

Appeal Ref: A2/2020/2034

Appeal Ref: A2/2029/2034A

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

**BEFORE THE VICE PRESIDENT OF THE COURT OF APPEAL (CIVIL
DIVISION) & THE RT HON LORD JUSTICE DINGEMANS**

BETWEEN:

JOHN CHRISTOPHER DEPP II

**Applicant/
Appellant**

-and-

**NEWS GROUP NEWSPAPERS LTD (1)
DAN WOOTTON (2)**

Respondents

DRAFT ORDER – PROPOSED

UPON part of the trial of this action before Mr Justice Nicol having been held in private

AND UPON the Court having considered that the matters referred to in the Confidential Schedule to the Re-Amended Defence, the Confidential Schedule to the Re-Amended Reply, the Confidential Schedule to Ms Amber Heard's witness statement of 15 December 2019, the Confidential Schedule to Ms Heard's 3rd statement of 26 February 2020, the Confidential Schedule to Ms Heard's 5th statement of 26 June 2020, the Annexe to the Judgment of Mr Justice Nicol of 2 November 2020, and the Confidential Schedule to the Applicant's Skeleton Argument for Permission to Appeal of 21 December 2020 are confidential ("the Confidential Information") and that part of the trial was conducted in private to protect this material

AND UPON considering the Order made by Mr Justice Nicol on 8 April 2020 which for the avoidance of doubt remains in effect

AND UPON the Court finding that the derogations from open justice ordered below are strictly necessary in the interests of the administration of justice and the protection of the Article 8 rights of those affected by the Confidential Information

AND UPON the Court being satisfied that no notice to the media was necessary

AND UPON hearing from Leading Counsel for the Applicant/Appellant and Leading Counsel for the Respondent

PURSUANT TO section 6 of the Human Rights Act 1998, section 11 of the Contempt of Court Act 1981 and CPR r.5.4C

IT IS ORDERED AND DIRECTED THAT

1. The Confidential Information be withheld from the public at the hearing listed on 18 March 2021.
2. It is prohibited to publish the Confidential Information whether in a newspaper, magazine, by broadcasting by sound or television, via a public computer network, internet website, or cable or satellite service or otherwise howsoever.
3. Paragraphs (1) and (2) above apply where the Confidential Information is referred to in open court and/or where documents containing the Confidential Information are read by the Court in open court.
4. No third party may obtain from the court record:
 - a. any of the Confidential Schedules referred to in the Order of Nicol J dated 8 April 2020; and/or:
 - b. Confidential Annexe to the Judgment of Mr Justice Nicol of 2 November 2020; and/or

- c. Confidential Schedule to the Applicant's Skeleton Argument of 21 December 2020.

- 5. Any non-party affected by this Order may apply on notice to the parties to set aside or vary it.

| Dated