

## IN THE COURT OF APPEALS OF VIRGINIA

*IN RE* FLETCHER, HEALD & HILDRETH,  
PLC,

*Petitioner.*

CAV Record # \_\_\_\_\_

### PETITION FOR A WRIT OF MANDAMUS

Pursuant to Virginia Code Title 8.01 Article 2 and Sections 17.1-208(B), 17.1-404, 17.1-513 and Virginia Supreme Court Rules 1:3 and 5A:2, Petitioner Fletcher, Heald & Hildreth, PLC (“Petitioner”) respectfully seeks a writ of mandamus to compel Judge Penney S. Azcarate, Fairfax County Chief Circuit Court Judge, to provide consent to Planet Depos, the official court reporter in *Depp v. Heard*, CL-2019-2911 in the Circuit Court of Fairfax County, to release transcripts of the trial and all hearings in that matter to Petitioner. Alternatively, it seeks a writ of mandamus to compel the Office of the Clerk of the Fairfax County Circuit Court to furnish copies of all such transcripts to Petitioner upon Petitioner’s payment of the reasonable fee charged for such transcripts. A Memorandum of Points and Authorities in support of the Petition is being filed herewith.

Pursuant to Rule 5A:2, Petitioner shared a draft of this petition with the Office of the Clerk and with Judge Azcarate through her clerk and informed them that Petitioner was required to determine whether they consented to or opposed the

Petition. Despite the communication and a follow-up communication regarding the Petition, neither the Office of the Clerk nor Judge Azcarate responded to indicate whether they consented to or opposed the Petition. Petitioner does not believe that the taking of evidence is necessary for the proper disposition of the petition.

For the foregoing reasons, Petitioner respectfully requests that this Court issue a writ of mandamus compelling the Office of the Clerk in Fairfax County Circuit Court and Judge Azcarate to provide an opportunity for Petitioner to obtain a copy of the trial transcript and all hearing transcripts immediately.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tony S. Lee", is written over a horizontal line.

Tony S. Lee (VA Bar No. 85287)

Phone: (703) 812-0442

lee@fhhlaw.com

Thomas F. Urban II (VA Bar No. 40540)

Phone: (703) 812-0462

urban@fhhlaw.com

FLETCHER, HEALD & HILDRETH, PLC

1300 North 17th Street, Suite 1100

Arlington, VA 22209

Fax: (703) 812-0486

Dated: August 8, 2022

COMMONWEALTH OF VIRGINIA       )  
  )  
COUNTY OF ARLINGTON       )       SS

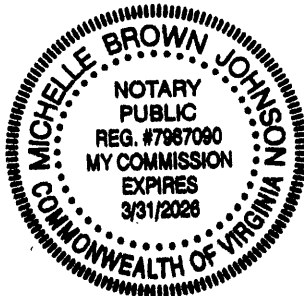
BEFORE ME Michelle Brown Johnson on this day personally  
appeared Tony S. Lee to be the person whose name is subscribed  
to the foregoing instrument acknowledged to me that he executed the same for the  
purposes and consideration therein expressed.

Given under my hand and seal of office this 8th day of August, 2022.

  
\_\_\_\_\_  
Notary Public

(Notarial Seal)

My commission expires:



**IN THE COURT OF APPEALS OF VIRGINIA**

*IN RE* FLETCHER, HEALD & HILDRETH,  
PLC,

*Petitioner.*

CAV Record # \_\_\_\_\_

**MEMORANDUM OF POINTS AND AUTHORITIES  
IN SUPPORT OF PETITION FOR A WRIT OF MANDAMUS**

By the accompanying Petition for a Writ of Mandamus, Petitioner Fletcher, Heald & Hildreth, PLC (“Petitioner”) seeks to compel Judge Penney S. Azcarate, Fairfax County Chief Circuit Court Judge, to provide consent to Planet Depos, the official court reporter in *Depp v. Heard*, CL-2019-2911 in the Circuit Court of Fairfax County, to release transcripts of the trial and all hearings in that matter to Petitioner. Alternatively, it seeks a writ of mandamus to compel the Office of the Clerk of the Fairfax County Circuit Court to furnish copies of all such transcripts to Petitioner upon Petitioner’s payment of the reasonable fee charged for such transcripts.

“[A]ny person interested is entitled to obtain a transcript of” these proceedings. *See* VA S. Ct. Rule 1:3; *see also* Va. Code Ann. § 17.1-208(B). Petitioner, however, was informed by the official court reporter that it would not release a copy of the transcript without permission from Judge Azcarate or the

consent of both parties, and Petitioner so far has been unable to obtain either.

Therefore, Petitioner seeks this Court's assistance in compelling the Clerk and the Judge below to comply with their duties by releasing a copy of this transcript, either directly or through the official court reporter.

“Mandamus is an extraordinary remedy employed to compel a public official to perform a purely ministerial duty imposed upon him by law.” *In re Horan*, 271 Va. 258, 258 (2006) (quoting *Richlands Med. Ass'n v. Commonwealth*, 230 Va. 384, 386, (1985). The form of action “may be appropriately used and is often used to compel courts to act where they refuse to act and ought to act.” *Id.* at 259 (quoting *Page v. Clopton*, 71 Va. (30 Gratt.) 415, 418 (1878)). Where “the object of the *mandamus* is to procure the enforcement of a public duty, the people are regarded as the real party,” and it is sufficient to show that the petitioner is a citizen “interested in the execution of the laws” to grant the mandamus petition. *Clay v. Ballard*, 87 Va. 787, 794-95 (1891) (quoting High, Extr. Rem § 431). If a person is entitled by law to obtain a transcript of proceedings, “mandamus is the proper proceeding by which to secure it and compel the performance of a purely ministerial act.” *Jones v. Rhea*, 130 Va. 345, 355 (1921); *see also U.S. Fidelity & Guaranty Co. v. Peebles*, 100 Va. 585, 588-89 (1902).

Petitioner has a legal right to obtain these transcripts. Virginia law mandates that “any records that are maintained by the clerks of the circuit courts shall be

open to inspection in the office of the clerk by any person and the clerk shall, when requested, furnish copies thereof subject to any reasonable fee charged by the clerk.” Va Code Ann. § 17.1-208(B). Similarly, Virginia Supreme Court Rule 1:3 provides that “[w]hen a reported takes down any proceeding in a court, any person interested is entitled to obtain a transcript of the proceedings or any part thereof upon terms and conditions to be fixed in each case by the judge.” The trial transcript has been filed with the Clerk’s Office and is therefore a record maintained by the clerk. Decl. of Thomas F. Urban, II in Supp. of Petition for a Writ of Mandamus, ¶ 2 (Aug. 5, 2022) (“Urban Decl.”). Thus, the Clerk’s Office is required by law to furnish copies of the trial transcript and other transcripts maintained by that office upon payment of a reasonable fee. This duty is therefore a ministerial, mandatory duty, not an act that turns on the exercise of discretion.

Despite the Court’s duty to provide this transcript to Petitioner, Petitioner has so far been unable to obtain it from the Court. Petitioner represents a number of parties who intend to seek leave to file an amicus curiae brief in *Heard v. Depp*, CAV Record # 1062-22-4. In support of that effort, it sought a copy of the trial transcript and other hearing transcripts lodged with the Fairfax County Circuit Court in the case below. When it sought the transcript from the court reporter, however, the reporter refused to release the transcript without “permission from the Judge or both parties.” Urban Decl. ¶ 3 & Ex. 1 (7/22/22 Email from Planet Depos

to T. Urban). Petitioner then sought such permission from counsel, but counsel for Mr. Depp refused. Urban Decl. ¶ 4 & Ex. 2 (7/27/22 email from B. Chew to T. Urban). Petitioner also sought permission from Judge Azcarate, but she, through her clerk, also refused to provide consent for the transcript to be released, stating that she “is not willing to give permission” and that “[t]he Circuit Court does not retain transcripts of civil trials.” Urban Decl. ¶ 5 & Ex. 3 (8/1/22 email from S. Abdallah to T. Urban). Petitioner also sought the transcript directly from the Office of the Clerk in Fairfax County Circuit Court. After several attempts to reach the Clerk’s Office, Petitioner spoke with an employee of that Office on August 4, 2022. That employee refused to provide a copy of the transcript, stating that the Clerk’s policy was instead to require persons to obtain those transcripts from the court reporter (which, as discussed above, has refused to release it). Urban Decl. ¶ 6. Therefore, Petitioner has been unable to obtain a copy of the transcript from either the Fairfax County Circuit Court Clerk’s Office or the court reporter.

In light of Petitioner’s rebuffed attempts to obtain a copy of the trial transcript through these channels, it respectfully requests that this Court issue a writ of mandamus compelling the Office of the Clerk in Fairfax County Circuit Court and Judge Azcarate to provide Petitioner the opportunity to obtain a copy of the trial transcript and all hearing transcripts immediately. As set forth by statute,

Petitioner will pay the “reasonable fee” charged by the Clerk for obtaining these transcripts. Va Code Ann. § 17.1-208(B).

For the foregoing reasons, Petitioner respectfully requests that this Court issue a writ of mandamus compelling the Office of the Clerk in Fairfax County Circuit Court and Judge Azcarate to provide an opportunity for Petitioner to obtain a copy of the trial transcript and all hearing transcripts immediately.

Respectfully submitted,

/s/ Tony S. Lee

Tony S. Lee (VA Bar No. 85287)

Phone: (703) 812-0442

lee@fhhlaw.com

Thomas F. Urban II (VA Bar No. 40540)

Phone: (703) 812-0462

urban@fhhlaw.com

FLETCHER, HEALD & HILDRETH, PLC

1300 North 17th Street, Suite 1100

Arlington, VA 22209

Fax: (703) 812-0486

Dated: August 8, 2022



**CERTIFICATE OF COMPLIANCE  
WITH PAGE AND WORD COUNT LIMITS**

Pursuant to Rule 5A:4(d) of the Rules of the Supreme Court of Virginia, the undersigned certifies that the foregoing Petition for a Writ of Mandamus and the accompanying Memorandum of Points and Authorities comply with the page and word limits specified in Rule 5:7(b)(7) because, excluding the parts of those documents exempted by Rule 5:7(b)(7), those documents collectively contain seven pages and 1,369 words.

/s/ Tony S. Lee

Tony S. Lee

August 8, 2022

**IN THE COURT OF APPEALS OF VIRGINIA**

FLETCHER, HEALD & HILDRETH, PLC,

*Petitioner,*

v.

JOHN T. FREY, CLERK, FAIRFAX COUNTY  
CIRCUIT COURT, and FAIRFAX COUNTY  
CHIEF CIRCUIT COURT JUDGE,

*Respondents.*

**DECLARATION OF THOMAS F. URBAN, II,  
IN SUPPORT OF PETITION FOR A WRIT OF MANDAMUS**

1. I am an attorney at Fletcher, Heald & Hildreth, PLC (“FHH”), a law firm located at 1300 N. 17<sup>th</sup> St., Suite 1100, Arlington, VA 22209. I respectfully submit this declaration in support of FHH’s Petition for a Writ of Mandamus to compel the Office of the Clerk of the Fairfax County Circuit Court to provide FHH with transcripts of the trial and all hearings in *Depp v. Heard*, CL-2019-2911 in the Circuit Court of Fairfax County, or, alternatively, to compel Judge Penney S. Azcarate, Fairfax County Chief Circuit Court Judge, to provide consent to Planet Depos, the court reporter for that case, to release all such transcripts to FHH. I have personal knowledge of the facts stated herein, and, if called as a witness, I am prepared to testify competently thereto.

2. I understand from court filings in *Depp v. Heard*, CL-2019-2911 in the Circuit Court of Fairfax County, that the trial transcript and hearing transcripts for that proceeding have been filed with the Clerk's Office and is therefore a record maintained by the clerk.

3. My law firm represents a number of parties who intend to seek leave to file an amicus curiae brief in *Heard v. Depp*, CAV Record # 1062-22-4. In support of that effort, I sought a copy of the trial transcript from the court reporter (Planet Depos) in *Depp v. Heard*, CL-2019-2911 in the Circuit Court of Fairfax County. The court reporter, however, refused to release the transcript without "permission from the Judge or both parties." Attached as Exhibit 1 hereto is a true and correct copy of the court reporter's email refusing to release the transcript without the specified permissions.

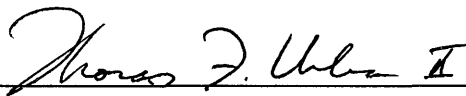
4. I then sought such permission from counsel for Amber Heard and counsel for John Depp, but counsel for Mr. Depp refused. Attached as Exhibit 2 hereto is a true and correct copy of my email correspondence with counsel for Mr. Depp in which he refused such consent.

5. I also requested that Judge Azcarate provide her permission for the court reporter to provide a copy of the trial transcript. She, through her clerk, also refused to provide permission for the transcript to be released, stating that she "is not willing to give permission" and that "[t]he Circuit

Court does not retain transcripts of civil trials.” Attached as Exhibit 3 hereto is a true and correct copy of my email correspondence with Judge Azcarate’s clerk in which he indicated that Judge Azcarate declined to provide such consent.

6. I also attempted to obtain trial and hearing transcripts from the Office of the Clerk in Fairfax County Circuit Court. After several attempts to reach the employee to whom I was initially referred, I finally reached that employee on August 4, 2022. She also refused to provide me with a copy of the transcript, stating that the Clerk’s policy was instead to require persons to obtain those transcripts from the court reporter.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

  
Thomas F. Urban, II (VA Bar No. 40540)  
urban@fhhlaw.com  
FLETCHER, HEALD & HILDRETH,  
P.L.C.  
1300 N. 17th St., Suite 1100  
Arlington, VA 22209  
Phone (703) 812-0462  
Fax (703) 812-0486

August 5, 2022

# **EXHIBIT 1**

## Thomas Urban

---

**From:** billing@planetdepos.com  
**Sent:** Friday, July 22, 2022 1:29 PM  
**To:** Thomas Urban  
**Subject:** Request for transcript files - Depp v. Heard

Good afternoon,

I received a message from my colleague that you are looking for transcripts in the Depp v. Heard matter.

In order for us to released the transcripts to you we need a line of appearance or permission from the Judge or both parties.

Thanks.

**Ka Chun Tse | Planet Depos LLC**

Billing Specialist

Worldwide Court Reporting & Litigation Technology

**t** 888.433.3767 | **f** 888.503.3767

KaChun.Tse@planetdepos.com | [planetdepos.com](https://planetdepos.com)

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# **EXHIBIT 2**

## Thomas Urban

---

**From:** Chew, Benjamin G. <BChew@brownrudnick.com>  
**Sent:** Wednesday, July 27, 2022 1:05 PM  
**To:** Thomas Urban; Chew, Benjamin G.  
**Cc:** Vasquez, Camille M.  
**Subject:** RE: Request for transcript files - Depp v. Heard

Dear Tom,

As of now, Mr. Depp's answer to your request is "no."

A few questions, the answers to which might cause him to reconsider:

1. What due diligence have you or your client(s) done on the case?

For example

2. Do you know that Ms. Heard was arrested at the Seattle Airport for allegedly assaulting her then wife/domestic partner and that the retired police officer testified to the particulars at trial?
3. Do you know that in his almost six decades of life not a single woman EVER accused him of domestic violence, either before or after Ms. Heard first made that allegation in 2016?
4. Did you listen to the testimony of the police officers who appeared at the scene on May 21, 2016?
5. Do you know whether Ms. Heard honored her pledge to donate all of her divorce proceeds to two charities, the ACLU and the Children's Hospital of Los Angeles.
6. Do you know that Ms. Heard admitted at trial to hitting Mr. Depp?
7. Did you listen to Kate Moss's testimony?
8. Why do you think the parties cannot sufficiently raise the issues your clients, whoever they might be, want to address?

Best regards,

Ben

**brownrudnick**

**Benjamin G. Chew**  
Partner



Brown Rudnick LLP  
601 Thirteenth Street NW Suite 600  
Washington, DC 20005  
T: 202-536-1785  
F: 617-289-0717  
bchew@brownrudnick.com  
[www.brownrudnick.com](http://www.brownrudnick.com)



Please consider the environment before printing this e-mail

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**From:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>  
**Sent:** Wednesday, July 27, 2022 12:46 PM  
**To:** Chew, Benjamin G. <[BCheW@brownrudnick.com](mailto:BCheW@brownrudnick.com)>  
**Cc:** Vasquez, Camille M. <[CVasquez@brownrudnick.com](mailto:CVasquez@brownrudnick.com)>  
**Subject:** RE: Request for transcript files - Depp v. Heard

**CAUTION: External E-mail. Use caution accessing links or attachments.**

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Ben –

I am sorry to bother you again, but I need to figure out whether you are going to provide me with permission to obtain the transcript from PlanetDepos.

The alternative is to request permission from the Court and I would prefer to handle this through counsel.

Please let me know whether you are going to provide me with the courtesy of permission to obtain the transcript to draft the amicus brief as soon as possible. I am not currently seeking permission under Rule 5A:23 to file the brief and understand that you preserve your right to object to the filing of the brief at a later date.

Thank you for your attention to this matter.

Sincerely,

Tom

Thomas F. Urban II  
Member  
Fletcher, Heald & Hildreth, PLC  
Licensed to practice law in the Virginia, District of Columbia, and Texas.  
1300 N. 17th Street, Suite 1100 | Arlington, VA 22209  
Tel: 703.812.0462 | Fax: 703.812.0486 | Mobile: 703-861-5235  
[urban@fhhlaw.com](mailto:urban@fhhlaw.com) | [www.fhhlaw.com](http://www.fhhlaw.com) | [www.commlawblog.com](http://www.commlawblog.com)

---

**From:** Thomas Urban  
**Sent:** Tuesday, July 26, 2022 11:15 AM  
**To:** Chew, Benjamin G. <[BCheW@brownrudnick.com](mailto:BCheW@brownrudnick.com)>

**Cc:** Vasquez, Camille M. <[CVasquez@brownrudnick.com](mailto:CVasquez@brownrudnick.com)>

**Subject:** RE: Request for transcript files - Depp v. Heard

Ben –

Thank you for getting back to me.

We are preparing the amicus brief on behalf of several First Amendment/press organizations and spousal abuse/womens' groups.

The authority for the filing of this brief is Supreme Court Rule 5A:23.

We are aware of the Virginia Press Association effort. It is my experience that appellate courts are more amenable to considering amicus briefs than are trial courts.

Please let me know as soon as possible if you will provide us with permission to obtain a copy of the transcript from PlanetDepos.

Thank you,

Tom

Thomas F. Urban II

Member

Fletcher, Heald & Hildreth, PLC

Licensed to practice law in the Virginia, District of Columbia, and Texas.

1300 N. 17th Street, Suite 1100 | Arlington, VA 22209

Tel: 703.812.0462 | Fax: 703.812.0486 | Mobile: 703-861-5235

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---

**From:** Chew, Benjamin G. [<mailto:BCheW@brownrudnick.com>]

**Sent:** Tuesday, July 26, 2022 6:38 AM

**To:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>

**Cc:** Vasquez, Camille M. <[CVasquez@brownrudnick.com](mailto:CVasquez@brownrudnick.com)>

**Subject:** Re: Request for transcript files - Depp v. Heard

Dear Tom,

Thanks for your message.

On whose behalf, and pursuant to what authority, are you seeking to file an amicus brief. Earlier in the case, the Virginia Press Association moved for such leave, which motion was denied by the Court.

Best regards,

Ben

Sent from my iPhone

On Jul 25, 2022, at 8:40 PM, Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)> wrote:

**CAUTION: External E-mail. Use caution accessing links or attachments.**

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Counsel –

I am preparing an amicus brief in the Depp v. Heard appeal.

I have been informed by Planet Depos that they require permission from both parties in order to obtain a copy of the transcript from the trial. Ms. Heard's counsel has provided permission.

Please let me know if you will also provide such permission.

Thank you,

Thomas F. Urban II  
Member  
Fletcher, Heald & Hildreth, PLC  
Licensed to practice law in the Virginia, District of Columbia, and Texas.  
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**From:** [billing@planetdepos.com](mailto:billing@planetdepos.com) [<mailto:billing@planetdepos.com>]

**Sent:** Friday, July 22, 2022 1:29 PM

**To:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>

**Subject:** Request for transcript files - Depp v. Heard

Good afternoon,

I received a message from my colleague that you are looking for transcripts in the Depp v. Heard matter.

In order for us to released the transcripts to you we need a line of appearance or permission from the Judge or both parties.

Thanks.

**Ka Chun Tse** | Planet Depos LLC  
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[KaChun.Tse@planetdepos.com](mailto:KaChun.Tse@planetdepos.com) | [planetdepos.com](http://planetdepos.com)

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\*\*\*\*\*

\*\*\*\*\*

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To the extent Brown Rudnick is a "controller" of the "personal data" (as each term is defined in the European General Data Protection Regulation (EU/2016/679) or in the UK's Data Protection Act 2018) you have provided to us in this and other communications between us, please see our privacy statement and summary [here](#) which sets out details of the controller, the personal data we have collected, the purposes for which we use it (including any legitimate interests on which we rely), the persons to whom we may transfer the data and when and how we intend to transfer it outside the European Economic Area.

\*\*\*\*\*

# **EXHIBIT 3**

## Thomas Urban

---

**From:** Abdallah, Samy <Samy.Abdallah@fairfaxcounty.gov>  
**Sent:** Monday, August 01, 2022 2:47 PM  
**To:** Thomas Urban  
**Subject:** RE: Request for transcript files - Depp v. Heard

Hello,

Judge Azcarate has further stated that she is not taking a position on this request, and she will not be contacting PlanetDepos or the parties on the issue of transcripts.

Sincerely,  
Samy

---

**From:** Thomas Urban <urban@fhhlaw.com>  
**Sent:** Monday, August 1, 2022 12:51 PM  
**To:** Abdallah, Samy <Samy.Abdallah@fairfaxcounty.gov>  
**Subject:** RE: Request for transcript files - Depp v. Heard

Mr. Abdallah –

Thank you for your response.

I am very sorry if I was not clear about my request.

We are not seeking any adjudication in this matter which would require that the Court have jurisdiction over the case. Rule 1:1(a). We are not seeking an order from the Court to PlanetDepos.

Rather, we are seeking that Judge Azcarate send an email to Planet Depos explaining that we have her permission to obtain the transcript. See Rule 1:3 (“When a reporter takes down any proceeding in a court, any person interested is entitled to obtain a transcript of the proceedings or any part thereof upon terms and conditions to be fixed in each case by the judge.”) This is a ministerial request for which the Court may act. See Rule 1:1(b) (permitting the court to engage in ministerial acts after the expiration of the court’s jurisdiction).

Apparently, PlanetDepos is under the misimpression that it cannot release the transcript without permission of either both parties or the Court. Having reviewed the record in this case, I see no such Order. See *Kosko v Ramser*, 299 Va. 684, 857 S.E.2d 914, 916 (2021) (applying “firmly established law of this Commonwealth that a trial court speaks only through its written orders.”) (and cases cited therein).

We respectfully request that the Court reconsider this request and send an email to PlanetDepos informing them that they can sell a copy of the transcript to me. I intend to use the transcript solely for the purpose of preparing an amicus brief in the appeal of this case.

On a related note, it is my understanding that the Court does have a copy of this transcript as it was filed by Ms. Heard's counsel with the clerk.

Thank you for your assistance in this matter.

Sincerely,

Thomas F. Urban II, VSB # 40540  
Member  
Fletcher, Heald & Hildreth, PLC  
Licensed to practice law in the Virginia, District of Columbia, and Texas.  
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---

**From:** Abdallah, Samy [<mailto:Samy.Abdallah@fairfaxcounty.gov>]  
**Sent:** Monday, August 01, 2022 8:45 AM  
**To:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>  
**Subject:** RE: Request for transcript files - Depp v. Heard

Hello Mr. Urban,

Judge Azcarate is not willing to give permission regarding transcripts as she does not have jurisdiction over this matter any longer. The Circuit Court does not retain transcripts of civil trials as well. Thank you.

Sincerely,  
Samy

---

**From:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>  
**Sent:** Wednesday, July 27, 2022 4:15 PM  
**To:** Abdallah, Samy <[Samy.Abdallah@fairfaxcounty.gov](mailto:Samy.Abdallah@fairfaxcounty.gov)>  
**Subject:** RE: Request for transcript files - Depp v. Heard

Mr. Adballah –

Thank you for your response. I am sorry that I interrupted your vacation. I was not aware of it.

Thank you for forwarding my email to Judge Azcarate.

Thomas F. Urban II  
Member

Fletcher, Heald & Hildreth, PLC  
Licensed to practice law in the Virginia, District of Columbia, and Texas.  
1300 N. 17th Street, Suite 1100 | Arlington, VA 22209  
Tel: 703.812.0462 | Fax: 703.812.0486 | Mobile: 703-861-5235  
[urban@fhhlaw.com](mailto:urban@fhhlaw.com) | [www.fhhlaw.com](http://www.fhhlaw.com) | [www.commlawblog.com](http://www.commlawblog.com)

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**From:** Abdallah, Samy [<mailto:Samy.Abdallah@fairfaxcounty.gov>]  
**Sent:** Wednesday, July 27, 2022 4:12 PM  
**To:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>  
**Subject:** Re: Request for transcript files - Depp v. Heard

Hello Mr. Urban,

Both Judge Azcarate and myself are out on vacation. She is returning this Friday while I am returning on Monday. I will provide this email to her and let you know her response when she returns to chambers. Thank you.

Sincerely,  
Samy

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**From:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>  
**Sent:** Wednesday, July 27, 2022 3:03:51 PM  
**To:** Abdallah, Samy <[Samy.Abdallah@fairfaxcounty.gov](mailto:Samy.Abdallah@fairfaxcounty.gov)>  
**Subject:** Request for transcript files - Depp v. Heard

Mr. Abdallah –

I am an attorney in McLean who is preparing an amicus brief in the Court of Appeals on behalf of several First Amendment/press organizations and spousal abuse/womens' groups.

I have been trying to get in touch with you regarding my request to obtain a copy of the transcript of the Depp v. Heard trial, CL 2019-2911.

As you can see, PlanetDepos is requiring that I obtain the Court's permission to do so.

I have attempted to obtain permission of counsel – Mr. Bredehoft has agreed, but Mr. Chew has refused to provide permission (see attached).

Therefore, I am trying to contact you to see whether Judge Azcarate will provide such permission. Because the case is closed, I am unable to file a motion in the case.

Please let me know if Judge Azcarate will provide me with this permission or if she would like me to file a letter or motion or handle the matter through some other procedure.

Thank you for your assistance in this matter.

Sincerely,

Tom Urban



Thomas F. Urban II  
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**From:** [billing@planetdepos.com](mailto:billing@planetdepos.com) [<mailto:billing@planetdepos.com>]  
**Sent:** Friday, July 22, 2022 1:29 PM  
**To:** Thomas Urban <[urban@fhhlaw.com](mailto:urban@fhhlaw.com)>  
**Subject:** Request for transcript files - Depp v. Heard

Good afternoon,

I received a message from my colleague that you are looking for transcripts in the Depp v. Heard matter.

In order for us to released the transcripts to you we need a line of appearance or permission from the Judge or both parties.

Thanks.

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