

Johnny Depp's attorney warns Blake Lively, Justin Baldoni face 'real danger' in upcoming trial

The 'It Ends with Us' costars have sued one another for various reasons

By [Christina Dugan Ramirez Fox News](#)
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NORTH HOLLYWOOD, CA/USA - June 2, 2017: Actor Justin Baldoni talks with a reporter during the grand opening of Rocket's Universe, which is the 64th universally accessible playground built by the nonprofit organization Shane's Inspiration.

NEW YORK-MAY 22: Blake Lively attends the American Ballet Theatre 2017 Spring Gala at David H. Koch Theater at Lincoln Center on May 22, 2017 in New York City..

The legal battle between Blake Lively, Justin Baldoni will likely get 'uglier,' attorney says

Johnny Depp's former attorney, who represented him in the defamation case against ex-wife Amber Heard, said Justin Baldoni and "It Ends with Us" co-star Blake Lively could face "real danger" as their legal drama continues to unfold ahead of an upcoming trial.

In a new interview with "Law & Crime: Sidebar with Jessie Weber," Benjamin Chew weighed in on the public feud between the two co-stars and explained why the heated back-and-forth could put both parties at "risk" in court.

"They both are well-represented, and they both can make cases in support of their respective positions," said Chew. "So there's a real danger ... that the jury could essentially hang or that there might be some on the jury to say directly or indirectly attacks on both of [them]."

"Again, it goes back to the issue of whether they can really convince the jury as to the serious allegations here, but I also think there's a danger of them meeting in the middle and some people on the jury just saying, 'Look, these are two wealthy attractive people. I don't know what to do here.'

"I think there is risk on both sides," he later added. "I think this is a fascinating case and will become more fascinating as it goes along. And the more they play into the media, I think the more pressure there's going to be on that judge. And maybe I'm wrong. Maybe he will end up saying, 'I'm going to expedite this thing. I don't want a circus, I want this thing over with.' So it will be fascinating to see this play out."

In December, Lively detailed allegations of sexual harassment, retaliation, intentional affliction of emotional distress, negligence and more against Baldoni and film producer Jamey Heath in a complaint first filed with the California Civil Rights department and later in federal court.

In response, Baldoni filed a \$400 million lawsuit against Lively and Reynolds, accusing them of civil extortion and defamation.

On Saturday, Baldoni took things one step further by launching a website that features a landing page with links to two PDF files, including a copy of a newly amended complaint that the 41-

year-old actor filed against the 37-year-old actress and Reynolds and another document with a 168-page "timeline of relevant events" that showcased new emails and texts related to the case.

"I think it is very aggressive," Chew said of Baldoni's website launch.

"Usually you would not do something like that before a hearing, but I'm sure that they vetted it carefully," Chew said, referring to Baldoni's legal team. "They vetted the material carefully. Certainly, posting a pleading doesn't seem to me to be out of bounds. These are pleadings made in the public records. Whenever you're getting into work product or advocacy pieces, then I think it's getting closer to the line, but it is a novel approach, a bold approach."

Fox News legal editor Kerri Urbahn agreed with Chew, adding that the launch was smart on Baldoni's end.

"I agree it is aggressive, but smartly so," she told Fox News Digital. "This case is largely going to be decided by the court of public opinion, and Justin Baldoni setting up a bare-bones website with his complaint and timeline allows the public to understand his perspective without the filter of the media and decide for themselves what they think."

David Fish, litigation partner of Romano Law, shares the same thought as Chew in that Baldoni's website launch was a "calculated risk," but notes it could work against him at trial.

He told Fox News Digital, "...Baldoni's novel approach could backfire in court. Judges typically disfavor pre-trial publicity that risks tainting a jury pool and, in fact, the federal judge has already warned both sides against litigating the case in the media. By launching a website and publicizing evidence, Baldoni's team might be seen as trying to win in the press rather than in court, which could hurt his credibility with the judge and jury. Additionally, his focus on narrative control over legal arguments might be viewed as a distraction tactic, especially given the allegations against him. If the court perceives his strategy as an attempt to sway public opinion rather than defend himself legally, it could lead to restrictions on his team's statements or even impact procedural decisions in the case."

[Celebrity lawyer](#) Chris Melcher of [top family law firm](#) Walzer Melcher & Yoda, disagrees that the move was "aggressive" and said it's imperative that Baldoni defend himself.

"These are public court documents Baldoni is posting to the website, and there is nothing wrong with, essentially, making light of a public document," Melcher told Fox News Digital.

"Keep in mind, Baldoni is responding to Lively's complaint. You could make the argument that either both of them are right or they're both wrong for doing so.

"It will take a long time to get to trial," he added. "In the meantime, this will be tried in the court of public opinion. Waiting until 2026 to reclaim his reputation does Baldoni no good. He needs to defend himself publicly because he's been attacked publicly."

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Chew has seen a similar situation before.

In 2022, Depp and Heard squared off in a bombshell defamation trial. They accused each other of physical and emotional abuse.

Depp sued Heard for \$50 million over a 2018 op-ed she wrote for The Washington Post alleging she was the victim of domestic abuse. Heard countersued her ex-husband for \$100 million, accusing him and his former attorney of conspiring to "destroy and defame" her. Depp eventually won the lawsuit.

Chew said that while there are comparisons between the Lively and Baldoni and Depp and Heard cases, the challenges are different.

"I think there are some comparisons you have on both sides," Chew said. "You have prominent actors, which you had also in the Depp case. I think the stakes are a little bit different in this case. In Johnny's case, he was suing for defamation. He was really suing to get his reputation back. It was more of an existential issue for him. A challenge that we had, and I think the other side had, but I think they really have it in this case, is to convince a jury of laypeople why they should care about a dispute between two very powerful, successful, attractive actors. And I think that's a challenge irrespective of the serious nature of the allegations."

Urbahn agreed.

"What ultimately happens in the Justin Baldoni-Blake Lively case will be a test of whether the Johnny Depp-Amber Heard outcome was a fluke or the beginning of the post-MeToo era," she said. "The MeToo movement was a response to centuries of the she in he said/she said situations not mattering. Thankfully, that changed and where MeToo did create some good.

"However, as is the case with any reactionary movement, the pendulum swung so far, MeToo created a new standard for men: 'Believe all women,' meaning, men were now guilty until proven innocent, which, of course, is just as unfair as what had happened to women in the past.

"The Johnny Depp-Amber Heard trial was a situation where it felt, for the first time in many years, that both what he said and she said equally mattered and was being given equal weight," she said. "How the Baldoni-Lively matter resolves will be a marker in both the court of public opinion and court of law as to whether this balance of fairness for both sides is here to stay."

Not long after filing his lawsuit, Baldoni and his team [released unedited footage](#) from the set of "It Ends with Us" that they claim refutes Lively's previous accusations of sexual harassment. However, the actress's legal team claims the footage bolsters Lively's allegations.

After the release, Lively's legal team demanded a gag order be issued against Baldoni's lawyer.

On Jan. 23, Baldoni's lawyers filed a response, calling Lively's gag order attempt an "intimidation tactic" and "tactical gamesmanship."

Baldoni and Lively's legal teams were in federal court Monday, when the judge ordered that they follow New York's Rules of Professional Conduct, which limit speaking to the press. Neither party will be permitted to make statements to the press that have a "substantial likelihood" of prejudicing a jury. However, the legal teams will be allowed to defend their client in the media against publicity not created by either side.