

# **EXHIBIT 3**

Filed Under Seal

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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BLAKE LIVELY,

Plaintiff,

vs.

CASE NO. 24-CV-10049-LJL (LEAD CASE)

25-CV-449 (LJL) (MEMBER CASE)

WAYFARER STUDIOS LLC, ET AL.

Defendants.

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JENNIFER ABEL,

Third-party Plaintiff,

vs.

JONESWORKS, LLC,

Third-party Defendant.

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WAYFARER STUDIOS LLC, et al.

Consolidated Plaintiffs,

vs.

BLAKE LIVELY, et al.

Consolidated Defendants.

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VIDEO-RECORDED DEPOSITION OF JENNIFER ABEL

Los Angeles, California

Friday, September 26, 2025

Stenographically Reported by: Ashley Soevyn,  
CALIFORNIA CSR No. 12019

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1 MR. GOTTLIEB: Yeah.

2 MR. FREEDMAN: That's 24 -- that's 20413.

3 MR. GOTTLIEB: It's an entire page with  
4 this reproduced on it.

5 BY MR. GOTTLIEB:

6 Q What did mister -- what did you  
7 understand Mr. Heath to mean by saying, "It begins  
8 again"?

9 A I mean, at the time, I don't think I  
10 really gave that much notice. But now in this  
11 context, I assume additional issues.

12 Q Do you see at 10:11, at the bottom of  
13 page 0414, Mr. Heath has forwarded to you a legal  
14 letter, a screenshot of a legal letter, anyway, that  
15 had been received from Ms. Lively's lawyer?

16 A Yes.

17 Q And in it, Ms. Lively's lawyer discusses  
18 the complaints of our clients and others?

19 A Uh-huh.

20 Q And do you see there is an attachment  
21 that Mr. Heath had sent at 10:12 p.m.?

22 A Yes.

23 Q And that attachment is the protections  
24 for return to production document, that is at  
25 BALDONI\_20416 and 20417?

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1 A Yes.

2 Q Do you recall receiving these 17  
3 protections for return to production?

4 A Yes. He texted it to us.

5 Q Do you recall reviewing them at the time?

6 A Yes.

7 Q Did you review all of them?

8 A We had a phone call, and we talked  
9 through these.

10 Q And, in fact, there came other points in  
11 time later on in the timeline, when you talked about  
12 these points with Mr. Heath and Mr. Baldoni, right?

13 A You're going to have to be a little bit  
14 more specific.

15 Q This wasn't the last time --  
16 November 10th, 2023 was not the last time you  
17 looked at this 17-point list, right?

18 MR. FREEDMAN: Objection.

19 THE WITNESS: Correct.

20 BY MR. GOTTLIEB:

21 Q Eventually, you all devised sort of  
22 responses or points to address these, should they  
23 ever become public, right?

24 MR. FREEDMAN: Objection.

25 THE WITNESS: I believe that we put

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1 today?

2 A I'm not sure.

3 Q Did you -- is it fair to say you didn't  
4 use Signal very often?

5 A Correct.

6 Q You didn't open the app very much? It  
7 wasn't something you used on a regular daily basis;  
8 is that your testimony?

9 MR. FREEDMAN: Objection.

10 THE WITNESS: I believe my testimony  
11 yesterday was I had to re-download it because the  
12 only time that I used it was when Stephanie  
13 introduced me to the app for use on another client.  
14 And I had deleted it.

15 BY MR. GOTTLIEB:

16 Q You had deleted it.

17 And in August 20 -- August of 2024, at  
18 some point, you reinstalled the app?

19 A I recall doing so, yes.

20 Q And you are on some chain that you don't  
21 remember who was on it. And you don't remember  
22 really what was sent or not sent?

23 A Correct.

24 Q Did you ever send a message on Signal in  
25 August of 2024, to the best of your recollection?

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1           A       I don't recall.

2           Q       And the thing about that is, we'll never  
3 know, right, because Signal is an ephemeral  
4 messaging platform?

5                   MR. FREEDMAN: Objection.

6 BY MR. GOTTLIEB:

7           Q       Do you know what an ephemeral messaging  
8 platform is?

9                   MR. FREEDMAN: Objection.

10           THE WITNESS: I know the definition of  
11 ephemeral messaging, yes.

12 BY MR. GOTTLIEB:

13           Q       The messages delete after a certain  
14 period of time if you have the settings set a  
15 certain way, right?

16           A       That is my understanding of how it works.

17           Q       Sorry.

18                   That's why some people like to use  
19 Signal, right?

20                   MR. FREEDMAN: Objection.

21           THE WITNESS: Sure.

22 BY MR. GOTTLIEB:

23           Q       Because it -- messages delete and,  
24 therefore, there's perceived privacy in those  
25 communications?

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1 MR. FREEDMAN: Objection.

2 THE WITNESS: Amongst other reasons, yes.

3 BY MR. GOTTLIEB:

4 Q Security reasons?

5 A Yes.

6 Q Are you aware that Mr. Wallace was  
7 communicating with your colleagues, or colleagues at  
8 TAG or others at Wayfarer, using the Signal platform  
9 in August of 2024?

10 A I don't recall if I was aware at the  
11 time, but I have become aware of that since then.

12 Q Okay. What did you become aware of?

13 A The -- the usage of Signal amongst  
14 Jed Wallace and other -- other people.

15 MR. GOTTLIEB: Okay. Let's look at  
16 Exhibit 62.

17 (Exhibit 62 marked for identification.)

18 THE WITNESS: Thank you.

19 Q Ms. Abel, you've been handed a document  
20 marked JONESWORKS 37247 through 37248, a text chain  
21 between you and Stephanie Jones on June 17th,  
22 2024.

23 Previously, I asked you if you had  
24 recommended the retention of any other individuals  
25 in this case because they could bury Ms. Lively.

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1 "So we can share with him tonight. But  
2 he feels good about the call and he  
3 feels protected."

4 Do you see that?

5 A Yes.

6 Q A few days earlier, he had told you he  
7 didn't feel protected, right?

8 A Yes.

9 Q And at this point, that's changed and he  
10 does feel protected?

11 A This is in reference to specific  
12 messaging regarding why the cast had unfollowed him  
13 and there were no images as he was doing the Today  
14 Show the following day.

15 MR. GOTTLIEB: Okay. So this is on  
16 August 7th? I'm going to show you another  
17 document. This is Exhibit 65.

18 THE WITNESS: Okay.

19 (Exhibit 65 marked for identification.)

20 BY MR. GOTTLIEB:

21 Q This is a one-page document marked  
22 HEATH 28187. It has an email from Katie Case that  
23 you then forward on August 7th, 2024.

24 A Yes.

25 Q Do you recognize this document?



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1 A I do.

2 Q And this is -- the top email is an email  
3 that you send in reply to Ms. Case; is that right?

4 A Yes.

5 Q And at 2:50 p.m. on the 7th, Ms. Case had  
6 sent to Mr. Heath and yourself specifics regarding  
7 social and digital mitigation or mediation, right?

8 A Yes.

9 Q And she's describing the work that the  
10 digital team that Wayfarer was retaining would do,  
11 right?

12 MR. FREEDMAN: Objection.

13 THE WITNESS: Yes, this looks like a list  
14 of their capabilities.

15 BY MR. GOTTLIEB:

16 Q You see at the top, you're discussing --  
17 you have a question about the amount of the fee.  
18 And then you have a reference to what we discussed  
19 with MN earlier regarding social manipulation.

20 Do you see that?

21 A Yes.

22 Q MN is Ms. Nathan?

23 A Yes.

24 Q And then you say:

25 (As read) :

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1 "From the separate team based in  
2 Hawaii."

3 Do you see that?

4 A Yes.

5 Q What is the separate team based in  
6 Hawaii?

7 A I don't mean to laugh, but we've  
8 discussed this and it was either a misunderstanding  
9 on my side or I misheard, but I had a conversation  
10 with Melissa regarding a digital team that she had  
11 worked with, and it was my understanding that they  
12 were based in Hawaii.

13 Q Okay. And did you later come to learn  
14 that there was no team based in Hawaii?

15 A Yes.

16 Q Was there a separate team?

17 A Yes.

18 Q And that separate team, not in Hawaii,  
19 was something that you had discussed regarding  
20 social manipulation.

21 Do you see that?

22 A Yes.

23 Q Who was the separate team?

24 A It's my understanding that this was Jed  
25 and Streets Relations.

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1 Q What was your understanding of who else  
2 worked at Street Relations or with Street Relations  
3 other than Jed Wallace?

4 A I had no communications directly with Jed  
5 or Street Relations, so I'm not sure.

6 Q You were never on a call with  
7 Mr. Wallace?

8 A No, not that I can recall.

9 Q Did you ever meet him?

10 A No.

11 Q You ever on a text chain with him?

12 A I don't think so, no.

13 Q Was it your impression that the specific  
14 efforts that are described in the bullet points in  
15 Ms. Case's email were services that Mr. Wallace's  
16 team was capable of performing?

17 MR. FREEDMAN: Objection.

18 MR. GLOVER: Objection. Form.

19 THE WITNESS: Yes, as I said earlier, it  
20 was my understanding this is a list of their  
21 capabilities.

22 BY MR. GOTTLIEB:

23 Q Did you think at the time that this was  
24 all puffery?

25 A Explain what you mean by "puffery."

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1 THE WITNESS: No, I believe that was a  
2 continuation of the recommendation that was  
3 requested earlier. And I had clearly brought -- I  
4 asked for Melissa's opinion. I don't think that was  
5 the --

6 BY MR. GOTTLIEB:

7 Q Ms. Abel?

8 A Yes.

9 Q You say at 10:32 p.m., in response to  
10 Ms. Nathan saying "can he please hire a lawyer," you  
11 say:

12 (As read) :

13 "He needs to. He has one but he needs  
14 a litigator."

15 A Right. But I don't think that was the  
16 impetus. I'm sorry. I'm just trying to respond to  
17 your question.

18 Q Okay. All I'm asking is: Following your  
19 learning about the request to put out a statement,  
20 you and Ms. Nathan immediately say that your client,  
21 Mr. Baldoni and Wayfarer, needs to hire a litigator.  
22 You both agree on that, right?

23 A Yeah.

24 Q Okay. And then at 11:42 p.m., Ms. Nathan  
25 says:

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1 (As read) :

2 "Can I start a Signal thread with you,  
3 me, and Jed just in case you need him  
4 to connect you to Bryan because they  
5 are very close?"

6 Do you see that?

7 A Yes.

8 Q Does that refresh your recollection as to  
9 who the Signal thread you were on was with in August  
10 of 2024?

11 A Yes. But, again, I don't know if one was  
12 actually started. So I -- I would have to refresh  
13 my memory on that.

14 Q Okay. And on the next page 2156,  
15 Ms. Nathan says "Definitely contact him on" --  
16 sorry, to have context for that. At 11:43 p.m. on  
17 the previous page, you say:

18 (As read) :

19 "I can reach out to Bryan too. We've  
20 worked together."

21 Right?

22 A Yes.

23 Q And that's referring to Mr. Freedman?

24 A Sorry. I'm on the wrong page.

25 Yes.

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1 Q Okay. And then at 11:44 p.m., Ms. Nathan  
2 says:

3 (As read) :

4 "Definitely contact him on Signal  
5 though."

6 Do you see that?

7 A Yes.

8 Q She says:

9 (As read)

10 "Feel free to add me obviously because  
11 of the crisis."

12 So Ms. Nathan is telling you definitely  
13 connect with Mr. Freedman on Signal.

14 Do you see that?

15 A Yes.

16 Q And, again, Mr. Freedman is not your  
17 lawyer at this point in time; is that right?

18 A That is correct.

19 Q Did you think it was strange that you  
20 were being directed to contact an attorney on  
21 Signal?

22 A No.

23 Q Is that something you've been asked to do  
24 before? Contact an attorney on Signal?

25 A I don't recall, no.

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1 your email accounts?

2 A I -- I don't -- I don't know.

3 Q Do you know, for example, whether your  
4 RWA email account deletes information after a  
5 certain period of time?

6 A I do not know.

7 Q Did you ever, at any point, go check  
8 whether the RWA account has an auto delete feature  
9 on it?

10 A I don't believe it does, but I did not  
11 specifically check.

12 Q Did you ever receive an instruction to  
13 discontinue any deletion, auto delete functions that  
14 might exist on your accounts?

15 MR. FREEDMAN: Objection. I will  
16 instruct you not to answer as to any communications  
17 you had with counsel. Other than counsel, did you  
18 get an instruction from someone?

19 THE WITNESS: No.

20 BY MR. GOTTLIEB:

21 Q Did you come to understand at any time,  
22 Ms. Abel, that you had an obligation to preserve  
23 documents relating to the dispute between Ms. Lively  
24 and Mr. Baldoni?

25 MR. FREEDMAN: Same instruction as it

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1 will invade the attorney-client privilege. So even  
2 if you're going to say yes to that, that's going to  
3 invade the attorney-client privilege. So you're not  
4 going to -- I'm going to instruct her not to answer.

5 MR. GOTTLIEB: About the simple fact of  
6 whether she knew she was required to preserve  
7 documents?

8 MR. FREEDMAN: Yeah, because the simple  
9 fact is revealing the actual privileged  
10 communication.

11 MR. GOTTLIEB: Okay.

12 BY MR. GOTTLIEB:

13 Q So are you going to follow your counsel's  
14 instruction?

15 A Yes, I'm going to follow my counsel's  
16 instruction.

17 Q Okay.

18 Other than the Signal thread that you --  
19 that we talked about earlier in August, between  
20 August and December of 2024, can you think of any  
21 other Signal thread or Signal communications that  
22 you sent or received to anyone about anything?

23 A Not that I can recall, no.

24 Q Okay. Have you had Signal communications  
25 since December of 2024?



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1           Q       -- I understand you're saying you  
2       produced what you found. My question is: At any  
3       point in time, do you have a recollection of taking  
4       steps to ensure that nothing would be deleted, no  
5       auto delete functions would be on, no messages would  
6       expire from a set period of time or the like,  
7       anything like that?

8           MR. FREEDMAN: Same instruction as to  
9       attorney-client privilege. If you can answer it  
10      outside of that, you can answer it.

11          THE WITNESS: Yeah, I don't think I can  
12      answer it.

13      BY MR. GOTTLIEB:

14          Q       Are you aware that you have produced four  
15      Signal communications to us in this case?

16          MR. FREEDMAN: Again, if you're aware of  
17      it based on something you learned from counsel, I  
18      would like you not to provide that information. If  
19      you're aware of it some other way, you can answer.

20          THE WITNESS: I'm not aware of it any  
21      other way.

22      BY MR. GOTTLIEB:

23          Q       Do you know that there are Signal  
24      communications that you have been copied on that  
25      have been produced to us in this case that you have