

September 18, 2025

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3
4 BLAKE LIVELY,)
Plaintiff,)
5 v.)
6) CASE NO.
WAYFARER STUDIOS LLC, a) 1:24-CV-10049-LJL
7 Delaware Limited Liability)
Company, JUSTIN BALDONI, an)
8 individual, JAMEY HEATH, an)
individual, STEVE SAROWITZ, an)
9 individual, IT ENDS WITH US)
MOVIE LLC, a California)
10 Limited Liability Company,)
MELISSA NATHAN, an individual,)
11 THE AGENCY GROUP PR LLC, a)
Delaware Limited Liability)
12 Company, JENNIFER ABEL, an)
individual, JED WALLACE, an)
13 individual, and STREET)
RELATIONS INC., a California)
14 Corporation,)
Defendants.)
15 _____)
16)

17 CONFIDENTIAL

18 ATTORNEY'S EYES ONLY

19 VIDEOTAPED DEPOSITION OF

20 WARREN ZAVALA

21 THURSDAY, SEPTEMBER 18, 2025

22 LOS ANGELES, CALIFORNIA

23 PAGES 1 - 303

24 REPORTED BY MARK SCHWEITZER

25 CSR #10514, RPR, CRR

1 MS. LEADER: Just gonna object to the 10:39:50
2 extent it calls for speculation. 10:39:52
3 MS. GAROFALO: Okay. We don't do speaking 10:39:57
4 objections. But just "objection" is sufficient. 10:39:58
5 MS. GAROFALO: Can you please read back the 10:39:58
6 question for Mr. Zavala. 10:39:58
7 (Record read.) 10:40:20
8 THE WITNESS: I don't know. 10:40:20
9 Q. BY MS. GAROFALO: Do you know if that 10:40:37
10 December -- strike that. 10:40:37
11 Do you know whether Ms. Lively's written 10:40:38
12 agreement provides for her to have a role in the 10:40:40
13 editing of the movie? 10:40:42
14 A. I do not. 10:40:49
15 Q. I'm gonna jump ahead just a little bit. 10:40:58
16 Do you know where the movie was filmed? 10:41:00
17 A. Yes. 10:41:02
18 Q. Where? 10:41:02
19 A. New Jersey. 10:41:03
20 Q. Were you ever on the set during filming? 10:41:07
21 A. I was. 10:41:09
22 Q. How frequently? 10:41:10
23 A. I went twice. Which is one more time than 10:41:11
24 I've ever gone to any set in 24 years. 10:41:16
25 Q. Is there a reason? 10:41:19

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1	Q.	And you understood that it had sexual	10:59:08
2		violence content as well, correct?	10:59:11
3	A.	Correct.	10:59:13
4	Q.	And to the best of your knowledge, did	10:59:14
5		Ms. Lively understand that the movie had sexual	10:59:18
6		content before she agreed to accept the role -- the	10:59:21
7		role as Lily Bloom?	10:59:27
8		MR. BRUNO: Objection. Form.	10:59:29
9		MS. LEADER: Join.	10:59:31
10	Q.	BY MS. GAROFALO: You can answer.	10:59:35
11	A.	You guys gotta give me a little direction	10:59:36
12		here.	10:59:39
13		I'm sorry. Repeat the question. My	10:59:39
14		apologies --	10:59:42
15		MS. GAROFALO: Can you please read it back.	10:59:42
16		Thank you.	10:59:43
17		THE WITNESS: Sorry.	10:59:43
18		(Record read.)	10:59:59
19		THE WITNESS: Yes.	11:00:00
20		MR. BRUNO: Same objection.	11:00:01
21	Q.	BY MS. GAROFALO: And did you, in fact,	11:00:03
22		discuss the subject matter of the film with	11:00:04
23		Ms. Lively before she accepted the role of Lily	11:00:07
24		Bloom?	11:00:11
25	A.	What specifically?	11:00:11

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1	Q. The sexual content.	11:00:12
2	A. Yeah, she wasn't gonna do anything that was	11:00:14
3	R-rated. So there were simulated sex scenes in terms	11:00:17
4	of a romance, but it wasn't -- I think the question	11:00:20
5	you're asking has varying degrees.	11:00:23
6	Q. Okay. Tell me what, if anything, you	11:00:26
7	discussed with Ms. -- with Ange Giannetti regarding	11:00:30
8	potential sex scenes in the movie before Ms. Lively	11:00:37
9	signed on.	11:00:43
10	A. I don't know if we did.	11:00:45
11	Q. So is it your testimony that Ms. Lively	11:00:47
12	told you that there were sex scenes, but there were	11:00:52
13	limits as to what she would do in connection with	11:00:58
14	those sex scenes?	11:01:01
15	MR. BRUNO: Objection. Form.	11:01:02
16	THE WITNESS: Does that mean I still	11:01:08
17	answer?	11:01:10
18	MS. GAROFALO: Yes.	11:01:11
19	THE WITNESS: Okay. You've got to help me	11:01:13
20	out here a little bit.	11:01:14
21	Q. BY MS. GAROFALO: I know. I should have	
22	given you that question. All right. I'm gonna give	
23	it you -- (inaudible cross talk)	
24	A. Give me a hand signal or something.	
25	Okay --	

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1	in an R-rated film.	11:03:48
2	Q. Specifically with regard to what she would	11:03:50
3	or would not do as an actress in a sex scene on the	11:03:55
4	movie It Ends With Us, what were your conversations	11:04:00
5	with Ms. Lively?	11:04:04
6	A. I didn't have --	11:04:05
7	MR. BRUNO: Objection. Form.	11:04:06
8	A. Didn't have any.	11:04:07
9	Q. BY MS. GAROFALO: Okay. Now, prior to your	11:04:09
10	visit to the set in June of 2023, did you have any	11:04:11
11	conversations with Ms. Lively in which she told you	11:04:15
12	that she had been asked to do something on the set	11:04:19
13	that she refused to do?	11:04:23
14	MR. BRUNO: Objection. Form.	11:04:26
15	THE WITNESS: I don't recall at that point	11:04:29
16	that she had refused to do something. I didn't get a	11:04:31
17	call from anybody about that.	11:04:36
18	Q. BY MS. GAROFALO: Did you provide	11:04:43
19	Ms. Lively with a script prior to the time she	11:04:44
20	accepted the role of Lily Bloom?	11:04:48
21	A. Um-hm. Sorry, yes, I did.	11:04:51
22	Q. And did you read the script?	11:04:55
23	A. I did.	11:04:56
24	Q. At the time prior to Ms. Lively's	11:04:56
25	acceptance of the role of Lily Bloom, did you find	11:05:01

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1	messages were not very complimentary?	01:44:44
2	MS. LEADER: Objection to form.	01:44:47
3	THE WITNESS: That is absolutely not true.	01:44:48
4	Q. BY MS. GAROFALO: Okay. Okay. Now, before	01:45:02
5	filming resumed, let's mark -- I think we're up to --	01:45:04
6	we at 5 or 6?	01:45:10
7	MS. LEADER: 5.	01:45:11
8	MS. GAROFALO: 5 -- as Exhibit 5, a	01:45:13
9	document Bates stamped Heath 45307 through 45311.	01:45:14
10	(Exhibit 5 for identification.)	01:45:20
11	THE WITNESS: Blakel.	01:46:02
12	Q. BY MS. GAROFALO: And you'd anticipated my	01:46:05
13	first question. Does this document refresh your	01:46:05
14	recollection as to what BLAKEL is?	01:46:07
15	A. Yeah, I just figured it out. It's her --	01:46:09
16	the name of her loan-out.	01:46:13
17	Q. Okay. And take a minute to look at this	01:46:21
18	document beginning on the -- you know what? Someone	01:46:23
19	didn't copy this correctly.	01:46:31
20	Okay. I'm sorry. It's been a long day.	01:46:37
21	On the first page of the document, there's a list	01:46:39
22	starting with 1 that continues on the next two pages.	01:46:41
23	Do you see that?	01:46:44
24	A. Yes.	01:46:45
25	Q. Just without sitting here and reading it	01:46:45

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1	carefully, can you tell us if you have any	01:46:49
2	understanding as to what that list is?	01:46:51
3	A. Is this the return to work?	01:46:59
4	Q. Just take a minute to look at the	01:47:05
5	document --	01:47:07
6	MS. LEADER: Take a minute. Yeah -- right.	01:47:08
7	THE WITNESS: Okay.	01:48:31
8	Q. BY MS. GAROFALO: Okay.	01:48:32
9	Do you recognize the list?	01:48:33
10	A. Yes, I've seen it before.	01:48:33
11	Q. What is it?	01:48:35
12	A. It's the return to work.	01:48:35
13	Q. What does that mean?	01:48:36
14	A. It's what was presented for her to be able	01:48:37
15	to return to work and finish the movie.	01:48:46
16	Q. Okay. This is a list that was presented to	01:48:48
17	Wayfarer as a condition of Ms. Lively returning to	01:48:51
18	complete the movie. Is that a correct statement?	01:48:58
19	A. Yes.	01:49:01
20	MR. BRUNO: Objection to form.	01:49:02
21	Q. BY MS. GAROFALO: And if -- if you know,	01:49:06
22	was Ms. Lively refusing to return to work on the	01:49:07
23	movie if Wayfarer did not agree to this list?	01:49:11
24	A. That's my understanding. I -- I wasn't a	01:49:16
25	party to the drafting of this or the presentation of	01:49:18

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1 sort of like her wanting to put it all to bed, sort 01:53:48
2 of say her piece and move forward. 01:53:52

3 There was this notion that they were gonna 01:53:58
4 be collaborative, and, you know, I went out to the 01:54:01
5 set with Lindsey Strasberg. We spent the better part 01:54:02
6 of a day in Jersey at her house, and it seemed to be 01:54:07
7 the case. It was working well. And, you know, Todd 01:54:11
8 Black and Ange Giannetti both pulled me aside to say 01:54:17
9 how them collaborating together was making for better 01:54:21
10 scenes, and they were feeling great about everything. 01:54:24
11 Jamey was cordial. Alex was in good spirits. I saw 01:54:27
12 her as well. 01:54:32

13 It seemed like we were in a much better 01:54:33
14 place, and I think Blake was feeling very positive 01:54:36
15 about the final phase of the movie. 01:54:39

16 Q. Okay. And another thing that she was 01:54:45
17 requesting was that she be given a producer credit? 01:54:46

18 A. I think that was much later 01:54:49
19 chronologically. 01:54:51

20 Q. Okay. At some point, she did make that 01:54:51
21 request? 01:54:53

22 MR. BRUNO: Objection to form. 01:54:55

23 Q. BY MS. GAROFALO: Is that correct? 01:54:57

24 A. I had heard she had made that request, yes. 01:54:58

25 Q. Okay. And are you aware that she asked 01:55:00

1 correct statement? 02:00:21

2 A. Correct. 02:00:22

3 Q. Okay. Are you aware of any incidents that 02:00:22

4 made Ms. Lively uncomfortable during the second phase 02:00:27

5 of filming? 02:00:30

6 A. No. 02:00:31

7 Q. Your second visit to the set occurred 02:00:32

8 during the second phase of filming, correct? 02:00:38

9 A. Correct. 02:00:39

10 Q. And everything seemed to be going well, to 02:00:40

11 your observation, during that second visit, correct? 02:00:46

12 A. Yeah. Yes, correct. 02:00:49

13 Q. Did you personally hear any complaints from 02:00:50

14 Ms. Lively during the second phase of filming? 02:00:56

15 A. Yes, in the post-process around this 02:01:03

16 testing of the cut of the film. 02:01:05

17 Q. Okay. Other than an issue relating to a 02:01:06

18 testing of a cut of the film that Ms. Lively didn't 02:01:12

19 know about, any other complaints you heard from 02:01:15

20 Ms. Lively during the second phase of filming? 02:01:18

21 A. From that point forward, yes, there was 02:01:22

22 definitely issues in terms of her -- her interaction, 02:01:25

23 I think, with Justin and their collaboration in the 02:01:30

24 final stages of post. 02:01:40

25 Q. Okay. Tell me what you know specifically. 02:01:36

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1	ended -- it was ended on a positive note?	05:01:46
2	A. It was -- I actually don't know. I think	05:01:52
3	it was ended on a positive enough note for her to	05:01:53
4	return to work. I don't know.	05:01:57
5	Q. Okay. Now, after the January 4th meeting,	05:02:09
6	did shooting for the film resume?	05:02:24
7	A. Yeah, shortly thereafter.	05:02:31
8	Q. Okay.	05:02:31
9	A. I feel like the meeting was, like, a	05:02:32
10	handful of days before they started photography.	05:02:34
11	Q. Okay. Now, when the strike occurred, how	05:02:38
12	much of the film had been completed?	05:02:41
13	MS. GAROFALO: Objection.	05:02:44
14	THE WITNESS: I'm unclear on that.	05:02:44
15	Q. BY MR. BRUNO: Okay.	05:02:47
16	A. I think we talked about this earlier. And	05:02:48
17	I feel like somewhere around half, but I don't	05:02:49
18	recall --	05:02:52
19	Q. Okay. Now, when shooting for the film	05:02:52
20	resumed, you testified that you were there physically	05:02:56
21	for some of the shooting; is that right?	05:02:59
22	MS. GAROFALO: Objection.	05:03:02
23	THE WITNESS: I did come out to the set,	05:03:03
24	yes, and spent the breadth of the day there.	05:03:05
25	Q. BY MR. BRUNO: Okay. And how would you	05:03:10

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1 describe the environment when you were there? 05:03:12

2 A. Positive. I think that Jamey seemed like 05:03:14

3 he was in good spirits. Lindsey Strasberg and I 05:03:19

4 spoke to Justin briefly. Everybody seemed to be 05:03:24

5 happy they were back at work. Todd and Ange, during 05:03:28

6 a setup, pulled me aside and said that she was really 05:03:32

7 collaborating with Justin, and they were getting much 05:03:37

8 better work and she had great ideas, and it felt 05:03:41

9 really positive. 05:03:44

10 Q. And in terms of Ms. Lively on-set, did you 05:03:46

11 observe -- strike that. 05:03:51

12 And what did you witness with respect to 05:03:53

13 Ms. Lively on-set? Was she collaborating with 05:04:07

14 Mr. Baldoni? 05:04:10

15 A. Yeah. She -- I watched a scene where they 05:04:11

16 were -- Justin was sort of directing, and she gave 05:04:14

17 him some ideas from across the living room of, like, 05:04:18

18 this or that, and Todd and Ange were sitting there in 05:04:22

19 Video Village, and they seemed like -- like it was 05:04:26

20 all -- she seemed happy. She -- I think she was 05:04:29

21 relieved that she was gonna be finishing the film, 05:04:32

22 and it felt good. 05:04:36

23 Q. And besides acting, did you observe 05:04:37

24 Ms. Lively do anything else on the production set? 05:04:40

25 A. No. We -- we spent some time together. 05:04:42

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1	Simple Favor?	06:26:42
2	A. Yes, the Simple Favor thing was a sequel,	06:26:42
3	and it was also a streaming deal. So I'd like to get	06:26:44
4	a theatrical deal in the same zone, if not more,	06:26:47
5	would be my hope. And get her to a better place	06:26:50
6	financially.	06:26:56
7	Q. Okay. And you testified that there were no	06:26:56
8	offers after It Ends With Us.	06:27:01
9	A. No meaningful or real offers, correct.	06:27:03
10	Q. And you qualified it by saying,	06:27:05
11	"meaningful." What do you mean by that?	06:27:10
12	A. Anybody can send a script that is remotely	06:27:11
13	in the business who wants to put together a project.	06:27:14
14	It doesn't mean they have the money to finance it or	06:27:16
15	make a bona fide offer or have a start date or have	06:27:19
16	distribution. So a meaningful offer, in my mind,	06:27:22
17	would be something that is either financed or has a	06:27:24
18	distributor or has an element involved that is	06:27:28
19	meaningful enough where you would -- you know, the	06:27:32
20	movie's gonna get done without her attaching herself	06:27:33
21	to it.	06:27:36
22	Q. Okay. And have you noticed there being	06:27:37
23	just generally less interest in Ms. Lively in films?	06:27:40
24	A. Yes.	06:27:43
25	Q. Okay.	06:27:43

1 STATE OF CALIFORNIA.)
2 COUNTY OF LOS ANGELES)

3

4 I, Mark Schweitzer, Certified
5 Shorthand Reporter No. 10514, do hereby
6 Certify:

7 That prior to being examined, the witness
8 named in the foregoing deposition was by me duly
9 sworn to testify the truth, the whole truth, and
10 nothing but the truth;

11 That said deposition was taken down by me
12 in shorthand and thereafter reduced to print by
13 means of computer-aided transcription; and the same
14 is a true, correct, and complete transcript of said
15 proceedings.

16 I further certify that I am not interested in
17 the outcome of the action.

18 Witness my hand this 19th day of September,
19 2025.

20 
21

22

23 MARK SCHWEITZER, CSR #10514, RPR, CRR
24 Certified Shorthand Reporter
25 In and for the State of California

24

25