement, would that -- would
8 that count?

9 Q That's for -- that's for you to tell me.

10 A Would that --

11 MS. GAROFALO: Why don't you answer the
12 question with what you believe she publicly said
13 through The New York Times.

14 THE WITNESS: Okay. Through The New York
15 Times in the course of the complaint, it was said
16 that I was on set for a scene where she was scantily
17 clad and that I was a non-essential person. While I
18 might have technically been non-essential, I did
19 invest \$30 million and paid for her salary, or at
20 least my share of it, as well as the other actors,
21 and I consider that to be essential. Ms. Lively
22 considers that not to be essential, she can send me
23 a check. I can give her an address or you could
24 give it to her. But beyond that, I was not on set
25 for that scene. And although I don't have direct

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1 knowledge of this since I was not on set for that
2 scene, I was told she was not scantily clad. She
3 repeated that in her deposition.

4 Also in her deposition, she repeated --
5 she took a piece of what I was quoted from, in a
6 recording where I was recorded without my knowledge,
7 and definitely against my will, there was a small
8 piece, and she took a small piece out of context and
9 said that I threatened to kill her and Ryan, which I
10 did not. I never have. The full recording, which
11 you have kept sealed, which I would like to keep
12 open so people can hear it, that -- she said
13 incorrectly, which went against her own amended
14 complaint, that I threatened to kill them. That's
15 what she said in her deposition. I consider that
16 defamation since it's patently false. I have never
17 made a threat against her and Ryan. And for her to
18 say that publicly, especially a serious threat, and
19 especially in light of the threats that have been
20 made against myself and my family, I find that to be
21 extremely defamatory.

22 The other thing she said that I believe
23 to be defamatory, is that -- and, again, I'm just
24 saying that I'm not 100 percent sure of the exact
25 details. You could look this up for yourself, and I

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1 might not be 100 percent right, is that I wanted to
2 ruin her and Ryan. It has never been my intention
3 to ruin anybody. It has always been my intention to
4 protect my company with truth and in a just way, but
5 never to ruin anybody else.

6 BY MR. GOTTLIEB:

7 Q Okay. There's a lot packed in there. So
8 I'm going to sideline the statements made during the
9 deposition because, of course, the deposition
10 occurred after you filed your amended complaint; is
11 that correct?

12 A Yes.

13 Q Okay. So I'm interested in when you
14 filed your amended complaint, you sued Ms. Lively
15 for defamation. I think I understand your testimony
16 to be that the basis for that was what was contained
17 in her CRD complaint and what was printed in The New
18 York times; is that correct?

19 MS. GAROFALO: Objection.

20 THE WITNESS: I would have to -- I would
21 have to get more details. Are you -- so if you
22 could give me a little bit more specifically. Are
23 you talking specifically how she defamed me
24 personally?

25

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1 BY MR. GOTTLIEB:

2 Q That's all I'm interested in, is how your
3 understanding of how you, Steve Sarowitz, were
4 personally defamed. And what she testified to in
5 her deposition, we're going to bracket that.

6 A Okay.

7 Q I think I understood you to say, you
8 believe that there were things in the CRD complaint
9 and The New York Times article that you found to be
10 defamatory about you?

11 A Yes.

12 Q Okay. And the example that you gave of
13 that, I believe, was an allegation about a time when
14 it was alleged that you were on set for a scene
15 where Ms. Lively was acting out the scene of giving
16 birth; is that right?

17 A Yes. I want to add one other thing to
18 what I said.

19 Q Okay.

20 A It was insinuated that I went on set for
21 particularly that scene. I didn't know what scenes
22 were being filmed. Again, I wasn't on set for that
23 scene, but I did not -- it was insinuated that I
24 went on set for that particular scene. Of course,
25 like I said, I wasn't on set for that particular

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1 scene, and I also made no conscious decision to see
2 Ms. Lively in any particular thing because it wasn't
3 important to me.

4 Q Were you on set that day, the day that
5 that scene was shot?

6 A Yes.

7 Q And how do you know that?

8 A I didn't know it at the time, I was told
9 later in a conversation with someone who was there,
10 that, oh, yeah, that set was that scene. Because I
11 said, what about that scene? Oh, that was filmed
12 before you got on set.

13 Q And there would be records, right, that
14 would show that you traveled to New Jersey; is that
15 right?

16 A Yes.

17 Q And those travel records would presumably
18 show us when you arrived and when you left?

19 A I assume so.

20 Q Would -- do you have a calendar or diary
21 that you keep? By diary, I mean a calendar. Do you
22 keep a calendar?

23 A I do, but it wouldn't specifically say
24 which scenes I was there for.

25 Q But wouldn't the calendar have, for

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1 example, things like, you know, flight to Newark or
2 wherever you flew to in New Jersey?

3 A Yes.

4 Q And it would say what time the flight was
5 at?

6 A Yes.

7 Q And did you take a taxi or a car service?
8 Or how did you get from the airport to the set that
9 day?

10 A I don't recall.

11 Q Do you have somebody who books your
12 travel for you?

13 A Yes.

14 Q So there is a person who booked travel
15 arrangements for your visit to the set that day,
16 right?

17 A I don't recall.

18 Q Do you have a recollection of who the
19 person was who assisted you with travel for that
20 particular visit?

21 A I don't recall.

22 Q Do you have a recollection of what time
23 you arrived on the set that day?

24 A I don't recall.

25 Q If we wanted to find that out and we

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1 looked through -- if you pulled out your phone --
2 I'm not proposing to take it from it, but if you
3 pulled out your phone, would you have on your
4 calendar app in your phone information from that day
5 in May of 2023?

6 A No.

7 Q Why not?

8 A Because the phone archived the data.

9 Q Okay. So we would have to look in your
10 archives to find that information?

11 A Yes.

12 Q Did you ever take a car service to get to
13 the set?

14 A Can I answer that question a little more
15 thoroughly?

16 Q Sure.

17 A I don't know that the time that I arrived
18 on set would be on my calendar.

19 Q Okay.

20 A It probably would not.

21 Q Okay. Other than the -- what you have
22 told me now, do you have any other things that you
23 can think of that Ms. Lively has said about you
24 publicly that you believe defamed you personally?

25 A Not that I recall.

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1 Q Do you know how many other claims you
2 filed against Ms. Lively and Ms.[sic] Reynolds
3 personally?

4 A No.

5 Q Did you know that you sued Ms. Lively and
6 Mr. Reynolds for intentional interference with
7 contractual relations?

8 A Was that Wayfarer or myself?

9 Q You, personally, Steve Sarowitz.

10 A As a part of the group of defendants?

11 Q You, along with others, sued Ms. Lively
12 and Mr. Reynolds for intentional interference with
13 contractual relations.

14 Do you understand that?

15 A I -- you know, I'm not a lawyer. So what
16 I would say is, to the best of my knowledge, a group
17 of us sued them. I don't know why the lawyers made
18 it a group of us, but that I believe was not about
19 anything I did personally or anything that was done
20 to me personally.

21 Q Did you ever consider whether there was
22 any contract that Ms. Lively or Mr. Reynolds
23 interfered with of yours?

24 A Again, I don't think this is about me
25 personally.

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1 Q Okay. And then would the same be true
2 for intentional negligent interference with
3 prospective economic advantage? Not about you
4 personally?

5 A I'm not as certain on that one. I'd have
6 to know more on that one. Can -- I'd have to know
7 more on that one. I'd need more detail. The other
8 one, no. That one, possibly.

9 Q As you sit here today, what is your
10 understanding of the factual basis for intentional
11 and negligent interference with prospective economic
12 advantage against, for example, let's start with
13 Mr. Reynolds?

14 A And the reason I'm hesitating is, I'm not
15 sure where Wayfarer ends and I start. I don't know
16 how -- why the lawyers sued the way they did. I'm
17 not a lawyer. So I -- I'm not really an expert on
18 the law. But I can talk about damages done to
19 Wayfarer, of which I'm the majority owner. And that
20 would have a negative economic advantage to me as an
21 individual. I don't know if that is what you're
22 asking me.

23 Q I'm not ask- -- I'm not asking you
24 questions about damages to Wayfarer. I'm talking
25 about the claims you personally raised. But I

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1 understand, I think, your testimony to be that what
2 harms Wayfarer harms you because of your financial
3 interest?

4 A Yes.

5 Q Okay.

6 A And any -- any crimes done against
7 Wayfarer such as are extorting, et cetera, would
8 also be against me personally because of my
9 ownership interest. But not because of anything
10 that was done to me personally.

11 Q But you're not saying that Wayfarer
12 and -- Wayfarer is your alter ego, are you?

13 MS. GAROFALO: Objection.

14 BY MR. GOTTLIEB:

15 Q Are you saying that you and Wayfarer
16 Studios are one and the same?

17 MS. GAROFALO: Objection.

18 THE WITNESS: No.

19 BY MR. GOTTLIEB:

20 Q Okay. Have you ever said, "I've seen in
21 the companies I work at that women aren't listened
22 to in meetings, that women aren't respected, that
23 sexual harassment is allowed to go on. We as men
24 need to stand up against that"?

25 A Yes.

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1 looking at 940 and 943?

2 MR. GOTTLIEB: Yes.

3 MS. GAROFALO: Okay.

4 BY MR. GOTTLIEB:

5 Q So Mr. Sarowitz, you see on the first
6 page here, 34940, a text exchange between Mr. Heath
7 and Mitz Toskovic?

8 A Yes.

9 Q Did I pronounce Mitz Toskovic's name
10 correctly?

11 A Yes.

12 Q Thank you.

13 And this is a text exchange between the
14 two of them at -- starting at 1:17 p.m. on
15 February 26th, 2024. In particular, we're focused
16 on the attachment that is referenced in the third
17 text here from Ms. Toskovic at 2:30 p.m.

18 Do you see a reference to the handbook
19 that says, "Baha'i Inspired Company" on page 1?

20 MS. GAROFALO: He's looking at this one.

21 THE WITNESS: Yes.

22 BY MR. GOTTLIEB:

23 Q And then, do you see there's an
24 attachment there that references the Wayfarer
25 Studios Employee Handbook?

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1 A Yes.

2 Q And is the document that follows this
3 that begins on page 34943, to the best of your
4 knowledge, the Wayfarer Studios Employee Handbook?

5 A Yes.

6 Q And you're familiar with this document,
7 right? Your name is on the first cover page of this
8 at 34943?

9 A I'm not familiar with every detail. A
10 lot of times I will sign things as a high level.
11 I'm not involved in the day-to-day, but I'd be
12 familiar that there is the document.

13 Q Okay. You see on page 34943, the first
14 page of the document after the text, so the first
15 page of the attachment --

16 A Yes.

17 Q Do you see that on the page at the top it
18 says:

19 (As read) :

20 "So glad you've joined us."

21 And at the bottom, it's signed:

22 (As read) : ,

23 "Steve Sarowitz and Justin Baldoni,
24 co-chairmen"?

25 A Yes.

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1 Q Okay. And there is a -- there is
2 references here to this being the employee handbook,
3 right?

4 A Yes.

5 Q And do you have a recollection of signing
6 off on maybe not every word of this, but at some
7 point in time, signing off on an employee handbook
8 for Wayfarer Studios?

9 A I don't recall.

10 Q Do you have any recollection of ever
11 seeing this letter that your name is on here?

12 A I don't recall.

13 Q If you flip through the Table of Contents
14 on pages HEATH 34944 through HEATH 34945, have you
15 ever looked at this -- as you look through the Table
16 of Contents, have you ever looked through the
17 policies and procedures that are contained within
18 this handbook?

19 A No.

20 Q Okay.

21 Well, let's look through some of the
22 policies because I think they're quite commendable.
23 On page 4 of the document, which is HEATH 34946, do
24 you see a reference in the values to Wayfarer
25 Studios being a "Baha'i inspired organization"?

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1 anti-retaliation policies and procedures?

2 A I don't know.

3 Q No idea one way or the other?

4 A I don't -- yeah, I'm not -- I'm not aware
5 of the details. I'm a board member. I don't get
6 into the day-to-day operations.

7 Q All right. But at any time during
8 Paylocity's existence, are you aware of whether the
9 company provided any services with respects to
10 compliance in anti-discrimination, anti-harassment,
11 and anti-discrimination policy?

12 A I am not aware of that.

13 Q Okay.

14 Do you see here in this policy, a -- the
15 second paragraph begins with:

16 (As read) :

17 "Wayfarer Studios is committed to
18 providing a workplace that is free from
19 discrimination, harassment, and
20 retaliation. Wayfarer Studios strictly
21 prohibits discrimination, harassment,
22 or retaliation against employees,
23 applicants, or any other covered
24 person."

25 And then, there's a long paragraph after

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1 that.

2 Do you see where I am?

3 A Yes.

4 Q Have you ever looked at this policy
5 before?

6 A No.

7 Q Have you ever received any training on
8 this policy?

9 A No.

10 Q Have you ever seen a policy like this in
11 any of your work settings?

12 A Yes.

13 Q Does this appear to be a fairly standard
14 or common anti-discrimination, anti-harassment, and
15 anti-retaliation policy?

16 MS. GAROFALO: Objection.

17 THE WITNESS: I'm not an expert on that,
18 but yes.

19 BY MR. GOTTLIEB:

20 Q Do you see in the middle of that
21 paragraph, there is a reference to:

22 (As read):

23 "Prohibiting discrimination relating to
24 marital status, sex, including
25 pregnancy, childbirth, breastfeeding,

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1 or other medical conditions related to
2 breastfeeding, and medical conditions
3 related to pregnancy or childbirth"?

4 A Yes.

5 Q Do you agree that's part of the policy
6 for Wayfarer Studios?

7 A Yes.

8 Q Any more or less important than any other
9 part of the paragraph that you see here?

10 A I don't really know how to answer that,
11 but it's part of the policy.

12 Q Okay.

13 Do you see a reference to height and
14 weight in this paragraph, under "covered person"?

15 A Yes.

16 Q Do you see a reference to gender?

17 A Thank God we don't discriminate on
18 height. I would have a problem.

19 Q Fair enough, sir.

20 Do you see a reference -- I kind of
21 skipped ahead of it a little bit. But after the
22 marital status, sex sentence, do you see the
23 reference to gender and gender expression?

24 A Yes.

25 Q Another one relating to gender identity?

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1 A Yes.

2 Q Okay. And there is a number of other
3 protected characteristics within this paragraph,
4 right?

5 A Yes.

6 Q And you see:

7 (As read) :

8 "Wayfarer Studios also prohibits and
9 does not tolerate unlawful
10 discrimination, harassment, or
11 retaliation against employees and
12 covered persons who are perceived to
13 have any of these protected
14 characteristics."

15 Do you see that?

16 A Yes.

17 Q Do you understand what that means?

18 A Yes.

19 Q Do you see the next sentence says:

20 (As read) :

21 "All, underlined, Wayfarer Studio
22 employees, officers, principals,
23 agents, workers, and representatives
24 are prohibited from engaging in
25 unlawful discrimination, harassment,

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1 and/or retaliation."

2 Do you see that?

3 A Yes.

4 Q That applies to you?

5 A Yes.

6 Q That applies to Mr. Baldoni?

7 A Yes.

8 Q That applies to Mr. Heath?

9 A Yes.

10 Q Do you see the anti-harassment section,

11 sir?

12 A Yes.

13 Q Do you see the first sentence says:

14 (As read) :

15 "Prohibited harassment is not just

16 sexual harassment, but harassment based

17 on any protected characteristic."

18 Do you see that?

19 A Yes.

20 Q Do you understand what that means?

21 A That's a -- can you rephrase that,

22 please?

23 Q Do you understand what that sentence

24 means?

25 A Yes.

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1 Q Do you see the last sentence in that
2 paragraph before we carry over to the next page
3 says:

4 (As read) :

5 "Harassment may be verbal, written, or
6 physical conduct that denigrates or
7 shows hostility or aversion towards an
8 individual based on any protected
9 characteristic, including being
10 perceived to have any of these
11 protected characteristics."

12 And then, it goes on:

13 (As read) :

14 "That has the purpose or effect of
15 creating an intimidating, hostile, or
16 offensive work environment, has the
17 purpose or effect of unreasonably
18 interfering with an individual's work
19 performance, or otherwise adversely
20 affects an individual's employment
21 opportunities."

22 Do you see that?

23 A Yes.

24 Q This is Wayfarer Studios' official policy
25 of what constitutes and what can constitute sexual

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1 harassment, correct?

2 A No. This is harassment. I don't see
3 sexual harassment.

4 Q "Of any kind of harassment."

5 A Yeah, there's two different things. So I
6 think my answer would have to be no unless you want
7 to rephrase the question.

8 Q This is Wayfarer Studios' official
9 definition of conduct that can constitute
10 harassment?

11 A Yes.

12 Q Okay.

13 So harassment can be something that has
14 the purpose or effect of creating an intimidating,
15 hostile, or offensive work environment, right?

16 MS. GAROFALO: Objection.

17 THE WITNESS: To the best of my
18 knowledge.

19 BY MR. GOTTLIEB:

20 Q And it can be something that has the
21 purpose or effect of unreasonably interfering with
22 an individual's work performance, right?

23 MS. GAROFALO: Objection.

24 MR. GOTTLIEB: To the best of my
25 knowledge.

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1 BY MR. GOTTLIEB:

2 Q And someone can be harassed by having
3 their employment opportunities adversely affected?

4 MS. GAROFALO: Objection.

5 THE WITNESS: To the best of my
6 knowledge.

7 BY MR. GOTTLIEB:

8 Q Do you agree that sexual harassment
9 includes harassment that is not necessarily sexual
10 in nature?

11 MS. GAROFALO: Objection.

12 THE WITNESS: No.

13 BY MR. GOTTLIEB:

14 Q Do you understand your policy says that?

15 A Can you show me where?

16 Q On HEATH 34948. It's in the first full
17 paragraph:

18 (As read) :

19 "Like other forms of harassment, sexual
20 harassment is strictly prohibited.
21 Sexual harassment includes harassment
22 that is not necessarily sexual in
23 nature."

24 A Hang on, let's -- okay. Can you give me
25 a second to read through it?

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1 Q Sure.

2 A Okay. Can you reask the question?

3 Q Do you understand that sexual harassment
4 includes harassment that is not necessarily sexual
5 in nature?

6 MS. GAROFALO: Objection.

7 THE WITNESS: I'm not an expert on that,
8 but that's what the policy says.

9 BY MR. GOTTLIEB:

10 Q That is the Wayfarer Studios' policy that
11 applies to you, Mr. Baldoni, and Mr. Heath, right?

12 MS. GAROFALO: Objection.

13 THE WITNESS: That is in our -- our
14 handbook. And then, it goes on to say --

15 BY MR. GOTTLIEB:

16 Q A lot more, right?

17 A Yeah. Unwelcome sexual advantages,
18 requests for sexual favors, and other. So verbal or
19 physical contact of a sexual nature.

20 Q Okay.

21 A So those kinds of things.

22 Q Do you see the second paragraph --

23 A Sorry. So if I can read through?

24 Q Yeah, go ahead. I apologize.

25 A There's some specificity in here about

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1 what would -- it's not just anything that anyone
2 says. But things like, for example, unwelcome
3 sexual advances, requests for sexual favors. Some
4 very specific things.

5 Q Sure.

6 A Not just anything anyone would term. So
7 I don't want to broadly say that anything that
8 anyone perceives to be sexual harassment would
9 actually be sexual harassment. But, rather, things
10 as in here, a condition of an individual's
11 employment.

12 So in other words, that if someone were
13 to be asked for sexual favors or if someone were to
14 say, like -- like is very typical in Hollywood, that
15 would be definitely sexual harassment.

16 Q Fair enough, Mr. Sarowitz.

17 If I worked for you, and I wanted to
18 understand what's our sexual harassment policy, I
19 imagine you would tell me, take a look at this
20 document, right?

21 MS. GAROFALO: Objection.

22 THE WITNESS: I wouldn't be -- I wouldn't
23 be the one answering that question.

24 BY MR. GOTTLIEB:

25 Q If you were?

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1 MS. GAROFALO: Objection.

2 THE WITNESS: But I wouldn't be, so it's
3 conjecture.

4 BY MR. GOTTLIEB:

5 Q Is it fair to say that if I wanted to
6 understand what Wayfarer Studios' sexual harassment
7 policy was, that this is the place I would look?
8 This document is the place I would look to
9 understand that policy?

10 MS. GAROFALO: Objection.

11 THE WITNESS: I'm not 100 percent sure
12 how it would be handled since I don't handle the
13 day-to-day operations.

14 BY MR. GOTTLIEB:

15 Q Do you understand that Wayfarer Studios'
16 policy, explains that:

17 (As read):

18 "Sexual harassment may include a range
19 of subtle and not so subtle behaviors
20 and may involve individuals of the same
21 or different gender"?

22 MS. GAROFALO: Objection.

23 THE WITNESS: That's from our policy,
24 correct? That's a piece of our policy?

25

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1 BY MR. GOTTLIEB:

2 Q And you see there's, in that same
3 paragraph, a discussion of different circumstances
4 and behaviors that could be considered sexual
5 harassment depending on the context?

6 A Right. Such as unwelcome sexual
7 advances, requests for sexual favors, or making
8 sexual favors a condition of -- the things that are
9 here.

10 Q Okay.

11 A I would definitely agree that would be
12 part of our policy.

13 Q You see the paragraphs -- there is two
14 paragraphs under the heading, "Individual and
15 Conduct Covered"?

16 A Okay. That's in the middle, correct?

17 Q Yes, sir.

18 A Yes.

19 Q Okay. Do you see how that policy
20 encourages individuals who believe they are being
21 subjected to improper conduct, or such conduct:

22 (As read):

23 "Promptly advise the offender that his
24 or her behavior is unwelcome and
25 request that it be discontinued"?

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1 A Yes.

2 Q Are you aware of whether anyone on the
3 set of It Ends with Us advised Mr. Baldoni that his
4 behavior was unwelcome?

5 A That's too broad a topic. Can you -- can
6 you say specifically, more specifically what?

7 Q Do you know if at any time during the
8 filming of It Ends with Us, anyone advised
9 Mr. Baldoni that he had engaged in behavior that was
10 unwelcome?

11 A I just can't. It's too broad.

12 Q You don't know?

13 A I wasn't there. I don't -- I don't have
14 any firsthand -- as you said before about the other
15 things, I don't have first knowledge -- firsthand
16 knowledge. I wasn't there.

17 Q Do you have any information at all, were
18 you ever told, that anyone told Mr. Baldoni that he
19 had engaged in conduct that was unwelcome and a
20 request that it be discontinued?

21 MS. GAROFALO: Objection. To the extent
22 it calls for information you learned from lawyers,
23 in which case you are instructed not to answer.

24 You may otherwise answer.

25 THE WITNESS: Attorney privilege.

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1 BY MR. GOTTLIEB:

2 Q So you're saying, other than what you've
3 learned from your attorneys, you're unaware of
4 anything?

5 A Correct.

6 Q Other than what you've heard from your
7 attorneys, for example, you never had a conversation
8 with Mr. Baldoni where he told you that someone on
9 the set had told him that his behavior was
10 unwelcome?

11 A I don't recall.

12 Q Do you -- are you aware, other than what
13 you've learned from your attorneys, whether any
14 member of the cast or crew ever asked Mr. Baldoni to
15 discontinue a behavior or type of conduct on the
16 set?

17 A Other than what I learned from my
18 attorneys, I'm not aware of anything.

19 Q Okay. You've never seen anything from
20 Wayfarer's own documents or your own text messages?

21 A I don't recall --

22 Q That's --

23 A -- outside of what I talked to my
24 attorneys about.

25 Q Okay. So you don't know one way or the

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1 It Ends with Us?

2 A I don't recall.

3 Q Was there ever a time, again, prior to
4 this litigation, where you learned that someone on
5 the set raised concerns that Mr. Baldoni's behavior
6 was inappropriate during filming?

7 A I am not aware of any HR complaints that
8 were raised or any SAG complaints that were raised
9 by his behavior.

10 Q Well, that's an interesting way of
11 distinguishing the question, because that's
12 precisely how your PR people talked about it to the
13 press. So my question to you, sir, was not about HR
14 complaints or SAG complaints.

15 A Okay. So --

16 Q My question to you was whether -- and I
17 will reread it, if I can find it.

18 My question was whether you ever became
19 aware prior to this litigation of anyone on the set
20 raising concerns that Mr. Baldoni's behavior during
21 filming was inappropriate?

22 A I don't recall.

23 Q Do you see if -- is it fair to say that
24 under the Wayfarer Studios' policy, the thing you
25 want your employees to do when they feel like they

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1 have experienced this type of prohibited behavior,
2 is promptly advise the offender that his or her
3 behavior is unwelcome, and request that it be
4 discontinued?

5 MS. GAROFALO: Objection.

6 You can answer.

7 THE WITNESS: Yes.

8 BY MR. GOTTLIEB:

9 Q And what is supposed to happen when an
10 individual follows that policy to the letter?

11 MS. GAROFALO: Objection.

12 THE WITNESS: Although I am not
13 responsible for this because I'm not the one
14 actually implementing this, the behavior should
15 stop. That would not be my individual
16 responsibility as an individual.

17 BY MR. GOTTLIEB:

18 Q But the reason the policy is written this
19 way is because the hope is by promptly reporting it
20 and asking for that behavior to be discontinued,
21 whoever's doing it will stop, right?

22 MS. GAROFALO: Objection.

23 THE WITNESS: I would not be personally
24 involved, but that would be the hope.

25

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1 BY MR. GOTTLIEB:

2 Q That's your understanding of the purpose
3 of this policy, right?

4 A Yes.

5 Q And the next section under "Supervisor
6 and Manager Responsibility" states:

7 (As read) :

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

15 Do you see that?

16 A Where's that at?

17 Q In the section entitled "Supervisor and
18 Manager Responsibilities."

19 A Okay. Yes.

20 Q Did you supervise or manage any people at
21 Wayfarer Studios during the filming of
22 It Ends with Us?

23 A No.

24 Q Did Mr. Heath?

25 A Yes.

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1 Q Did Mr. Baldoni?

2 A Yes.

3 Q So if Mr. Heath or Mr. Baldoni became
4 aware of a violation of policy, they were obligated
5 to report the violation under the terms of it; is
6 that correct?

7 A I am not aware of what was or wasn't
8 done, so I would say, I don't know what they did.

9 Q I'm just asking you about what the policy
10 requires. I mean, you understand that the
11 obligation to report a violation that arises for
12 supervisors and managers is triggered any time a
13 supervisor or manager becomes aware of a violation.
14 That's what this policy says, right?

15 MS. GAROFALO: Objection.

16 THE WITNESS: Yes.

17 BY MR. GOTTLIEB:

18 Q And that's a good policy to have, right?

19 MS. GAROFALO: Objection.

20 THE WITNESS: I think so.

21 BY MR. GOTTLIEB:

22 Q You don't want to force a low-level
23 employee in an organization to have to invoke a
24 formal process if a number of supervisors and
25 managers already know what is going on, right?

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1 MS. GAROFALO: Objection.

2 THE WITNESS: So you're talking about a
3 power imbalance, like --

4 (Cross talk.)

5 BY MR. GOTTLIEB:

6 Q I'm just talking about the reason you
7 have a policy like this.

8 A I know. Can I -- can I --

9 Q Sure.

10 A -- finish the question to you? So I just
11 want to make sure I understand.

12 So you're saying like a low-level
13 employee, someone without any power who would not be
14 able to get their way, being victimized by
15 harassment or something similar; is that what you're
16 saying --

17 Q That's one example.

18 A -- of a low level employee? Just so I
19 can understand what you mean by low-level employee.

20 Q Let's strike my reference to a low-level
21 employee.

22 A Okay.

23 Q Do you agree that it's a good policy to
24 have that if a supervisor or manager becomes aware
25 of a violation of the policy, they're obligated to

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1 report it?

2 MS. GAROFALO: Objection.

3 THE WITNESS: To the best of my
4 knowledge, yes.

5 BY MR. GOTTLIEB:

6 Q Okay. That promotes accountability,
7 right?

8 MS. GAROFALO: Objection.

9 THE WITNESS: To the best of my
10 knowledge, yes.

11 BY MR. GOTTLIEB:

12 Q Do you see on the next page there's a
13 section called "Investigation"?

14 A Uh-huh.

15 Q Do you see how it states:

16 (As read):

17 "Any reported allegations of
18 harassment, discrimination, or
19 retaliation, will be promptly and
20 thoroughly investigated by qualified
21 personnel in an impartial manner"?

22 A Uh-huh.

23 Q Do you see how it then includes --
24 Sorry, is that a yes?

25 A Yes.

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1 Q Do you see how it says:

2 (As read):

3 "Wayfarer Studios will ensure that
4 these personnel will use the evidence
5 to reach reasonable conclusions"?

6 A Yes.

7 Q You are now aware as you sit here today,
8 that complaints were raised about Mr. Baldoni's
9 conduct on the set of It Ends with Us, correct?

10 MS. GAROFALO: Objection, to the --
11 objection, to the extent it calls for
12 attorney-client communications. You are not -- you
13 are instructed not to respond with anything you
14 learned strictly through attorney-client
15 communications. If you have any independent
16 knowledge, you may respond.

17 THE WITNESS: Sorry. I'm going through
18 this in my head. I'm not trying to delay. I'm --
19 because this case has been going on, this has mainly
20 been discussed with my attorneys, so I really
21 couldn't tell you where my independent knowledge
22 begins, and my -- I think it's safer that I don't
23 say anything.

24 BY MR. GOTTLIEB:

25 Q Well, Mr. Sarowitz, notwithstanding the

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1 best efforts of your attorney here, you sat through
2 Ms. Lively's deposition, correct?

3 A Yes.

4 Q You sat through all of it, from start to
5 finish, right?

6 A Yes.

7 Q And you heard Ms. Lively testify that she
8 had made complaints to Mr. Baldoni during the
9 filming of It Ends with Us; is that right?

10 A I don't recall.

11 Q And you know, I assume from reading the
12 complaint in this case and from listening to that
13 testimony and others, that at one point in time, Ms.
14 Lively's legal team sent a list of 17 protections
15 that were demanded for the return to production in
16 November of 2023; you know that, right?

17 MS. GAROFALO: Again, objection to the
18 extent you having information gleaned from
19 communications with attorneys. If you knew that
20 contemporaneously or other independent knowledge,
21 you may answer.

22 THE WITNESS: Yes. I'm aware of the
23 list.

24 BY MR. GOTTLIEB:

25 Q In fact, you learned about that long

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1 before Ms. Garofalo was your lawyer, right?

2 A Yes.

3 Q You learned about that completely
4 independently of anything that could fall within an
5 attorney-client privilege because you learned about
6 it in 2023, right?

7 MS. GAROFALO: Objection.

8 THE WITNESS: Not completely
9 independently.

10 BY MR. GOTTLIEB:

11 Q You knew in 2023 that Ms. Lively's legal
12 team had sent a list of protections for return to
13 production, and you talked about it with
14 Mr. Baldoni, didn't you?

15 A I'm trying to answer this honestly, so
16 give me a second to describe what I think of that
17 list. I believe that in -- Ms. Lively sent a list
18 of things that she insinuated we did, which we never
19 did. And that forced us basically, after millions
20 of dollars were invested to the movie, to sign a
21 list of things that we would do no more, that were
22 never done as a ploy to take over the movie, which
23 she eventually did.

24 So yes, I believe that Ms. Lively did
25 send a list of demands for her to return to work,

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1 and we did sign the list, but when we signed it, we
2 signed it with the understanding that we did not
3 agree that we had actually done those things.

4 Q What did you do, since you're stating
5 with some amount of conviction that the actions
6 described in that list did not occur and were, as
7 you just said, a ploy, what did you do to satisfy
8 yourself that what you just said is factual?

9 MS. GAROFALO: Objection.

10 BY MR. GOTTLIEB:

11 Q How did you satisfy yourself that those
12 behaviors or activities or compliance, or whatever
13 you would like to call them, did not occur?

14 A As I have stated previously, the two main
15 things that she said about me are complete or
16 partial lies. That's is my direct experience. She
17 accused me of being in a scene -- at a scene, which
18 I was not at. She said she was scantily clad. An
19 actor who was on the set with her, testified she was
20 not -- publically testified she was not scantily
21 clad. And then, throughout the course of this case,
22 the evidence has come out that much of what she said
23 was not true, or partially true, or twisted, to make
24 it seem worse.

25 For example, she said that Justin said

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1 she smelled good. And the evidence was very clear,
2 because we had it on tape, she asked Justin, "does
3 my spray tan" -- she said, "my spray tan smells
4 bad," and Justin says, "No, it smells good." So
5 very different than how she portrayed it. There
6 were several other instances like that where the
7 actual evidence from text messages, et cetera,
8 debunked her claims.

9 Q You were describing your understanding of
10 evidence as this case has developed. You see in the
11 paragraph labeled "Investigation," in the bottom of,
12 or the top of page 34949, that:

13 (As read) :

14 "Any reported allegations of
15 harassment, discrimination, or
16 retaliation will be promptly and
17 thoroughly investigated by qualified
18 personnel in an impartial manner.
19 Wayfarer Studios will ensure that these
20 personnel will use the evidence to
21 reach reasonable conclusions."

22 Do you see that?

23 A Yes.

24 Q And do you see the policy also states:

25 (As read) :

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1 "Wayfarer Studios will maintain
2 appropriate documentation and tracking
3 to ensure that reasonable progress is
4 made"?

5 A Yes.

6 Q Did that happen with respect to what
7 occurred on set in It Ends with Us?

8 MS. GAROFALO: Objection.

9 THE WITNESS: The two ways that a formal
10 complaint would -- I'm not aware of -- of any formal
11 complaints of any -- any formal reports of any
12 allegations being made either to, as I mentioned
13 before, either to SAG or to HR.

14 BY MR. GOTTLIEB:

15 Q So your answer is, you're not aware of
16 any investigation of this type referenced on the
17 document with the Bates No. 34949 taking place?

18 A I am not aware of any reported
19 allegations.

20 Q What's a "formal report"?

21 A Typically in -- again, I'm not an expert
22 on this. I don't manage sets. But what I've been
23 told and what I've learned through the course of
24 this case, is that the two options, if there was a
25 --

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1 MS. GAROFALO: Okay. Objection, to the
2 extent that you learned anything from
3 attorney-client communications --

4 THE WITNESS: Okay. Sorry.

5 MS. GAROFALO: -- and you are instructed
6 not to answer --

7 THE WITNESS: Okay. Sorry. I will not
8 answer.

9 MS. GAROFALO: -- and move to strike.

10 BY MR. GOTTLIEB:

11 Q So you don't know anything other than
12 what you've learned from your attorneys in this
13 case?

14 A Correct.

15 Q Do you see anywhere in the paragraph
16 labeled "Investigation," a requirement that for an
17 investigation to take place, a formal HR complaint
18 must be filed with a particular person or in a
19 particular form?

20 A Can I get a little time to read through
21 it?

22 Q It's just one paragraph, but sure.

23 A It still takes some time.

24 Okay. Can you repeat the question?

25 Q Do you see anywhere in the paragraph

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1 labeled "Investigation," any requirement that for an
2 investigation to take place, a formal HR complaint
3 must be filed?

4 A I see the first three words, "any
5 reported allegations."

6 Q "Any" meaning, any, right?

7 A Reported.

8 Q Okay.

9 And do you also see the prior page in the
10 section we were just looking at, the "Supervisor and
11 Manager Responsibilities"? Do you see:

12 (As read):

13 "In a circumstance where a supervisor
14 or manager is aware of a violation of
15 the policy, they're obligated to report
16 it to HR," right?

17 A Yes.

18 Q And so the responsibility to report is
19 not on the individual who has been the subject of
20 the conduct, right, under this policy?

21 MS. GAROFALO: Objection.

22 THE WITNESS: Well, it doesn't mean it's
23 not their responsibility, but it would also be on
24 their manager.

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1 BY MR. GOTTLIEB:

2 Q It would also be on the management?

3 A Yeah.

4 Q Okay.

5 A It would be -- I would -- typically, from
6 my experience, the individual would be more likely
7 to report it.

8 Q And do you agree, sticking on that same
9 page, 34948, that if you wanted to understand what
10 types of conduct sexual harassment could include,
11 you could read this paragraph that says:

12 (As read):

13 "Sexual harassment may include a range
14 of subtle and not so subtle behaviors
15 that may involve individuals of the
16 same or different gender."

17 And then, a second sentence that begins
18 with:

19 (As read):

20 "Depending on the circumstances."

21 And then, there is a long list of
22 behaviors.

23 Do you see that?

24 A (As read):

25 "Sexual advances or requests for sexual

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1 favors, verbal abuse of a sexual
2 nature, commentary about an
3 individual's body, sexual prowess, or
4 sexual deficiencies."

5 Yes.

6 Q Also:

7 (As read):

8 "Sexual jokes and innuendo, leering,
9 whistling, or touching, insulting or
10 obscene comments or gestures, display
11 in the workplace of sexually suggestive
12 objects or pictures, and other
13 physical, verbal, or visual conduct of
14 a sexual nature."

15 Is that a good description of what can
16 constitute sexual harassment under Wayfarer's
17 policy?

18 A That's what the policy says.

19 Q Do you have any knowledge of whether any
20 conduct of that type occurred on the set of
21 It Ends with Us?

22 A I have no knowledge of any of that.

23 Q Okay. You don't know one way or the
24 other?

25 A I have no knowledge of any of that ever

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1 occurring. It's my belief that none of that ever
2 occurred on set.

3 Q Okay.

4 A I have no direct knowledge.

5 Q So if an investigation is not conducted
6 and if an employee believes their complaint is not
7 resolved, what does the policy say the employee or
8 covered person should do?

9 MS. GAROFALO: Objection.

10 Do you need time to read the policy?

11 THE WITNESS: Can you point me to that?

12 BY MR. GOTTLIEB:

13 Q Take a look at the section that says,
14 "Violations of this policy."

15 A Okay. Got it.

16 Q Do you see the paragraph that begins with
17 employees -- "If employees believe their complaint
18 is not resolved"?

19 Do you see that?

20 A So if the -- so what you're saying is, if
21 anything actually occurred?

22 MS. GAROFALO: Take a minute --

23 THE WITNESS: Yeah, so I should --

24 MS. GAROFALO: -- and read it, and then
25 you can respond.

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1 THE WITNESS: Okay. Yeah. So I want him
2 to clarify.

3 BY MR. GOTTLIEB:

4 Q That's fair. Let me ask the question
5 this way.

6 Is it the Wayfarer Studios' policy, that
7 if an employee believes they have been subject to
8 misconduct under this policy, they may file a
9 complaint with the appropriate agency? The
10 appropriate agencies being, the California
11 Department of Fair Employment and Housing or the
12 Federal Equal Employment Opportunity Commission?

13 MS. GAROFALO: Is there a question?

14 BY MR. GOTTLIEB:

15 Q Is that Wayfarer Studios' policy?

16 A Can you --

17 MS. GAROFALO: Objection.

18 THE WITNESS: And could you repeat it
19 again, please?

20 BY MR. GOTTLIEB:

21 Q Is it the Wayfarer Studios' policy that
22 if an employee believes they have been subject to
23 misconduct under this policy, they may file a
24 complaint with the appropriate agency? And then the
25 two agencies listed are, the California Department

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1 of Fair Housing and Employment -- Fair Employment
2 and Housing, and the Federal Equal Employment
3 Opportunity Commission.

4 A I would not agree with it as stated.

5 Q How would you state it?

6 A If the complaint -- if the employee had
7 an actual complaint and that complaint was not
8 resolved. You didn't put that part in. If you
9 would add that part in, that the complaint was not
10 resolved, then I would agree with it.

11 Q Okay. So if an employee or covered
12 person believes their complaint is not resolved, and
13 they believe they have been subject to misconduct
14 under the policy, then they may file a complaint
15 with the appropriate agency?

16 A Yes.

17 Q Are you aware that Ms. Lively believed
18 her complaints were not resolved?

19 A I -- I am not aware of what Ms. Lively
20 did or did not believe.

21 Q Okay. Are you aware that Ms. Lively's
22 complaint filed with the CRD described complaints
23 that were not resolved?

24 A Yes.

25 Q Complaints that had been made to

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1 Mr. Baldoni?

2 A I am not aware of any complaints that
3 were not resolved.

4 Q Complaints describing unwelcome behavior?

5 A I am not aware of any complaints that
6 were not resolved.

7 Q Okay.

8 A And can I answer a little bit more?

9 Q Sure.

10 A I believe that after there were -- there
11 are no further complaints after the 17 points, so
12 even after very early on in filming I was not aware
13 of any complaints, and I'm not aware of any written
14 complaints, any HR complaints. I'm not aware of any
15 unresolved complaints.

16 Q Okay. Are you --

17 A I know that there was insinuated, but I
18 am not aware of any unresolved complaints.

19 Q Are you aware of any investigation that
20 took place into any conduct that took place on the
21 set of It Ends with Us prior to this litigation?

22 A I am not aware of any complaints that
23 necessitated an investigation prior to this
24 investigation.

25 Q So the answer to my question is, no,

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1 you're not aware of any investigations that took
2 place with respect to any conduct that occurred or
3 was alleged to have occurred on the set of
4 It Ends with Us prior to this litigation?

5 A I am not aware of any complaints that
6 would necessitate a -- an investigation.

7 Q You're going to have to answer my
8 question.

9 A I did. I said I'm not aware of any
10 complaints that necessitated an investigation;
11 therefore, I'm not aware of any investigation.

12 Q The second part was the first time you
13 answered that in three tries. Let's move on.

14 MR. GOTTLIEB: What was the tab 4? Do we
15 need a break? The tape is out.

16 THE VIDEOGRAPHER: We are going off the
17 record. The time is 3:14 p.m.

18 (Recess.)

19 THE VIDEOGRAPHER: We're back on the
20 record. The time is 3:36 p.m.

21 BY MR. GOTTLIEB:

22 Q Mr. Sarowitz, before the break we were
23 looking at the document marked as Exhibit 7, which
24 is the handbook. And the last thing I wanted to
25 look at before we leave this document is on the same

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1 investigated and addressed."

2 Do you see that?

3 A Yes.

4 Q And we've already established that there
5 was no investigation of any kind prior to the
6 initiation of litigation in this case; is that
7 correct?

8 A I'm not aware of any -- any event that
9 would facilitate or require an investigation. So as
10 I said before, I'm not aware of any -- any event
11 that would have required an investigation.

12 And one thing I forgot to mention before
13 is that we had talked to counsel and -- and there
14 was no event that they felt would require an
15 investigation.

16 Q Who is "we"?

17 A Jamey and Justin.

18 Q And --

19 A I don't really know. I wasn't involved
20 in that conversation.

21 Q Well, how did you just remember this?

22 A I -- I knew about it before. I had
23 forgotten to say it before. The counsel that also
24 verified along with our own -- you know, just there
25 was -- there was no need for an investigation at

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1 did end up taking over the editing, the marketing.
2 She ended up getting a producer credit. She ended
3 up taking Justin out of the premiere.

4 All of these things occurred with -- as a
5 partial result of us signing this. So it was a way
6 to essentially extort our own production.

7 Q Did any of those things occur in November
8 of 2023?

9 MS. GAROFALO: Objection.

10 THE WITNESS: Again, that's a very vague
11 question. Could you be more specific?

12 BY MR. GOTTLIEB:

13 Q Did any of the long list of items that
14 you just listed that Ms. Lively was trying to
15 accomplish with this list, did any of them occur
16 contemporaneously with the discussion around the
17 17-point list?

18 A I was not there to see exactly what she
19 did and when, but Ms. Lively's behavior began almost
20 immediately from the time she was on set. Her
21 demands were unreasonable. It cost me personally, I
22 would estimate over \$10 million. And I'm not
23 talking about our legal costs. Things like the
24 wardrobe, things like delays in production, et
25 cetera. Having to hire an extra producer. All of

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1 these expensive things occurred throughout the
2 production.

3 So when these things occurred, I can't
4 tell you exactly when they occurred, but throughout
5 the production. In addition to a lot of stress. In
6 addition to the people being fired.

7 Q Why do you -- sorry. Go ahead.

8 A And this 17-point list essentially served
9 very effectively, in my opinion. And I will give
10 her a lot of credit for this, as essentially a knife
11 to our throat throughout all of this, so she could
12 get away with the crime she got away with.

13 Q I thought you weren't involved in the
14 production of the film?

15 A Correct.

16 Q You only visited the set twice, right?
17 Isn't that what your lawyer told Forbes?

18 A That's what I told Forbes, and that's
19 what I'm telling you. I only visited the set twice.

20 Q That's the truth?

21 A That is the truth.

22 Q Well, you used the word "we" a lot in
23 that speech you just gave. And so what I'm
24 wondering is, were you involved in the production of
25 the film? Or are you, in using the word "we,"

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1 describing Wayfarer Studios?

2 MS. GAROFALO: Objection.

3 THE WITNESS: I'm using the word "we," as
4 in the entity, Wayfarer Studios, of which I'm the
5 majority investor. Not that I was individually
6 involved in any of the actions. Not that I have
7 personal knowledge of any of this. Not that I was
8 involved in any of this personally or have any
9 individual knowledge. However, the effects have
10 hurt me as -- have hurt the company and myself as --
11 as an owner of the company in that respect.

12 BY MR. GOTTLIEB:

13 Q What I'm trying to get at, Mr. Sarowitz,
14 is, did you -- about with respect to Ms. Lively's
15 allegations, and whatever label you want to give to
16 the sort of content of the 17-point list, okay. I
17 don't want to fight over whether they're allegations
18 or claims or whatever they are. But the substance
19 of what was in the 17-point list, did you know
20 anything about the events described from firsthand
21 knowledge?

22 MS. GAROFALO: Objection.

23 THE WITNESS: No.

24 BY MR. GOTTLIEB:

25 Q Did you know anything about what was

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1 described in that document, other than what you had
2 learned from Mr. Baldoni?

3 MS. GAROFALO: Objection.

4 THE WITNESS: Is it possible we could
5 review the 17-point list?

6 BY MR. GOTTLIEB:

7 Q We are going to get to a document in a
8 minute. But as you sit here today, your
9 understanding of what was happening on the set,
10 which you have testified you weren't there every
11 day, you visited twice, you weren't involved in the
12 production, do you ever recall learning anything
13 about what was going on, on the set, other than from
14 Mr. Baldoni?

15 A Yes.

16 Q Okay. What else do you recall, as you
17 sit here today?

18 A I talked to Brandon Sklenar when I was on
19 set. And he was infuse -- he was effusive in his
20 praise for Justin, his directing, Wayfarer, how he
21 had been treated in general. So I met with him
22 personally on the day I was in set -- on set.

23 Q Which of the two days?

24 A The first day I was on set.

25 Q Okay.

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1 A My own experience from those -- from that
2 day on set was that I did not witness anything
3 untoward, but I would not have. Again, I was only
4 on set twice. So that's what I would know
5 firsthand.

6 Q Okay. And so you had a conversation that
7 you can recall from Mr. Sklenar, which was very
8 positive about his experience?

9 A Effusive, yes.

10 Q Effusive, your word. And you, obviously,
11 had conversations along the way with Mr. Baldoni.
12 Is there anything else you can think of as you're
13 sitting here today that -- any other person from
14 whom you might have learned information about what
15 was happening on set?

16 A Yes.

17 Q Who was that?

18 A Jamey Heath.

19 Q Okay. So you had conversations with
20 Mr. Heath during production?

21 A Yes.

22 Q And did you talk to Mr. Heath and
23 Mr. Baldoni by phone from time to time during
24 production?

25 A I don't recall, but I assume so.

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1 A Correct.

2 Q Which was the first of the two days that
3 you visited the set?

4 A Yes.

5 Q Okay. And how long would you say that
6 interaction with Ms. Lively took?

7 A A minute or two.

8 Q Okay.
9 Anything else? I know this can be
10 tedious, but anything else that you can think of in
11 your head, as you sit here today, that informed your
12 understanding of what had happened on set?

13 A I'm friends with one of the actors.

14 Q Which one?

15 A Adam Mondschein.

16 Q And did you have conversations with
17 Mr. Mondschein about what was happening on set?

18 A Nothing negative.

19 Q My question was, did you have any
20 conversations with Mr. Mancini about what was
21 happening on the set?

22 A Just his experience.

23 Q And when did you talk to Mr. Mancini?

24 A I don't recall.

25 Q Do you recall how many scenes in the

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1 movie Mr. Mancini was in?

2 A I don't know.

3 Q Would it refresh your recollection if I
4 told you one?

5 A Yeah, that sounds right to me.

6 Q Do you know what scene he was in?

7 A Yes, he was in the birthing scene.

8 Q Do you know what character he played?

9 A He played the doctor.

10 Q The doctor that sat in between
11 Ms. Lively's legs while she was giving birth?

12 A I wasn't there.

13 Q Have you seen the movie?

14 A I have seen the movie.

15 Q Is that what happens in the scene?

16 A I don't recall.

17 Q Did you talk to Mr. Mancini before he
18 went to act for that scene?

19 A No.

20 Q Did you talk to him after that?

21 A Yes.

22 Q What was the nature of your conversation?

23 A Just his experience.

24 Q And what did he talk about it?

25 A Sounded like it was positive.

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1 Q Anything specific you can recall?

2 A No, I don't recall.

3 Also, he confirmed my memory, which is
4 that I wasn't there at that scene.

5 Q When did that happen?

6 A After -- during the course of
7 litigation -- after litigation, I just
8 double-checked and said, "I wasn't there for that
9 scene." He said, "I know. I was there."

10 Q When did that conversation take place?

11 A I don't recall.

12 Q Do you know roughly, like, month that
13 would have occurred in?

14 A I don't recall the exact month.

15 Q Do you talk to him on the phone?

16 A Yes.

17 Q Do you recall about how long the
18 conversation was?

19 A No.

20 Q Did you talk to him about anything else?

21 A I don't recall.

22 Q And so the nature of that call, to the
23 best of your recollection, is you asked him if he
24 had a recollection of you being present for the
25 birth scene, and he said he did not?

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1 A I told -- my recollection -- and, again,
2 this is going back to the call. That I told him I
3 wasn't there for the birth scene and am I wrong
4 about that. And he -- he confirmed that.

5 Q He said, yeah, you're right, you weren't
6 there?

7 A Correct.

8 Q Okay.

9 MR. GOTTLIEB: Let's take a look at
10 Exhibit 8.

11 (Exhibit 8 marked for identification.)

12 BY MR. GOTTLIEB:

13 Q Mr. Sarowitz, you've been handed a
14 document marked as Exhibit 8, which is a document
15 bearing the Bates No. NATHAN 3767, and then an
16 attachment that is produced in native format to this
17 document.

18 A It's a little small for my old eyes. I
19 think I --

20 Q I also need these to read this document.

21 MS. GAROFALO: He needs a microscope.

22 MR. GOTTLIEB: This document is -- the
23 first page of Nathan -- of Exhibit 7. Eight?

24 THE STENOGRAPHIC REPORTER: Eight.

25

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1 MS. GAROFALO: Hold on.

2 Objection.

3 THE WITNESS: I have seen a lot of
4 evidence personally involving me and others that
5 Ms. Lively's perspective is false, and I think the
6 word -- I think "misleading," false and misleading
7 often, as I have mentioned with my own personal
8 things in the deposition. I don't like to speak to
9 others, but I can speak to the facts -- the fact --
10 the supposed facts she said about me were either
11 misleading or completely wrong, and I believe on
12 purpose.

13 For example, Ms. Lively -- Ms. Lively
14 said I was going to -- or I was at a scene I was not
15 at, insinuating for the entire world that I wanted
16 to go and see a birthing scene because she was
17 scantily clad, which I -- again, I wasn't there but
18 I've heard she was also not scantily clad. Given my
19 experience with Ms. Lively, my personal experience
20 with Ms. Lively, that and during her deposition, she
21 insinuated I threatened to kill her and her husband,
22 which I have never done. And even in the evidence
23 that they proffered in their own complaint, it very
24 specifically says I did not threaten to kill them,
25 and I was very clear about that. But she repeated

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1 it as such.

2 Given the misleading things she said
3 about me, I have every reason -- and given my
4 long-term friendship with Justin, where he has been
5 sweet and kind to many, many people for many years
6 and his 19-year experience in the film industry with
7 excellent relations with many people who I have met.

8 Given my experience with both of them, I
9 have reason to mistrust Ms. Lively, direct reason to
10 distrust Ms. Lively and reason to trust
11 Justin Baldoni.

12 BY MR. GOTTLIEB:

13 Q Understood. Isn't everything you and I
14 just talked about the reason why corporations do
15 investigations when allegations arise?

16 MS. GAROFALO: Objection.

17 THE WITNESS: As I have stated before,
18 I'm unaware of any complaints that were lodged that
19 would require an investigation prior to the actual
20 CRD complaint.

21 BY MR. GOTTLIEB:

22 Q Do you see a reference on the next page
23 of this chart to May 16th, 2023, there's a
24 description of a meeting in BL trailer regarding
25 wardrobe concern? And then there's another

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1 questions in your testimony.

2 Were you aware that -- well, have you
3 seen what Ms. Baker or Ms. Carroll testified about
4 this meeting on the 16th?

5 A No.

6 Q Have you talked to any percipient
7 witnesses to that event to come to an understanding
8 of what occurred?

9 A No.

10 Q So for all you know, Ms. Lively's
11 description of this event could be completely
12 accurate?

13 A Given the lack of accuracy that I've
14 scene by almost everything else that Blake Lively
15 has said, I've come to doubt her veracity as a
16 witness on almost everything she says. Given the
17 things that I know, given all the evidence I have
18 seen over and over again. However, it is possible
19 that she could be accurate on something as well.

20 Q And to figure out whether she was
21 accurate, you'd probably want to know what the
22 eyewitnesses to the events thought, right?

23 A There -- you know, we have -- we have a
24 whole legal team. And again, I -- as I mentioned,
25 I'm an investor in many companies. I don't get

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1 involved in the details, but the legal team is
2 involved.

3 MR. GOTTLIEB: Okay. We're going to go
4 AEO for a second.

5 THE WITNESS: We are not AEO. Now we
6 are. Okay.

7 BY MR. GOTTLIEB:

8 Q In her deposition, Ms. Carroll testified
9 about this event with Mr. Heath. She said the
10 following:

11 (As read):

12 "Blake was having body makeup done in
13 the trailer by Vivian. We heard the
14 door open and looked at went, 'Whoa,
15 whoa, whoa.' And it was Jamey at the
16 door. I grabbed a cutting cape, which
17 was over my chair and held it up to try
18 and cover her. And she said -- Blake
19 said, 'whoa, whoa, I'm, you know, don't
20 come in.' And he said, 'it will only
21 take a second.' And that's when all of
22 this action was happening. He stayed
23 in the trailer, they had a discussion
24 and he left."

25 And it continues:

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1 Q Are you with me?

2 A Yes. I'm with you. No, that's okay,
3 that's short enough. Go ahead.

4 Q Okay. Are you aware that Ms. Slate had
5 complained to Mr. Baldoni about him calling her or
6 referring to her as sexy around May 18th, 2023?

7 A I am not aware of that.

8 Q At any time prior to this litigation, did
9 you become aware of that?

10 A No.

11 Q Did you ever become aware that Ms. Slate
12 had gone to Mr. Baldoni and said, "I don't like that
13 comment, please stop"?

14 A I don't know the details of that
15 incident.

16 Q Did you know that Ms. Lively also around
17 the same time complained to Mr. Baldoni about him
18 referring to her as sexy?

19 A I am not aware of that.

20 Q Would you be interested in what
21 Ms. Slate -- I recognize you've said you don't
22 believe anything Ms. Lively says or something to
23 that effect or you find her incredible. What about
24 Ms. Slate?

25 A I would not use the word "incredible."

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1 Q Lacking in credibility when I say
2 "incredible," is that a fair description of your
3 views?

4 A Much better.

5 Q Okay. What about Ms. Slate?

6 A I'm aware that in the course of any
7 production, that there's issues. I am aware that
8 Ms. Slate had an issue. I am not aware of the
9 specifics. I'm aware that it was resolved. And to
10 my knowledge, there was nothing else brought up. So
11 I'm aware that -- you know, I'm aware that in the
12 course of production, there can be issues. And I
13 was aware there was an issue with Ms. Slate and that
14 it was resolved.

15 Q In determining whether there were
16 problems on the set, would it be of interest to you
17 to know Jenny Slate's perspective on what happened
18 that day?

19 MS. GAROFALO: Objection.

20 THE WITNESS: I believe that that will be
21 up to a jury during the trial. In other words, I
22 don't have time to get into every detail. I'm the
23 chairman. I don't have time to get into every
24 detail. I think at some point in time, you know,
25 I'll have time -- we've had kind of a whirlwind, you

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1 know, 16-hour day thing with this case in addition
2 to the other work I do, which is quite expansive.
3 And so I haven't had time to -- to look in detail.
4 At some point in time as we get further into the
5 trial, I may get more into the details. But most
6 likely, I'm -- I'm -- I'm not involved with the
7 day-to-day operations.

8 BY MR. GOTTLIEB:

9 Q Would you have wanted to know if
10 Ms. Toskovic had showed you this back in August of
11 2024 and said, hey, just so you know, Jenny Slate
12 had a concern that she expressed to Justin on the
13 set; would you have wanted to know that?

14 A I was aware that -- that Ms. Slate had a
15 concern and that that concern was taken care of, and
16 I was not aware that there were further concerns.

17 Q Okay. But you never talked to Ms. Slate
18 about that, I assume?

19 A I have never talked to Ms. Slate at all.

20 Q Okay.

21 A I didn't see her at the premiere along
22 with the other actors. I have never talked to her
23 before or during the premiere. I've never seen her.
24 I've never met her. Never spoken to her or met her.

25 Q Have you read Ms. Slate's testimony in

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1 her deposition in this case?

2 A I have not.

3 Q Would it -- would you expect that Ms.
4 Slate's testimony about the "sexy" comment that had
5 been made to Ms. Lively would be similar or
6 dissimilar from Ms. Lively's description?

7 MS. GAROFALO: Objection.

8 THE WITNESS: I wasn't there. I don't
9 know.

10 BY MR. GOTTLIEB:

11 Q Would it matter to you?

12 MS. GAROFALO: Objection.

13 THE WITNESS: What would matter to me is
14 that any -- any problems which -- or issues which
15 occurred, as you mentioned, and I will repeat your
16 words, nobody's perfect. Justin included. And if
17 Justin said something that was inappropriate, or
18 anybody says something because in the course of
19 filming a film largely about sex, about a novel that
20 has a ton of sex in it, if the word "sexy" was used
21 inappropriately in that context, I would hope that
22 that would be rectified. And I understand that
23 nobody's perfect. And I would expect that that
24 would be dealt with. And I was under the impression
25 that it was dealt with and handled.

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1 problems. So I don't have enough information based
2 on what you've told me as to how bad the problems
3 were on set and what was done to resolve it based on
4 the comments that you gave me.

5 BY MR. GOTTLIEB:

6 Q Are you aware of a meeting that took
7 place in New York on January 4th, 2024 that
8 Mr. Baldoni and Mr. Heath attended?

9 A I believe I've become aware of that
10 through my attorneys.

11 Q Have you ever heard that meeting
12 described as an ambush?

13 MS. GAROFALO: Objection to the extent
14 that the question calls for attorney-client
15 communications. He just testified he heard it from
16 his attorneys. You are instructed not to answer.

17 BY MR. GOTTLIEB:

18 Q I'm not interested in what you may have
19 learned from your attorneys.

20 Did Mr. Baldoni or Mr. Heath ever
21 describe that meeting to you as an ambush?

22 A I don't recall.

23 Q Have you ever heard that meeting
24 described as an HR complaints meeting?

25 A Not to my knowledge. Not to my

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1 recollection.

2 Q Well, why don't you turn to page 12 of
3 the document we're in. And look five lines down, it
4 says page 12 at the bottom.

5 A I got it. Just getting there.

6 Q Sorry, the Bates numbers are not on this
7 because it was produced in its native format.

8 A I've got this one.

9 Q It looks like we're on the same page.
10 That one you can read without my glasses.

11 A I can.

12 Q And if you look five lines down, where it
13 says, "Chris Surgent 1AD during phase two."

14 A Yup.

15 Q Note says:

16 (As read):

17 "He was in the production planning
18 meeting turned HR complaints meeting on
19 January 4, 2024."

20 Do you see that?

21 A Who is Chris Surgent?

22 Q All I know is what is written here.

23 A Yeah, I'm not -- I'm not familiar with
24 this.

25 Q Did you know that there was somebody at

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1 Wayfarer Studios who referred to the meeting that
2 took place on January 4th, 2025 as the HR complaints
3 meeting?

4 A I was never aware until this very moment
5 that it was ever referred to as that.

6 MR. GOTTLIEB: Let's mark another
7 document.

8 THE STENOGRAPHIC REPORTER: Exhibit 9 for
9 the record.

10 (Exhibit 9 marked for identification.)

11 THE WITNESS: And I'm unaware of any HR
12 complaints that were filed.

13 BY MR. GOTTLIEB:

14 Q Mr. Sarowitz, you've been handed what's
15 been marked as Exhibit 9. Exhibit 9 is a document
16 bearing the Bates Nos. HEATH 35492 through HEATH
17 35493. This is a text message exchange on
18 May 28th, 2023 between Mr. Heath and Mr. Baldoni.

19 You can take a minute to take a look.

20 A I got it.

21 Q Okay. And Mr. Sarowitz, we just looked
22 at that chart that had references to Ms. Slate and
23 Ms. Lively and the sexy comments occurring
24 between -- the first date we looked at was around
25 May 11th and then the last date was around

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1 record. The time is 5:03 p.m.

2 MS. GAROFALO: Okay. I'm going to
3 withdraw my objections. We've clarified the issue
4 and you can proceed with your questions on
5 Exhibit 10.

6 BY MR. GOTTLIEB:

7 Q All right. So Mr. Sarowitz, you
8 testified earlier today, I think, but you'll correct
9 me if I get this wrong, that you had lost a
10 significant amount of money on the film as a result
11 of what you believe to be Ms. Lively's conduct; is
12 that correct?

13 A Yes.

14 Q And you put a dollar amount on that, what
15 you thought you had lost?

16 A Millions. I couldn't put an exact
17 dollar -- I haven't -- to be honest, I haven't done
18 it because I just -- I just looked at it as
19 something I was not ever going to go after her for.

20 Q And you said you were going to go after
21 her for other things?

22 A We had -- you had asked me a question as
23 to the things I was upset about. I'd listed them
24 before. I don't know if you need me to list them
25 out again, or can we go back to my previous answer?

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1 A No.

2 Q Did it make you angry?

3 A No.

4 Q But they weren't financing the film,
5 right?

6 A Correct.

7 Q You were?

8 A Correct.

9 Q And you wanted people to know that,
10 right?

11 A No.

12 Q You didn't?

13 A That's why I wasn't upset.

14 Q Okay.

15 So back on Exhibit 9, which is the last
16 exhibit before this one we were looking at. It's
17 right here in front of you, I think.

18 A Got it.

19 Q When Mr. Baldoni, at 7:00 p.m. on
20 May 28th, says -- referring to you, says:

21 (As read):

22 "He said he should come to sit and
23 remind Blake whose money this is."

24 Do you have any reason to dispute that
25 you said that to Mr. Baldoni?

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1 A No.

2 Q And do you believe Mr. Baldoni to be
3 honest and accurate in his communications with
4 Mr. Heath?

5 A Yes.

6 Q And he would have tried to represent
7 accurately what you had said to him?

8 A Yes.

9 Q Let's look at -- one more question.
10 Do you know why that would have been your
11 reaction --

12 A I don't recall.

13 Q -- to learning about comments made by
14 Ms. Slate and Ms. Lively?

15 MS. GAROFALO: Objection.

16 THE WITNESS: I don't -- I don't believe
17 that was my reaction to that.

18 BY MR. GOTTLIEB:

19 Q You believe that was your reaction to
20 something else Mr. Baldoni said?

21 A Yes.

22 Q But you're not sure because you don't
23 recall the specific conversation?

24 A This is going back -- this is going back
25 to over a year ago, so I don't recall the specific.

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1 But I can tell you that I would not -- it would have
2 been more than that to get me that upset.

3 MR. GOTTLIEB: Okay. Let's look at
4 another exhibit. This has been marked as
5 Exhibit 11.

6 (Exhibit 11 marked for identification.)

7 BY MR. GOTTLIEB:

8 Q Mr. Sarowitz, you've been handed a
9 document marked as Exhibit 11, which is a document
10 bearing Bates Nos. SAROWITZ 69 through SAROWITZ 74,
11 and this is a text chain with a number of
12 individuals dated November 12th, 2023 --

13 A This is different than this one.

14 Q Yes, sir.

15 A Can I have some time to read through it?

16 Q Sure thing. Once you've had a chance to
17 look through, let me know.

18 A Okay.

19 Q You've had a chance to flip through this,
20 Mr. Sarowitz?

21 A Yes.

22 Q This is a text message dated
23 November, 12th 2023 -- a series of text messages
24 with a large group. How would you describe the
25 group that is on this text thread?

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1 A A group of good friends.

2 Q A group of good friends, and Mr. Baldoni
3 is on here?

4 A Yes.

5 Q Mr. Heath is on here?

6 A Yes.

7 Q Mr. Mondschein is --

8 A Hang on. Just want to make sure.

9 Yes.

10 Q Mr. Mondschein is on here?

11 A Yes.

12 Q Mr. Musiol is on here, right?

13 A Yes.

14 Q Mr. Musiol is one of the co-founders --
15 original co-founders of Wayfarer Studios; is that
16 right?

17 A Yes.

18 Q To your knowledge, did he have --

19 A Wait, Way- -- yes.

20 Q To your knowledge, did he have any
21 involvement in the -- in any respect to the
22 production of It Ends with Us?

23 A Yes.

24 Q And what was he involved with?

25 A I don't recall exactly, but I think he

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1 return to production letter that we were discussing
2 earlier?

3 A Yes.

4 Q This is right around the time that letter
5 was circulated; is that right?

6 A I don't recall, but perhaps.

7 Q Did Wayfarer agree to meet these 17
8 conditions?

9 A Ultimately, we signed the letter under
10 duress with a caveat saying that we didn't
11 necessarily agree with it, but we signed the letter
12 in order to get her back to work. But we had not
13 done the things in the first place, and continued
14 not to do the things that were in the letter.

15 MR. GOTTLIEB: I will move to strike as
16 nonresponsive.

17 BY MR. GOTTLIEB:

18 Q My question was just whether Wayfair
19 agreed to meet the 17 conditions; yes or no?

20 A We agreed to continue not to do the
21 things we weren't doing.

22 Q Was that letter of conditions something
23 you considered to be sensitive?

24 MS. GAROFALO: Objection.

25 THE WITNESS: Can you be more specific?

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1 A We are very good friends.

2 Q Has he ever, to your knowledge, told you
3 a lie?

4 A No.

5 Q Do you believe he's capable of telling a
6 lie to you?

7 A Everybody is capable of lying.

8 Q Do you believe Mr. Baldoni is capable of
9 sexually harassing someone?

10 A No.

11 Q Do you understand that having -- let me
12 put it -- let me withdraw and rephrase.

13 Do you believe that Mr. Baldoni is
14 capable, at any point in his life, has been capable
15 of taking advantage of a woman?

16 MS. GAROFALO: Objection.

17 THE WITNESS: That's a very broad
18 question. Can you narrow it at all?

19 BY MR. GOTTLIEB:

20 Q Do you think Mr. Baldoni at any point in
21 his life has engaged in what you would consider to
22 be inappropriate conduct vis-a-vis women?

23 MS. GAROFALO: Objection.

24 THE WITNESS: I have no knowledge of him
25 ever doing this.

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1 MS. GAROFALO: I'm sure it is.

2 BY MR. GOTTLIEB:

3 Q Let's look at the exhibit that you have
4 in front of you, sir. Exhibit 12.

5 Exhibit 12 is a document bearing the
6 Bates Nos. SAROWITZ 80 through 82. It's a text
7 exchange on January 5th, 2024. And this is a text
8 chain that appears to involve some of the same
9 individuals as the exhibit we just looked at, I
10 believe. But if you notice a difference, please
11 tell me.

12 A I don't.

13 Q Okay. So this is a text chain with some
14 of the -- the title at the top here, you see
15 "Prayers and Support." Is that the same title of
16 the sort of text thread that we looked at at
17 Exhibit 11?

18 A Yes.

19 Q On January 5th, 2024, did Mr. Baldoni
20 reach out to you to discuss the meeting that had
21 happened the day before on January 4th?

22 A Can I have time to familiarize myself
23 with this document?

24 Q Sure.

25 A Thank you.

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1 I don't recall.

2 Q So you don't recall talking to
3 Mr. Baldoni on or around January 5th about the
4 meeting that happened in the apartment building with
5 Ms. Lively and Mr. Reynolds on January 4th?

6 A I know we talked at some point in time.
7 I don't know the exact date we talked.

8 Q Okay. You see at 6:35 p.m. on
9 January 5th, Mr. Baldoni sends a somewhat lengthy
10 text message, which is on the page SAROWITZ 80, and
11 then follows that up at 6:45 p.m. on the page
12 SAROWITZ 81?

13 A Uh-huh.

14 Q Is the description that you see here
15 generally consistent with any conversation you ever
16 had with Mr. Baldoni where he described the meeting
17 to you like this?

18 MS. GAROFALO: Objection.

19 THE WITNESS: I don't recall.

20 BY MR. GOTTLIEB:

21 Q You don't have -- do you have any
22 recollection of when the first time you learned
23 about the January 4th, 2024 meeting?

24 A I don't remember exactly when I learned
25 about it.

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1 you had with Ms. Ayoub was before this occurred on
2 September 27th, this conversation, or after?

3 A I don't recall.

4 Q Did you -- were you asked to have a call
5 with Claire Ayoub?

6 A I don't -- I know I did. I don't recall
7 how it came up.

8 Q Does it seem like the kind of thing that
9 you would have affirmatively reached out on your own
10 to request?

11 A She was coming to show her film at the
12 theater. I don't recall how the call came about.

13 Q If we had your calendar from September or
14 August of 2024, do you think we might find a Zoom
15 meeting or meeting indication? Might we possibly
16 find one with Ms. Ayoub?

17 A Yes.

18 Q Do you recall knowing when you spoke to
19 Ms. Ayoub that there had been any problems on the
20 set of Empire Waist?

21 A I visited the set of Empire Waist and was
22 not aware of any problems.

23 Q Okay.

24 A But, again, I don't -- I don't run the
25 day-to-day.

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1 MR. GOTTLIEB: Okay. We're going to go
2 AEO now.

3 And we are going to mark as an exhibit
4 the audio file that has the Bates No. BL 33428.

5 THE STENOGRAPHIC REPORTER: As
6 Exhibit 14.

7 MR. GOTTLIEB: So we will mark as
8 Exhibit 14 the document produced in its native
9 format, has the Bates No. BL 33428. We're going to
10 mark that. This is all you'll see with it.

11 (Exhibit 14 marked for identification.)

12 BY MR. GOTTLIEB:

13 Q And before we start playing that,
14 Mr. Sarowitz, we have produced in this litigation a
15 recording of this call. Have you received that
16 production, the call you had with Claire Ayoub?

17 A Yes.

18 Q Have you listened to it?

19 A Yes.

20 Q Have you listened to all of it?

21 A Yes.

22 Q And I assume -- I assumed you have
23 listened to all of it because you earlier mentioned
24 you were seeking to have it de-designated; is that
25 right?

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1 A It was not my decision to designate it,
2 but I am okay with that decision.

3 Q Okay. How many times have you listened
4 to the call at this point in time?

5 A Once.

6 Q All right. We're going to play just a
7 little of it to ask you if this is the call. And
8 then we'll stop, and I will ask you some more
9 questions.

10 MR. GOTTLIEB: So why don't we start.

11 (Audio recording played during the
12 deposition.)

13 MR. GOTTLIEB: All right. Let's stop.

14 BY MR. GOTTLIEB:

15 Q Is that your voice that you just heard
16 saying, "It's been a long few weeks"?

17 A Yes.

18 Q And was the woman's voice speaking to you
19 right before that Ms. Ayoub's voice?

20 A Yes.

21 Q And is that the recording of the call
22 that we've been talking about here that I just
23 played for you a small clip of?

24 A Yes.

25 Q Do you know who Elise that was referred

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1 And then later in the page:

2 (As read):

3 "They went after everything we had.
4 Luckily, I was out of it. So like --
5 nobody mentioned me. That's because
6 I'm a nobody."

7 In other words, referring to myself. I
8 wasn't very important.

9 Q Okay. Thank you for that.

10 How was Mr. Heath stopping what you
11 viewed as "the worst of the worst" from coming out?

12 MS. GAROFALO: Objection.

13 THE WITNESS: This is what our crisis
14 PR -- PR people were working on, is stopping the
15 public attacks on us, the ongoing, everyday public
16 attacks on us.

17 BY MR. GOTTLIEB:

18 Q Okay. Do you recall later in the
19 conversation discussing with Ms. Ayoub what had
20 happened on the set of It Ends with Us?

21 A I don't think I could have because I
22 wasn't on the set of It Ends with Us. But is there
23 anything in the document which would talk about
24 that?

25 Q You weren't there?

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1 A I was only there, as I mentioned, briefly
2 for part of one day and just a few minutes on
3 another, so I really wasn't on the set.

4 Q Would it surprise you to learn that when
5 Ms. Ayoub said:

6 (As read) :

7 "I wasn't there, so I don't know what
8 it's like."

9 Your response was, "I was"?

10 A Can you refer me to the page?

11 Q You don't have any recollection of saying
12 to Ms. Ayoub, "I was there on set"?

13 A Again, can you refer me to the page?

14 Q Pages 30 to 31.

15 A Okay. Just give me a second or two to
16 read it, and I will go through as quickly as I can
17 because I realize we're running short on time.

18 Q Thank you, sir.

19 A Okay.

20 Q And you see that you make a reference to
21 there being two different sets. And Ms. Ayoub says:

22 (As read) :

23 "I don't know. I wasn't there, so I
24 don't know what it was like."

25 And you say, "I was," right?

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1 A Yes.

2 Q And she says:

3 (As read):

4 "You were there? Was it bad?"

5 And your response is, "No," correct?

6 A Correct.

7 Q And she says, "Oh, God." And your

8 response to that is:

9 (As read):

10 "Justin never has had set. Yes, it was

11 the worst set he has ever been on, but

12 no, it wasn't bad. I was there on set.

13 It was, you know, Justin is really kind

14 and loving and he's like Rainn,

15 actually Rainn is running a set."

16 Ms. Ayoub says, "Yeah." And you say:

17 (As read):

18 "It's a Baha'i set. It's never going

19 to be like that, no. Everything was

20 made up. It was manufactured, and it

21 was manufactured on purpose in order to

22 take Justin down."

23 That's what you said, right?

24 A Yes.

25 Q Do you recall saying that?

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1 A With the help of this document, yes.

2 Q Does that sound like something you would
3 say?

4 A Yes.

5 Q Would you be surprised if you said
6 similar things to other people around the time of
7 this conversation?

8 A I'm not aware of me saying anything like
9 this to anybody else.

10 Q And your representation to Ms. Ayoub is
11 that everything, referring to what happened on set,
12 was manufactured on purpose in order to take Justin
13 down; is that right?

14 A That appears to be what I said.

15 Q You said that having never even looked at
16 the chronology that your own team had put together
17 about what happened on set, right?

18 A I don't recall what I looked at and what
19 I hadn't looked at.

20 Q And you said that even though you never
21 talked to any of the relevant, factual witnesses,
22 with the exception of Mr. Baldoni and Mr. Heath, and
23 one conversation with Brandon Sklenar, to know what
24 had happened on set; is that right?

25 A And a short conversation with Ms. Lively.

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1 (As read) :

2 "We will have to be defensive for
3 years."

4 It talks about:

5 (As read) :

6 "There will be stuff coming at us."

7 So I believe based on the context, that
8 this is very consistent with what I said before,
9 that I would defend the studio. That's what I meant
10 by that.

11 Q Do you understand the difference between
12 defense and offense?

13 MS. GAROFALO: Objection.

14 THE WITNESS: Yes.

15 BY MR. GOTTLIEB:

16 Q Aren't there -- I mean, isn't this --
17 doesn't this go back to an earlier conversation we
18 had about some of the tenets of your faith?

19 MS. GAROFALO: Objection.

20 BY MR. GOTTLIEB:

21 Q The distinction between self-defense and
22 retaliation?

23 MS. GAROFALO: Objection.

24 BY MR. GOTTLIEB:

25 Q Let me try that a different way, sir.

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1 Q Yes. Mr. Sarowitz, just to cut to the
2 chase, I'm going to represent to you that the
3 custodian -- do you see the custodian in the top on
4 the first page -- see where it says "Custodian:
5 Steven Sarowitz"?

6 A Yes.

7 Q I will represent to you that the format
8 of these messages is such that the blue box here on
9 the right-hand side represents whoever the custodian
10 of the messages is. So we'll just proceed on that
11 understanding; is that all right?

12 A Yes.

13 Q We'll proceed on you accepting that
14 representation from me, which is that good?

15 A Yes.

16 Q Okay. So you understand here that you're
17 having a conversation with this group about what
18 Sage Steele should point out and address in a video
19 that Sage Steele ultimately posted online; is that
20 correct?

21 A Could you repeat the question, please?

22 Q Do you understand that this text
23 exchange, you and your colleagues are discussing --
24 or you and this group of participants are discussing
25 the content of a post, a video post, that

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1 Sage Steele is going to release?

2 A Okay.

3 Q And do you see you're saying:

4 (As read):

5 "It's a good start. Should she also
6 point out that the other women who were
7 hurt by" -- and it looks like Blake,
8 but there's an N -- "included the
9 assistant director and editors and the
10 wives of the men Blake falsely
11 accused?"

12 Do you see that?

13 A Yes.

14 Q And there's a couple of responses from
15 Ms. Steele -- three responses from Ms. Steele. You
16 respond. And then on the top of page 1242, you
17 write:

18 (As read):

19 "Looking good. A few minor suggestions
20 Instead of Team Blake, change to
21 Blake's team. Also, do you want to add
22 the wives of the men who were falsely
23 accused as well?"

24 Do you see that?

25 A Yes.

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1 Q Mr. Heath responds:

2 (As read):

3 "I think leave the wives out. It feels
4 too manipulative."

5 Do you see that?

6 A Sorry. I wanted to read this whole
7 comment.

8 (Witness reviews document.)

9 Yes.

10 Q Were there any other content creators
11 that you were in touch with around this time, around
12 January 5th, 2025, early January?

13 A Not to my knowledge.

14 Q Sage Steele is the only one you can think
15 of as you sit here today?

16 A Correct.

17 Q Sorry?

18 A Correct.

19 Q Could there have been others?

20 MS. GAROFALO: Objection.

21 THE WITNESS: I don't recall any others.

22 BY MR. GOTTLIEB:

23 Q Okay. Did Sage Steele eventually post a
24 video?

25 A I believe so.

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1 BY MR. GOTTLIEB:

2 Q Is saying, "I will never ever let up
3 going after you for the rest of my career" something
4 that you want your attorneys to say to reporters at
5 news organizations?

6 MS. GAROFALO: Objection.

7 THE WITNESS: I don't know the context,
8 so I can't comment on something I don't have the
9 context. I don't know what was done. For example,
10 in the course of this case, someone threatened my
11 daughter's life. If I knew who did that, I would
12 say something similar to that, even as a Baha'i,
13 because we're not perfect human beings.

14 There are things that are beyond the pale
15 and people get angry. I'm sure you, like me, have a
16 temper, and occasionally we say things we might even
17 regret. So I would like to know what the whole
18 context is before I can comment on it.

19 Do you have anymore context on this you
20 can give me?

21 BY MR. GOTTLIEB:

22 Q I do not. Your attorneys do.

23 Did you ever learn of anything horrific
24 or terrible that Mr. Reiss had done or said in
25 public? Did you ever see anything that he said in

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1 MS. GAROFALO: It's a yes-or-no answer.

2 THE WITNESS: Could you repeat the
3 question, please?

4 BY MR. GOTTLIEB:

5 Q Do you review retention agreements with
6 service providers in this -- related to this case
7 before they are agreed to?

8 A Not typically.

9 Q Who amongst your group of defendants is
10 responsible for approving or not approving the
11 retention of vendors or service providers in this
12 case?

13 MS. GAROFALO: Objection.

14 THE WITNESS: That would be the Wayfarer
15 management team.

16 BY MR. GOTTLIEB:

17 Q The Wayfarer management team is in charge
18 of making those selections and decisions?

19 A Yes.

20 Q And is the -- does that mean that
21 Wayfarer Studios is responsible for paying their
22 invoices?

23 A Yes.

24 Q So then if I understand you, the answer
25 to my previous question was that Wayfarer Studios is

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1 paying for the services being provided relating to
2 the litigation of this case; is that right?

3 A For who?

4 Q Let's start for you.

5 A Yes.

6 Q Okay. Mr. Heath?

7 A Yes.

8 Q Mr. Baldoni?

9 A Yes.

10 Q Ms. Nathan?

11 A I think so.

12 Q Ms. Abel?

13 A I believe so.

14 Q Mr. Wallace?

15 A I'm not sure. I'm not certain.

16 MR. GOTTLIEB: I believe my time is up,
17 Mr. Sarowitz. Thank you for your time. I hope you
18 make your flight.

19 THE WITNESS: We've got plenty of time.

20 THE VIDEOGRAPHER: This marks the
21 conclusion of today's deposition. We're going off
22 the record. The time is 7:16 p.m.

23

24 (WHEREUPON THE DEPOSITION CONCLUDED AT 7:16 p.m.)

25

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REPORTER'S CERTIFICATE

I, ASHLEY SOEVYN, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; at which time the witness was put under oath by me;

That the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That a review of the transcript by the deponent was/ was not requested;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct. Dated this 4TH day of October, 2025.



ASHLEY SOEVYN
CSR No. 12019