

Exhibit 33



Planet Depos®
We Make It Happen™

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Date: September 18, 2025
Case: Lively -v- Wayfarer Studios, LLC, et al.

Planet Depos

Phone: 888.433.3767 | **Email:** transcripts@planetdepos.com

www.planetdepos.com

Michigan #8598 | Nevada #089F | New Mexico #566

1 UNITED STATES DISTRICT COURT
2
3

4 SOUTHERN DISTRICT OF NEW YORK
5
6

7 BLAKE LIVELY,)
8 v.) Plaintiff,)
9)
10)
11)
12) CASE NO.
13) 1:24-CV-10049-LJL
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
WAYFARER STUDIOS LLC, a)
Delaware Limited Liability)
Company, JUSTIN BALDONI, an)
individual, JAMEY HEATH, an)
individual, STEVE SAROWITZ, an)
individual, IT ENDS WITH US)
MOVIE LLC, a California)
Limited Liability Company,)
MELISSA NATHAN, an individual,)
THE AGENCY GROUP PR LLC, a)
Delaware Limited Liability)
Company, JENNIFER ABEL, an)
individual, JED WALLACE, an)
individual, and STREET)
RELATIONS INC., a California)
Corporation,)
Defendants.)
-----)
CONFIDENTIAL

ATTORNEY'S EYES ONLY

VIDEOTAPED DEPOSITION OF

WARREN ZAVALA

THURSDAY, SEPTEMBER 18, 2025

LOS ANGELES, CALIFORNIA

PAGES 1 - 303

REPORTED BY MARK SCHWEITZER

CSR #10514, RPR, CRR

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

43

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

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

44

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 --

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

47

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

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

117

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

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

118

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

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

124

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

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

236

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

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Transcript of Warren Zavala

Conducted on September 18, 2025

237

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