

# Exhibit 17

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
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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.

\* \* CONFIDENTIAL \* \*

VIDEO-RECORDED DEPOSITION OF MICHAEL ROBBINS

Los Angeles, California

Monday, November 24, 2025

Stenographically Reported by: Ashley Soevyn,

CALIFORNIA CSR No. 12019

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1 time. I wrote my report, and I shredded the notes.

2 BY MS. ZELDIN:

3 Q Were you told to preserve those notes?

4 A No.

5 Q Did you understand that you had an  
6 obligation to preserve those notes?

7 A Nope.

8 MS. ROESER: Belated objection.

9 BY MS. ZELDIN:

10 Q Where in your report does it reflect  
11 anything that Ms. Rikard told you?

12 A It doesn't specifically refer to her.

13 But I can tell you, if you wish, what we discussed  
14 and how that impacted my views.

15 Q Go ahead.

16 A So one thing that we discussed was the  
17 birthing scene. I had looked at the birthing scene  
18 before that as well. My view of the birthing scene  
19 was that it involved intimacy such that there should  
20 have been a nudity rider and a closed set. She said  
21 the same thing. I don't remember exactly what words  
22 she said, but her view was the same.

23 With respect to the dancing scene, I had  
24 looked at the dancing scene several times. My  
25 thoughts were that Mr. Baldoni was trying to kiss

1 Ms. Lively, that she was avoiding the kiss but  
2 staying within character for the most part doing so.  
3 And Ms. Rikard said the same thing.

4 More importantly, I knew about production  
5 companies establishing definitions of intimacy so  
6 that they could establish protocols which then would  
7 inform them as to when to bring in an intimacy  
8 coordinator, when to -- when to ensure that there  
9 was a nudity rider, and when to have a closed set.

10 But I hadn't focused on that issue in  
11 this case. I just didn't see anything indicating  
12 that they had or didn't have definitions. She said  
13 they didn't. Assuming she's correct, that then  
14 caused me to say, well, then, these other things  
15 should have happened and didn't happen.

16 So that was primarily what she -- how she  
17 impacted my opinion to cause me to focus on the lack  
18 of definitions.

19 Q Okay. Let's go backwards. Laura Rikard  
20 is a director, actor, teacher, intimacy  
21 choreographer, intimacy coordinator, and a founding  
22 member and head faculty of Theater Intimacy  
23 Education. That's located in North Carolina, right?

24 MS. ROESER: Objection.

25 THE WITNESS: I don't remember all those

1 A I am aware of those facts, yes.

2 Q And you're also aware that filming  
3 stopped on June 14th, 2023, due to the strikes by  
4 the Writers Guild and by SAG-AFTRA?

5 A Correct. Above-the-line strikes.

6 Q And then the filming -- there was a  
7 hiatus in filming, and it did not start up again  
8 until January 5th, 2024, and concluded on  
9 February 9th, 2024, correct?

10 A Yes.

11 Q All right. So there's two phases of the  
12 film. Phase one that occurred in 2023 and ended in  
13 June of 2023. And the other in 2024. And that was  
14 phase two?

15 A That's my understanding.

16 Q All right. Do you agree that none of  
17 the -- Lively's intimate scenes were rehearsed or  
18 filmed during phase one of production?

19 MS. ROESER: Objection.

20 THE WITNESS: I disagree.

21 BY MS. ZELDIN:

22 Q Do you know how SAG-AFTRA defines  
23 intimate scenes?

24 A To the extent there is a definition, yes.

25 Q What is the definition by SAG-AFTRA?

1 A So nudity, simulated sex, hyper exposure,  
2 and other intimate scenes.

3 Q Isn't it just nudity or simulated sex?

4 A No.

5 Q What is the third thing you think that is  
6 in there?

7 A It is in there. Hyper exposure.

8 Q Hyper exposure. What does that mean?

9 A There is no specific definition, which is  
10 why a studio or production company needs to be  
11 specific, for the reasons I've described. But it  
12 means a situation where the actor is pulled into a  
13 vulnerable situation, not necessarily involving  
14 nudity. Though, it could. But involving something  
15 sexual to some degree.

16 Q Okay. What were the intimate scenes that  
17 were filmed in phase one of production?

18 A I didn't say there were scenes. But  
19 there was one scene.

20 Q One scene. What was the scene that you  
21 believe was intimate in phase one?

22 A The birthing scene.

23 Q And why do you believe it was intimate if  
24 there was no definition of "intimate"?

25 A Two reasons. Reason number one is

1 because according to Ms. Talbot, the -- there was  
2 profile nudity which she said an actor could  
3 consider to be nudity. So that was early part of  
4 her deposition.

5 And in the later part of her deposition,  
6 she said there was nudity in the scene, and that  
7 would mean that an intimacy coordinator would get  
8 involved. So that is one reason. Both comments  
9 that Ms. Fromholz ignores. And then, secondly --

10 Q So I'm going to ask you, please, to not  
11 comment on Ms. Fromholz's report until and unless I  
12 ask you about it. All right?

13 A If I feel like I should do it, I will do  
14 it. And you shouldn't be stopping me in the middle  
15 of a question. But if you feel like you're going to  
16 do it, do it.

17 MS. ROESER: Agreed. Objection.

18 BY MS. ZELDIN:

19 Q If I ask a question, answer the question.

20 A Can I continue with my answer?

21 Q Yes.

22 A And secondly, in my opinion, there was  
23 hyper exposure. And the reason I say that is  
24 because if you look at the scene, which I have,  
25 Ms. Lively is laying on an examination table or

1 ever, ever testified that it was necessary to  
2 conduct an investigation when a witness was --  
3 strike that.

4 When a -- an actor and director called  
5 his co-actress, the person that he was directing,  
6 sexy in her costume?

7 MS. ROESER: Objection.

8 THE WITNESS: I have no idea.

9 BY MS. ZELDIN:

10 Q Let's look at page 3 of your report, if  
11 you would.

12 A Sure.

13 Q There is a section called "Policies and  
14 Procedures."

15 Do you see that?

16 A I do.

17 Q And you begin talking about Sony.

18 A Yes.

19 Q Why are you discussing Sony in this  
20 report?

21 A Because my view was that Sony didn't do  
22 what the policy said they would do, should do.

23 Q So are you intending to opine that Sony  
24 did not follow its practices and did not conduct an  
25 investigation, which it should have conducted in

1 this case?

2 A Yes. So says my report as well.

3 Q Then go through Sony's policy language,  
4 and first you state that:

5 (As read) :

6 "All harassment complaints must be  
7 reported to the HR department or other  
8 departments."

9 A Show me where you are, please.

10 Q For example, second paragraph under  
11 "Policies and Procedures"?

12 A Oh, so I'm just quoting the policy.

13 Q Right. Understood. Okay.

14 And the question is: Where in the policy  
15 does it say what a harassment complaint is?

16 MS. ROESER: Objection.

17 THE WITNESS: I don't think it defines  
18 harassment in the Sony -- what harassment complaint  
19 is in the Sony policy.

20 BY MS. ZELDIN:

21 Q Okay. Does Wayfarer policy define what a  
22 harassment complaint is?

23 A It defines "harassment".

24 Q Does it define what a harassment  
25 complaint is?

1 his or her findings, then that means the studio  
2 knows what to do as a result of the investigation.  
3 So then they have to take disciplinary or remedial  
4 action, which is what their policy says as well.  
5 And that varies according to what the investigator  
6 finds. So you don't know what is appropriate until  
7 you conduct the investigation.

8 Q And I've asked you to assume that the  
9 investigation found that the director was saying  
10 that about her personally. And there was,  
11 therefore, a violation of the policy. What would be  
12 appropriate remedial action under those  
13 circumstances?

14 MS. ROESER: Objection.

15 THE WITNESS: So I have two things to say  
16 about that. Thing number one is that is not what  
17 you had asked me. And thing number two is I haven't  
18 been asked to give an opinion as to what is or isn't  
19 appropriate remedial action. I have been asked to  
20 give an opinion as to what kinds of remedial action  
21 exist but not specifically what appropriate action  
22 was in a particular circumstance.

23 BY MS. ZELDIN:

24 Q What remedial actions exist?

25 A So one thing is to take actions to stop

1 the harassment from occurring, assuming that the  
2 investigator determines that harassment did occur.  
3 If the investigator determines that harassment  
4 occurred, then disciplinary action with respect to  
5 the people who violated the policy either by  
6 conducting the harassment themselves, committing the  
7 harassment themselves, or, alternatively, by  
8 otherwise not following the policy -- for example,  
9 Wayfarer's policy said that reported incidents had  
10 to be -- I'm sorry -- that incidents about which a  
11 supervisor was made aware had to be reported so that  
12 it could be investigated.

13 So if supervisors knew about possible  
14 harassment violations and didn't report it, that's  
15 also a violation. There should be some kind of  
16 discipline. The company's own policy talks about  
17 termination as a type of discipline. That aside  
18 from that, you want to take other remedial actions,  
19 especially if the investigator determined that  
20 harassment had occurred.

21 So, for example, you would say, do our  
22 employees understand what harassment is and isn't,  
23 and do the supervisors understand their obligation  
24 under the policy to report the allegations? Have we  
25 sufficiently distributed the policy to our employees

1 so that they know about that? And if it's unclear,  
2 which it was, then we should redistribute the  
3 policy. And also, we should write the policy in a  
4 way that's consistent with what our own procedures  
5 are, which their policy wasn't.

6 Additionally, maybe do training again if  
7 the investigator concluded that people didn't  
8 understand their obligations or didn't understand  
9 what harassment is.

10 So there are a variety of things you can  
11 do.

12 Q Under the circumstances that I outlined,  
13 the director calling the actress sexy while she was  
14 in her costume, what would be the appropriate  
15 remedial actions? You're not going to fire him for  
16 that, right?

17 MS. ROESER: Objection. Form and scope.

18 THE WITNESS: Yeah, I wasn't asked to  
19 form an opinion about what remedial action should be  
20 taken in a particular situation.

21 BY MS. ZELDIN:

22 Q If --

23 A But there are a variety that are  
24 available. And if you find someone harassed, then  
25 you normally would discipline in some way.

1 Q Do you intend to offer an opinion that  
2 Sony failed to follow its own policies?

3 A Yes. Same answer as before.

4 Q Are you offering an opinion on the  
5 adequacy of Sony's policies?

6 A No.

7 Q Do you intend to offer an opinion that  
8 Wayfarer failed to follow Sony's policies?

9 A No.

10 Q You agree that Wayfarer had a set of  
11 industry-standard policies and procedures in place  
12 to prevent harassment, discrimination and  
13 retaliation --

14 MS. ROESER: Objection.

15 BY MS. ZELDIN:

16 Q Correct?

17 MS. ROESER: Sorry.

18 THE WITNESS: I'm sorry. I missed one  
19 word, and so if you wouldn't mind repeating.

20 BY MS. ZELDIN:

21 Q Would you agree that Wayfarer had a set  
22 of industry-standard policies and procedures in  
23 place to prevent harassment, discrimination, and  
24 retaliation?

25 MS. ROESER: Objection.

THE WITNESS: I do not agree with that.

BY MS. ZELDIN:

Q Okay. Did -- what don't you agree with?

A So many things. First, one of the things that the policy said was that if supervisors or managers became aware of a possible violation of the policy, that they had to report it to human resources and that an investigation would be conducted. So focusing on the report to human resources, Mr. Heath testified that he never asked the person who did human resources for the studio to be involved with the film, and that there was no human resources department or anybody who was handling the film other than the AD. I assume he meant first AD, but I'm not sure. And Ms. Saks, who was a producer. So having a policy that says supervisors should report to HR when HR doesn't exist is not consistent with standard practices in the industry.

Similarly, the policy said that employees who felt that the policy had been violated should either report to their supervisor or any member of management or to HR, a department that not did not exist. It's not consistent with standard practices. You tell people to report to people or departments

1 that exist, not ones that don't exist.

2 Also, having a policy is just having  
3 words. You need to do more than just have the  
4 words. You need to distribute the policy. Standard  
5 practice in the industry and otherwise is to  
6 distribute harassment policies and retaliation  
7 policies.

8 Mr. Heath said, "I don't know if the cast  
9 and crew were given a copy of the policy."

10 Ms. Lively said she never got any resources in terms  
11 of how to raise a complaint. The question should  
12 have been asked but wasn't: Well, did you get the  
13 policy? But if you didn't get the resources, then  
14 presumably, she didn't get the policy.

15 Mr. Baldoni, who is one of the people  
16 being accused of harassment, said, "I don't think I  
17 ever saw that policy before." Well, standard  
18 practice is to distribute the policy. So that's  
19 also not consistent with standard practices.

20 And more than anything else, standard  
21 practice is not just to have a policy sitting there,  
22 much less one that wasn't distributed or at least  
23 may not have been, but actually do what the policy  
24 says. The policy says all reported allegations will  
25 be investigated, and they didn't.

1 Q There was a policy, a written policy,  
2 correct?

3 A Sorry. Yes, there was a written policy.

4 Q All right. And Wayfarer had an HR  
5 department with dedicated staff, yes or no?

6 MS. ROESER: Objection.

7 THE WITNESS: Wayfarer had an HR  
8 department, but I've already explained what the  
9 problem was. And dedicated staff, Mr. Heath only  
10 talked about one person, but maybe there was more  
11 than one.

12 BY MS. ZELDIN:

13 Q All right. But there was one -- at least  
14 one person with an HR department at Wayfarer,  
15 correct? It's a yes or no.

16 MS. ROESER: Objection.

17 THE WITNESS: I don't know if there was a  
18 department. There was a person who did HR services.

19 BY MS. ZELDIN:

20 Q Prior to filming It Ends with Us movie --  
21 prior to filming that, the movie itself held  
22 anti-discrimination training administrated --  
23 administrated by a law firm that you respect,  
24 correct?

25 MS. ROESER: Objection.

1 BY MS. ZELDIN:

2 Q So your opinions are summarized on the  
3 first and second pages of your report; is that  
4 right?

5 A Not my opinions about Ms. Fromholz's  
6 opinions because, obviously, they didn't exist  
7 before I wrote the report.

8 Q Okay. But your opinion -- let's just  
9 stick with the report, and we'll talk about  
10 Ms. Fromholz at the end. Okay?

11 A Sure. Yeah.

12 Q With respect to your report, there you  
13 basically offer three opinions; is that right?

14 MS. ROESER: Objection.

15 THE WITNESS: Yes.

16 BY MS. ZELDIN:

17 Q Okay. And your first opinion is that:  
18 (As read):

19 "Defendants violated standard practices  
20 in their own policies by failing to  
21 investigate harassment and retaliation  
22 allegations."

23 Correct?

24 A Yes.

25 Q And what were the harassment and

1                   retaliation allegations that they failed to  
2                   investigate?

3                   A        So on May 23rd, we had the incident we  
4                   talked about earlier relating to Mr. Baldoni making  
5                   the "sexy" and "hot" comments and Ms. Slate's  
6                   response to that, and then his joke in response to  
7                   that. So that's the first one. And they had a  
8                   conversation, they say, with him, Ms. Slate and  
9                   Ms. Lively about the impropriety of making  
10                  statements like that. So that's first one.

11                  Q        Okay.

12                  A        Should I keep going?

13                  Q        Yes, please. Just I want you to list  
14                  them, please.

15                  A        Sure. So then on May 26th, Ms. Lively  
16                  went to Ms. Giannetti and talked to her about her  
17                  concerns. There is a slight disagreement about what  
18                  was discussed, but it appears that she discussed the  
19                  trailer incident, the birthing incident.

20                  Ms. Giannetti did not recall whether she talked  
21                  about any comments made by Mr. Baldoni. But the  
22                  timeline that was produced by the company shows that  
23                  Ms. Giannetti told Mr. Baldoni about the "sexy"  
24                  comments. So it appears that she did say that to  
25                  Ms. Giannetti; otherwise, Ms. Giannetti wouldn't

1 know to say that to Mr. Baldoni.

2 So then on -- late -- in late May,  
3 Ms. Slate went to Ms. Giannetti, talked to her about  
4 her concerns. Said there was a problem with the  
5 atmosphere on the set as a result of the concerns;  
6 and Ms. Lively had concerns as well. And  
7 Ms. Giannetti then spoke to Mr. Baldoni about that.  
8 Ms. Slate also went to Ms. Saks. Ms. Saks -- and  
9 about the same thing she had told Ms. Giannetti.

10 Ms. Saks then says she went to  
11 Mr. Baldoni and to Mr. Heath. Mr. Baldoni says,  
12 yes, she came to me. But -- and basically, she  
13 talked -- she mentioned her own -- Ms. Slate's own  
14 discomfort about the "sexy" comment that he had made  
15 to her.

16 Ms. Saks said she went to Mr. Heath, but  
17 there is a dispute about what was said. Ms. Saks  
18 says she told Mr. Heath basically the same thing she  
19 told Mr. Baldoni and also that she told Mr. Heath on  
20 several occasions that an investigation needed to be  
21 conducted. Mr. Heath said, well, maybe she came to  
22 talk to me, but she didn't talk to me about an  
23 investigation. And I didn't say what she said I  
24 said.

25 Q Okay. I'm sorry. My question, then,

1 ---000---

2 AFTERNOON SESSION

3 MONDAY, NOVEMBER 24, 2025

4 THE VIDEOGRAPHER: We're back on the  
5 record. The time is 1:23 p.m.

6 BY MS. ZELDIN:

7 Q Mr. Robbins, we were trying to summarize  
8 on a high level, what your big opinions are, not  
9 your sub-opinions. And the first one we said was  
10 that it -- Defendants violated standard practices  
11 and their own policies by failing to investigate  
12 harassment and retaliation allegations; is that  
13 correct?

14 A Yes.

15 Q And then the second one is that the  
16 investigation would have resulted in disciplinary  
17 remedial actions. Is that another big opinion?

18 A No, I don't have an opinion like that.

19 Q You don't have an opinion like that?

20 A No.

21 Q Okay. So I'm looking at the first page  
22 again, the penultimate paragraph, the last sentence.

23 (As read):

24 "Further appropriate disciplinary  
25 remedial actions would be taken as a

result of such investigations."

A Right. That's not saying that I have an opinion as to what actions should be taken, if any, because I can't -- I don't know what an investigator would determine, and I'm just saying that normally you take disciplinary and/or remedial action, and so that was something that's available depending on what an investigator determined.

Q And then the second opinion is that the studio violated -- we're going to say that's not a major opinion. The first opinion is the major opinion, which is the Defendants violated standard practices in their own policies by failing to investigate; is that right?

A Yeah.

Q The second one is that the studio violated the entertainment industry specific protocols?

A I look at the first and second as you describe them to be part of the same thing.

Q Okay.

A That it's taking steps to prevent harassment and retaliation from occurring, and I list the four steps, which you pointed out earlier, including investigating. And the intimacy protocols

1 are part of preventing harassment and not  
2 retaliation so much, but harassment.

3 Q And your third opinion or maybe your  
4 second opinion, then, is that entertainment -- the  
5 entertainment industry differs from most other  
6 industries and businesses with respect to issues  
7 concerning retaliation?

8 MS. ROESER: Objection.

9 BY MS. ZELDIN:

10 Q Is that correct?

11 A Yes. And then I have an opinion about  
12 Ms. Fromholz's opinion as well.

13 Q Okay. And then so, and finally, you have  
14 an opinion about Ms. Fromholz. We will do that  
15 last, okay?

16 A Whatever order you like.

17 Q Thank you. In your report, you mentioned  
18 various incidents. We talked about some of those  
19 earlier. Your report also refers to a fat shaming  
20 incident. Do you recall that?

21 MS. ROESER: Objection.

22 THE WITNESS: Is that in the report?

23 BY MS. ZELDIN:

24 Q I believe you discuss that.

25 A I don't remember.

1 BY MS. ZELDIN:

2 Q Correct?

3 A It's not what he wrote.

4 Q She.

5 A Sorry. Oh, that was sexist. But I would  
6 say it's reasonable to assume that it included no  
7 investigation.

8 Q Was on the list of the 17 things, was  
9 there a requirement to hire a new producer?

10 A I don't remember the things that really  
11 aren't relevant to my opinion very much. But, so I  
12 don't remember one way or the other. Since you're  
13 asking me, the answer is probably yes, but I don't  
14 remember it.

15 Q Did the 17-point list include a  
16 requirement that Ange Giannetti be on the set?

17 A Yes.

18 Q This was the same Ange Giannetti that you  
19 criticized for not having conducted any  
20 investigation, correct?

21 A No.

22 Q Is it a different Ange Giannetti?

23 A No. I never criticized her for not  
24 conducting an investigation. I criticized Sony for  
25 not conducting an investigation.

1 Q I see. And do you know whether she told  
2 anybody at Sony about the allegations that  
3 Ms. Lively made?

4 A I don't know. But if she didn't, she  
5 should have. And I would criticize her for that.

6 Q Okay. One of the requirements was to  
7 give Alex Saks more power. How does that have  
8 something to do with sexual harassment?

9 MS. ROESER: Objection.

10 THE WITNESS: I don't think it  
11 necessarily does. I don't think every -- each one  
12 of the 17 protections had to do with sexual  
13 harassment. Some did; some didn't.

14 BY MS. ZELDIN:

15 Q How about the protection with regard to  
16 COVID, did that have anything to do with sexual  
17 harassment?

18 A No.

19 Q Did Lively and her team threaten Wayfarer  
20 and Sony that she would not return to complete the  
21 film unless they accepted the protections?

22 MS. ROESER: Objection.

23 THE WITNESS: Whether it was Lively or  
24 her team, I don't know. But that was what was  
25 communicated.