

David Kipper
Proffer Exhibit D
Depp v. Heard
CL-2019-0002911

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JOHN T. FREY
Clerk of the Circuit Court
of Fairfax County, VA



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Transcript of David Kipper, M.D.

Date: February 22, 2021
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

20529

Transcript of David Kipper, M.D.
Conducted on February 22, 2021

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT FOR FAIRFAX COUNTY 3 -----x 4 JOHN C. DEPP, II, : 5 Plaintiff, : 6 v. : Civil Action No. 7 AMBER LAURA HEARD, : CL-2019-0002911 8 Defendant. : 9 -----x 10 11 Videotaped Deposition of 12 DAVID KIPPER, M.D. 13 Conducted Virtually 14 Monday, February 22, 2021 15 12:07 p.m. EST 16 17 18 19 20 Job No.: 348206 21 Pages: 1 - 273 22 Reported By: Paul P. Smakula</p>	<p>1 A P P E A R A N C E S 2 ON BEHALF OF PLAINTIFF DEPP: 3 JESSICA N. MEYERS, ESQUIRE 4 CAMILLE M. VASQUEZ, ESQUIRE 5 BENJAMIN G. CHEW, ESQUIRE 6 BROWN RUDNICK LLP 7 601 Thirteenth Street Northwest 8 Suite 600 9 Washington, D.C. 20005 10 (202) 536-1785 11 12 ON BEHALF OF DEFENDANT HEARD: 13 ADAM S. NADELHAFT, ESQUIRE 14 CHARLSON, BREDEHOFT, COHEN & BROWN 15 11260 Roger Bacon Drive 16 Suite 201 17 Reston, Virginia 20190 18 (703) 318-6800 19 20 21 22</p>
<p>1 Deposition of DAVID KIPPER, M.D., conducted 2 virtually: 3 4 5 6 7 8 9 Pursuant to notice, before Paul P. Smakula, 10 Notary Public in and for the State of Maryland. 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 A P P E A R A N C E S C O N T I N U E D 2 ON BEHALF OF THE WITNESS: 3 JOHN HARWELL, ESQUIRE 4 LAW OFFICE OF GREG D. DERIN 5 5 La Pradera 6 Carmel-By-The-Sea, California 93923 7 (855) 546-7078 8 9 10 11 12 ALSO PRESENT: 13 Kim Johnson, Videographer 14 Alex Sussman, AV Technician 15 16 17 18 19 20 21 22</p>

Transcript of David Kipper, M.D.
 Conducted on February 22, 2021

CONTENTS		PROCEEDINGS	
1	EXAMINATION OF DAVID KIPPER, M.D.	1	THE VIDEOGRAPHER: Here begins the video
2	By Mr. Nadlehaft	2	recorded deposition of Dr. David Kipper, taken in
3	By Ms. Meyers	3	the matter of Depp versus Heard in the circuit
4	By Mr. Nadlehaft	4	court for Fairfax County, Virginia. Case number
5	By Ms. Meyers	5	CL-2019-0002911. Today's date is February 22nd,
6		6	2021. The time is 12:07 Eastern Standard Time.
7		7	This deposition is being held in different
8		8	locations via Zoom. The court reporter is
9		9	Paul Smakula the videographer is Kim Johnson both
10		10	on behalf of Planet Depos. Would counsel please
11		11	introduce yourselves and state whom you represent.
12		12	MR. NADLEHAFT: Good morning,
13		13	Adam Nadlehaft for Ms. Heard.
14		14	MS. MEYERS: Good morning, Jessica Meyers
15		15	for Mr. Depp.
16		16	MS. VASQUEZ: Good morning,
17		17	Camille Vasquez for Mr. Depp.
18		18	MR. HARWELL: Good morning, my name is
19		19	John Harwell --
20		20	MR. CHEW: Good morning, Ben Chew --
21		21	excuse me. Ben Chew also for Mr. Depp.
22		22	
1	EXHIBITS	1	MR. HARWELL: And my name is John Harwell
2	(Attached to transcript.)	2	and I represent Dr. Kipper.
3	KIPPER DEPOSITION EXHIBITS	3	THE VIDEOGRAPHER: All right. Will the
4	Exhibit 1 Subpoena	4	court reporter please swear in the witness.
5	Exhibit 2 Subpoena Duces Tecum	5	DAVID KIPPER, M.D.,
6	Exhibit 3 Intake Evaluation	6	having been duly sworn, testified as follows:
7	Exhibit 4 6/11/14 Progress Note	7	EXAMINATION BY COUNSEL FOR THE DEFENDANT
8	Exhibit 5 6/12/14 Progress Note	8	BY MR. NADLEHAFT:
9	Exhibit 6 6/22-6/22/14 Summary of	9	Q Good morning, Dr. Kipper, my name is Adam
10	Exhibit 7 Treatment	10	Nadlehaft and I represent Amber Heard. Could you
11	Exhibit 8 7/20/17 Drug Test	11	please provided your full name?
12	Exhibit 9 8/8/14 Email	12	A David Alan, A-L-A-N, Kipper. K-I-P-P-E-R.
13	Exhibit 10 Text Message Report	13	Q And what is your business address,
14	Exhibit 11 8/27/14 Email	14	Dr. Kipper?
15	Exhibit 12 9/27/15 Email	15	A 153 South Lasky, L-A-S-K-Y, drive, Beverly
16	Exhibit 13 Kipper/Blaustein Email	16	Hills 90212 California.
17	Exhibit 14 Kipper/Beane Email	17	Q And your cell phone number is
18	Exhibit 15 Gold Coast University Hospital	18	(310) 433-0334?
19	Exhibit 16 Document	19	A No.
20	Exhibit 17 3/15/2015 Letter	20	Q Okay.
21	Exhibit 18 3/15/15 Cowan/Kipper Email	21	A My cell phone number now is
22	Exhibit 21 2/10/16 Letter	22	(424) 333-6767.
1	Exhibit 22 Kipper/Heard Text Message Chain		
2	Exhibit 26 Kipper/Dembrowski Email 6/22/18		
3	Exhibit 27 Kipper/Deuters Email Chain		
4	Exhibit 28 Kipper Invoices		
5	Exhibit 29 Invoices		
6	Exhibit 31 3/7/15 Audio Recording		
7	Exhibit 32 9/18/14 Kipper/Blaustein Email		
8	Exhibit 33 October 2014 Heard Letter		
9	Exhibit 34 8/27/14 Initial Intake		
10	Exhibit 35 12/17/15 Document		
11	Exhibit 36 8/8/16 Email		
12			

9	11
1 Q Is the cell phone number (310) 433-0334 an 2 old cell phone number of yours? 3 A An old cell phone number. 4 Q Okay. And is your email address 5 David@Kippermd.com? 6 A Yes. 7 Q And you've been deposed before, 8 Dr. Kipper? 9 A Yes. 10 Q So you know the general rules. I'm going 11 to start off asking you questions. If at any time 12 you don't understand a question, or can't hear me 13 because we're doing this via Zoom, please let me 14 know. If you respond it will be assumed you 15 understood and heard my question. Does that make 16 sense? 17 A Yes. 18 Q Okay. Please also be sure to answer 19 verbally as you're doing. As you know, a nod or a 20 shake of the head isn't going to do so the court 21 reporter can accurately transcribe what you're 22 saying; does that make sense?	1 A Correct. 2 Q And you've written a book on addiction? 3 A Yes. 4 Q What's the title of the book? 5 A The Addiction Solution. 6 Q And by addiction do you mean addiction to 7 drugs and alcohol? 8 A Yes. 9 Q Is there any other addictions that you 10 practice treating? 11 A Well, there are behavioral addictions, but 12 those are far less common. 13 Q And in your practice you've dealt with 14 patients who have blacked out from drugs or 15 alcohol? 16 A Yes. 17 Q And when a person experiences a black out 18 during alcohol or drug use what, if anything, 19 happens to the brain as to what's occurring or 20 understand -- what their understanding is 21 occurring around the person? 22 MR. HARWELL: Mr. Nadlehaft, you've just
10	12
1 A Yes. 2 Q Okay. Have you ever been deposed in any 3 cases involving Johnny Depp? 4 A No. 5 Q Okay. Now, you're a doctor; correct? 6 A Yes. 7 Q And an internist? 8 A Yes. 9 Q How long have you been practicing 10 medicine? 11 A Since 1977. 12 Q And I noticed on your website, it says you 13 provide concierge healthcare. What does that 14 mean? 15 A That means I provide healthcare on a 16 retainer-based -- arrangement. 17 Q What do you mean by retainer-based 18 arrangement? 19 A Patients pay an annual fee and all 20 services are included. And I'm available 24/7. 21 Q Now you also practice -- part of your 22 practice is addiction treatment; is that correct?	1 asked a question that requires the expert opinion 2 of Dr. Kipper. As I wrote to you all earlier last 3 week, if you ask expert questions you're going to 4 have to pay the expert fees required under 5 California Evidence Code Section 994. And I will 6 instruct him not to answer any questions calling 7 for expertise unless you wish to retain him for 8 that purpose for this deposition. 9 Q Do you understand that you've been listed 10 as a nonpaid expert by Mr. Depp? 11 A Can you define that for me, please, Adam? 12 Q Do you understand that you have been -- 13 identified as a potential non -- that there -- a 14 fact witness that is not -- let me, strike that. 15 I'll come back to that. 16 MR. HARWELL: Mr. Nadlehaft, if it helps 17 we're not answering any questions propounded by 18 Mr. Depp's lawyers that call for an expert opinion 19 without being compensated under evidence code 20 Section 994 either. 21 Q With the understanding that you've been 22 identified by Mr. Depp as a potential expert?

<p style="text-align: right;">13</p> <p>1 A Are you asking me?</p> <p>2 Q Yeah, I'm asking you, Dr. Kipper?</p> <p>3 A Again, I'm not really familiar with those</p> <p>4 terms so if you could define that a little more</p> <p>5 clearly?</p> <p>6 MR. HARWELL: Mr. Nadlehaft, I think the</p> <p>7 answer is no, we have not received any designation</p> <p>8 or any notice that he's being -- been identified</p> <p>9 as a nonretained expert.</p> <p>10 MR. NADLEHAFT: Okay.</p> <p>11 Q Now, I'm not asking who, but in addition</p> <p>12 to Mr. Depp and Ms. Heard, you have been the</p> <p>13 doctor for other celebrity -- celebrity clients;</p> <p>14 correct?</p> <p>15 A I can't discuss my other clients.</p> <p>16 Q Right. But without even saying -- you</p> <p>17 can't even say yes or no whether other patients</p> <p>18 have been what people might call celebrities?</p> <p>19 A Correct.</p> <p>20 Q Okay. You understand you're here under a</p> <p>21 subpoena?</p> <p>22 A Yes.</p>	<p style="text-align: right;">15</p> <p>1 him? Otherwise we're pleased to wait but just</p> <p>2 trying to help out.</p> <p>3 MR. NADLEHAFT: Right. Is it -- is the</p> <p>4 pages moving? It's just -- it wasn't moving on my</p> <p>5 end.</p> <p>6 PLANET DEPOS TECHNICIAN: My -- my</p> <p>7 apologies, Mr. Nadlehaft, when you're in control</p> <p>8 of my mouse it's -- I can't unmute myself.</p> <p>9 MR. NADLEHAFT: Okay. Is it on --</p> <p>10 PLANET DEPOS TECHNICIAN: Is page 7</p> <p>11 appearing to you now?</p> <p>12 MR. NADLEHAFT: No. No.</p> <p>13 PLANET DEPOS TECHNICIAN: Are you -- are</p> <p>14 you looking for page 7 of the PDF?</p> <p>15 MR. NADLEHAFT: Right now I'm seeing it</p> <p>16 where it says engaged including person. My --</p> <p>17 PLANET DEPOS TECHNICIAN: Here, let me</p> <p>18 re-share my screen. That -- I'm not. Does</p> <p>19 everyone else see documents to be produced under</p> <p>20 this subpoena?</p> <p>21 MR. HARWELL: No.</p> <p>22 MS. MEYERS: No.</p>
<p style="text-align: right;">14</p> <p>1 Q Okay. And -- and Alex, can you please put</p> <p>2 up Kipper 1?</p> <p>3 (KIPPER Deposition Exhibit 1 marked for</p> <p>4 identification and attached to the transcript.)</p> <p>5 Q And just -- Dr. Kipper, do you understand</p> <p>6 that this -- that -- that this Exhibit 1 is the</p> <p>7 subpoena for your deposition?</p> <p>8 A Yes.</p> <p>9 Q Okay. We can take that down. And --</p> <p>10 Alex, can you put up Kipper 2?</p> <p>11 (KIPPER Deposition Exhibit 2 marked for</p> <p>12 identification and attached to the transcript.)</p> <p>13 Q And Dr. Kipper you understand that you</p> <p>14 received the subpoena for documents in this case?</p> <p>15 A Yes. Thank you.</p> <p>16 Q And going down to -- if I can do this --</p> <p>17 Alex, can you move it down to page 7? Alex, are</p> <p>18 you able to move it to page 7?</p> <p>19 PLANET DEPOS TECHNICIAN: I'm sorry --</p> <p>20 MR. HARWELL: Mr. Nadlehaft, we've --</p> <p>21 we've seen this before. Is there something that</p> <p>22 you would like -- a question you'd like to ask</p>	<p style="text-align: right;">16</p> <p>1 PLANET DEPOS TECHNICIAN: That's strange.</p> <p>2 Pardon me one moment.</p> <p>3 MR. NADLEHAFT: Can we go -- okay -- can</p> <p>4 we go off the record while we're figuring this</p> <p>5 out? Thanks.</p> <p>6 THE VIDEOGRAPHER: We're off the record at</p> <p>7 12:17.</p> <p>8 (Off the record from 12:17 p.m. to</p> <p>9 12:19 p.m.)</p> <p>10 THE VIDEOGRAPHER: We're back on the</p> <p>11 record at 12:19.</p> <p>12 Q Okay, thank you, Dr. Kipper. After a -- a</p> <p>13 short technology issue, do you see on Kipper</p> <p>14 Exhibit 2, page 7, these are the documents to be</p> <p>15 produced one through 10?</p> <p>16 A Yes.</p> <p>17 Q And the time period is March 2014 through</p> <p>18 the present?</p> <p>19 A Yes.</p> <p>20 Q Okay. And -- and you looked through these</p> <p>21 categories of documents to produce documents in</p> <p>22 response to the subpoena?</p>

<p>17</p> <p>1 A Yes.</p> <p>2 Q Okay. And if we go down to the -- the</p> <p>3 next page, this is a HIPAA release form that was</p> <p>4 for Mr. Depp; do you see that?</p> <p>5 A Yes.</p> <p>6 Q Okay. Did -- did you produce all of the</p> <p>7 records of the drug tests you performed on</p> <p>8 Mr. Depp?</p> <p>9 A Yes.</p> <p>10 Q Okay. From 2014 to the present?</p> <p>11 A Yes.</p> <p>12 Q Did you -- you didn't produce any text</p> <p>13 messages with Mr. Depp, did you?</p> <p>14 A No, I don't believe so. No.</p> <p>15 Q Did you look at -- did you look at your</p> <p>16 phone at all for text messages with Mr. Depp?</p> <p>17 A Well, this was a problem. The phone that</p> <p>18 you had written for me, that you had documented</p> <p>19 for me, is gone. And I have no records of those</p> <p>20 texts. That -- when that phone was destroyed, I</p> <p>21 lost everything on that phone.</p> <p>22 Q What happened to the phone?</p>	<p>19</p> <p>1 office?</p> <p>2 A She was a receptionist.</p> <p>3 Q And how long did Ms. Beane work for you?</p> <p>4 A I don't have that specific information. I</p> <p>5 believe it was about three years.</p> <p>6 Q In working with Ms. Beane, did you find</p> <p>7 her to be honest?</p> <p>8 A No, actually.</p> <p>9 Q Why was she not honest?</p> <p>10 A She was inappropriate with certain</p> <p>11 patients beyond what I considered to be</p> <p>12 professional. She discriminated in some regards</p> <p>13 to some patients. She was divisive in the office</p> <p>14 and created a lot of problems with the other</p> <p>15 staff.</p> <p>16 Q Did you terminate her?</p> <p>17 MR. HARWELL: I don't think we heard that.</p> <p>18 Q Did you terminate Ms. Beane?</p> <p>19 A I'm sorry, Adam, she -- what did you hear?</p> <p>20 And I'll fill in what you may not have heard.</p> <p>21 MR. HARWELL: His question, Doctor, was</p> <p>22 did you terminate her.</p>
<p>18</p> <p>1 A It ended up in a pool.</p> <p>2 Q And -- and so you not only -- you didn't</p> <p>3 only get the new phone, you changed your phone</p> <p>4 number as well?</p> <p>5 A Yes.</p> <p>6 Q Is there a reason you changed your phone</p> <p>7 number?</p> <p>8 A I changed my phone number because there's</p> <p>9 a certain point where everybody has my cell phone</p> <p>10 number and I try to keep that private. And this</p> <p>11 was a good opportunity for me to have a more of a</p> <p>12 private phone.</p> <p>13 Q When did you change your phone number?</p> <p>14 A I think this was about a year and a half</p> <p>15 ago, somewhere in there.</p> <p>16 Q And -- and you're saying it accidentally</p> <p>17 fell into a pool?</p> <p>18 A Yes.</p> <p>19 Q Okay. You can take this down, Alex. Who</p> <p>20 is Lisa Beane?</p> <p>21 A A former employee in my office.</p> <p>22 Q And what was Ms. Beane's role in your</p>	<p>20</p> <p>1 A Oh, no, she quit.</p> <p>2 Q And who is Debbie Lloyd?</p> <p>3 A Debbie Lloyd is a nurse that I have known</p> <p>4 for many years who has worked with me on home care</p> <p>5 and addiction cases.</p> <p>6 Q And is -- is Ms. Lloyd an employee or a</p> <p>7 contractor with you?</p> <p>8 A She's a contractor.</p> <p>9 Q Does she still contract with you?</p> <p>10 Ms. Lloyd?</p> <p>11 A Yes, until recently. She now has a new</p> <p>12 position, so I am not able to have her services at</p> <p>13 this point.</p> <p>14 Q What was Ms. Lloyd's role in Mr. Depp's</p> <p>15 care?</p> <p>16 A She served as his RN, as his registered</p> <p>17 nurse.</p> <p>18 Q And was Ms. Lloyd paid by you -- for</p> <p>19 Mr. Depp's care?</p> <p>20 A Yes.</p> <p>21 Q So would it work that Mr. -- you would</p> <p>22 bill Mr. Depp for the care that Ms. -- that you</p>

21	1 gave and Ms. Lloyd gave, and then she would be 2 paid from that? 3 A Yes. 4 Q And who is Erin Boerum? 5 A She's an RN that was employed to help care 6 for Amber. 7 Q Was Ms. Boerum also a contract nurse? 8 A Yes. 9 Q And so did she -- did Ms. Boerum have any 10 role in Mr. Depp's care? 11 A Only if -- if Debbie was unavailable, Erin 12 would step in and vice versa. 13 Q And -- and -- and did Ms. Boerum work with 14 you on anybody else besides Mr. Depp or Ms. Heard? 15 A Yes. 16 Q Does Ms. Boerum still work with you? 17 A Ms. Boerum now has two little kids so 18 she's not really available. 19 Q I understand. I have two kids myself. 20 When were you first contacted about treating 21 Mr. Depp? 22 A Somewhere in the spring of 2014.	23
22	1 Mr. Nadlehaft, I'm going to interpose an objection 2 to the extent that it calls for any conversations 3 that are protected by the patient physician 4 privilege in California. 5 MR. NADLEHAFT: Okay. 6 Q Do you know if Tracy -- do you know if 7 Tracy Jacobs was Mr. Depp's agent? 8 A Yes. 9 MR. CHEW: Objection; leading. 10 Q What was -- what did you understand that 11 -- the relationship between Ms. Jacobs and 12 Mr. Depp? 13 MR. CHEW: Objection; leading. 14 Q You can answer. 15 MR. HARWELL: You may answer, Doctor. 16 A I'm sorry, Adam. Could you please repeat 17 the question? 18 Q What did you understand the business 19 relationship was between Ms. Jacobs and Mr. Depp? 20 A That she was his agent. 21 Q And what, if anything, did Ms. Jacobs say 22 to you about treating Mr. Depp -- about asking to treat Mr. Depp? MS. MEYERS: Objection; hearsay. Mr. Nadlehaft: You can answer. 4 A Well, that was -- those are private 5 conversations that I had with the patient. So I 6 believe that's privileged. 7 Q So you're -- you're saying that the 8 conversation that you had with Ms. Jacobs about 9 Mr. Depp is a privileged conversation of 10 Ms. Jacobs? 11 A Yes, because Ms. Jacobs was a patient. So 12 that was a privileged -- I believe that's a 13 privileged conversation. 14 MR. HARWELL: The problem is that you're 15 going to -- and this is a problem with trying to 16 answer these questions without the physician 17 patient waiver. If -- if she was speaking on 18 behalf of Mr. Depp asking medical questions or 19 making medical arrangements and revealing medical 20 information to Dr. Kipper authorized by him, it 21 has the same affect as if it were him speaking to 22 Dr. Kipper. And setting aside the HIPAA waivers,	24

<p style="text-align: right;">25</p> <p>1 which allow us to provide you with documents, we 2 have a separate California problem of the 3 physician patient privilege -- which we're more 4 than pleased to discuss but we need a waiver. 5 MR. NADLEHAFT: You're saying that any 6 discussions that Mr. Kipper had with Mr. Depp, 7 Mr. Kipper is not going to speak about? 8 MR. HARWELL: To the extent that there 9 were conversations in which there were other 10 people present that would have waived the -- the 11 privilege for those conversations, he is more than 12 pleased to chat about those. But any other 13 conversations -- I wrote you all about this last 14 week -- any other conversations that fall within 15 California's physician patient privilege require a 16 waiver. Dr. Kipper is not obliged to waive it but 17 he is obliged by statute to raise it. 18 MR. NADLEHAFT: So now I'm asking 19 Mr. Depp's counsel, are you -- are you asserting 20 the privilege to conversations Mr. Depp had with 21 Mr. -- with Dr. Kipper? 22 MR. HARWELL: Yes. And we have no choice</p>	<p style="text-align: right;">27</p> <p>1 maintain the privileged conversations between a 2 physician and his patient. You understand we 3 don't care about answering these questions. What 4 we don't want to do is to have one of the parties 5 get angry at us for answering a question where 6 there is not a waiver and for my client to get in 7 trouble for doing so. 8 MR. NADLEHAFT: I -- 9 MR. HARWELL: So we're pleased to answer 10 any of the questions that you ask but we have to 11 protect Dr. Kipper's ability to behave according 12 to California law. 13 MR. NADLEHAFT: I know. I understand 14 that. And I'm -- I'm asking Mr. Depp's attorneys, 15 is Mr. Depp not waiving the privilege as it 16 relates to conversations between Mr. Depp and 17 Dr. Kipper? 18 MS. MEYERS: I think we have to discuss 19 that. We have not provided that waiver yet. 20 MR. NADLEHAFT: Well -- okay. I'm -- 21 MR. HARWELL: Mr. Nadlehaft, do you want 22 to take a break and let them discuss that?</p>
<p style="text-align: right;">26</p> <p>1 under the statute but to do so. 2 MR. NADLEHAFT: I'm not asking you, I'm 3 asking Dr. -- Mr. Depp's counsel. 4 MR. HARWELL: Sorry. 5 MR. NADLEHAFT: So there's three of you 6 here, whoever wants to answer? 7 MS. MEYERS: We are. 8 MR. CHEW: What did you say? 9 MR. NADLEHAFT: Are you asserting -- 10 doctor-patient privilege at -- between -- 11 conversations between Mr. Depp and Dr. Kipper? 12 MS. MEYERS: They're -- I think we're 13 standing on the -- the scope of the HIPAA waiver 14 that we've provided. 15 MR. HARWELL: Mr. Nadlehaft, we really 16 don't care what the answer is, but that's not an 17 answer. The HIPAA waiver provides -- allows us to 18 provide certain documents in connection with 19 the -- with the protected health information that 20 we might have. And California has a similar, 21 although slightly more stringent law, that covers 22 the same area. But we also have an obligation to</p>	<p style="text-align: right;">28</p> <p>1 Because that's going to make a big difference 2 about what both of you do all day. 3 MR. NADLEHAFT: All right. I -- sure. We 4 can take a break. 5 MR. HARWELL: Let us know -- send us a 6 note when you're ready to for us to come back and 7 we'll be pleased to. 8 MR. NADLEHAFT: Okay. 9 THE VIDEOGRAPHER: Off the record at 10 12:32. 11 (Off the record from 12:32 p.m. to 12 12:46 p.m.) 13 THE VIDEOGRAPHER: Back on the record at 14 12:46. 15 MS. MEYERS: This is Jessica Meyers for 16 Mr. Depp. Our position on the patient physician 17 privilege is that we are willing to waive 18 communications that pertain to the three subject 19 matters in the HIPAA waiver -- which I believe are 20 on mental health treatment, substance abuse 21 treatment, and the physical injury, I believe it 22 was, treatment for (indiscernible).</p>

29

1 MR. HARWELL: Do you understand that,
2 Dr. Kipper?
3 THE WITNESS: Not exactly.
4 MR. HARWELL: You can answer any questions
5 that involve communications between you and
6 Mr. Depp or his people with respect to those three
7 areas that were cleared for HIPAA, which is mental
8 health treatments, injuries, or substance abuse
9 treatments.
10 THE WITNESS: I understand.
11 MR. HARWELL: Okay.
12 MR. NADLEHAFT: Thank you.
13 Q Why don't we put up -- Alex, can you put
14 up Kipper 3, please?
15 (KIPPER Deposition Exhibit 3 marked for
16 identification and attached to the transcript.)
17 Q Dr. -- Dr. Kipper, do you recognize this
18 document?
19 **A Yes, I do.**
20 Q And what is it?
21 **A This is a -- an intake evaluation that I**
22 **had with Mr. Depp regarding his treatment.**

30

1 Q And do you keep these notes in the normal
2 course of business?
3 **A Yes.**
4 Q And the -- the notes are meant to be
5 accurate?
6 **A Yes.**
7 Q Okay. And -- and did you take the notes
8 or did someone take them for you?
9 **A I took these notes.**
10 Q The notes say Johnny Depp initial
11 consultation May 22nd, 2014. Is that --
12 MR. HARWELL: I'm sorry, Mr. Nadlehaft --
13 Mr. Nadlehaft, let me just interject. This is not
14 a document we provided you. This document
15 contains information, which in our version, was
16 redacted because it involves medical information
17 that is not within the three HIPAA exceptions.
18 And so into this document you tread on your own.
19 If you wanted to use ours, that -- that would be
20 consistent with what we were prepared to disclose.
21 This involves information that we thought was not
22 called for under the HIPAA waiver.

31

1 MR. NADLEHAFT: I understand.
2 Q Is May 22nd, 2014, the first time that you
3 met Mr. Depp?
4 **A No.**
5 Q When did you meet Mr. Depp prior to
6 May 22nd, 2014?
7 **A I met him a couple of months before that**
8 **as just an initial introduction to discuss**
9 **possible treatment.**
10 Q And where were you when you first met
11 Mr. Depp?
12 **A He met me at my home office.**
13 Q And were there any -- did you have any
14 notes of that meeting at the home office?
15 **A No.**
16 Q What did you discuss with Mr. Depp at that
17 first meeting?
18 **A At that meeting I discussed with him my**
19 **involvement in helping him with his substance**
20 **issues.**
21 Q And what substance issues -- issues did
22 he -- did he say he had?

32

1 **A I believe -- I believe -- I'm happy to**
2 **answer this question -- and John, I refer to you,**
3 **this was a private conversation that I had with**
4 **this patient, but I'm -- if I'm able to I'm happy**
5 **to answer that question.**
6 MR. HARWELL: Yes, Dr. Kipper, they have
7 waived the patient physician privilege issue and
8 you're free to answer that question as long as you
9 keep it within the realm of mental health,
10 substance abuse treatments and injuries.
11 **A So to answer your question, Mr. --**
12 **Mr. Depp was seeking treatment for substance abuse**
13 **and wanted to -- wanted to detoxify from his**
14 **substance abuse.**
15 Q Did he mention -- did Mr. Depp say what
16 substances he was trying to detox from?
17 **A Yes. And as indicated in this note, it**
18 **was polysubstance: So there was alcohol, opiates,**
19 **benzodiazepines, and stimulants.**
20 Q So you reference the note, which is Kipper
21 3, in your meeting with Mr. Depp in the months
22 before May 22nd, 2014, Mr. Depp was looking to

<p style="text-align: right;">33</p> <p>1 detox from alcohol, opiates, benzo, and cocaine? 2 A Those – those substances were in his 3 history. The substance that he was at that point 4 concerned about and abusing were opiates. 5 Q And when you say he was concerned about 6 the substance he was abusing was opiates, was this 7 in the conversation before May 22nd, 2014? 8 A I can't remember specifically. 9 Q Okay. So you had this initial 10 conversation with Mr. Depp and then you had this 11 initial consultation with him a few months later; 12 is that correct? 13 A Yes, that's correct. 14 Q And you met with Mr. Depp in Boston? 15 A Yes. 16 Q And Mr. Depp was filming a movie at the 17 time? 18 A Yes. 19 Q And in your notes you say he had had a 20 history of self-medicating behaviors involving 21 multiple substances of abuse. These include: 22 Alcohol, opiates, benzodiazepines, and stimulants,</p>	<p style="text-align: right;">35</p> <p>1 was did Mr. Depp indicate he was addicted to a 2 benzodiazepine that's fine. If you wish him to 3 read from his expert report that's also fine. 4 MR. NADLEHAFT: Okay. That's fine. Alex, 5 can I take control? 6 Q Okay. This first -- this first paragraph 7 on this page, these are notes based off of your 8 discussion with Mr. Depp? 9 A Yes. 10 Q Okay. And then on the second page where 11 it says physical examination, that's just what you 12 conducted at the time -- on Mr. Depp? 13 A Yes. Yes. 14 Q Okay. And where it says "impression" on 15 the third page, that was your impression of 16 Mr. Depp at the time of May 22nd, 2014? 17 A Yes. 18 Q And under that, the plan, that -- 19 that's -- that's documenting your plan for 20 Mr. Depp going forward? 21 A Correct. 22 Q Did Mr. Depp pay for this visit?</p>
<p style="text-align: right;">34</p> <p>1 cocaine. Is that -- is that accurate what he told 2 you? 3 A Yes. That's in my -- that statement is in 4 my notes, correct. 5 Q Okay. And in addition to opiates, was 6 he -- was Mr. Depp addicted to any other 7 prescription drugs? 8 A No, other than opiates, no. 9 Q Okay. What is -- with what is Roxycodone? 10 A It's an opiate. 11 Q And what is -- what is Adderall? 12 A Adderall is a stimulant. 13 Q Okay. And was Mr. Depp addicted to 14 Adderall? 15 A No. 16 Q What is Xanax? 17 A Xanax is a benzodiazepine. 18 Q Okay. So was it -- was at any time 19 Mr. Depp addicted to Xanax? 20 MR. HARWELL: I'm going to object to the 21 form of the question in that you appear to be 22 asking for his expert conclusion. If the question</p>	<p style="text-align: right;">36</p> <p>1 A Yes. 2 Q Okay. And -- and was the plan to start 3 treatment for Mr. Depp after he was finished with 4 his movie in Boston? 5 MS. MEYERS: Objection; leading. 6 Q You can answer -- well, when was the plan 7 to start treatment of Mr. Depp? 8 A After his -- after he completed his 9 current film. 10 Q Okay. We can take this down. Can you put 11 up Kipper 4, please? 12 (KIPPER Deposition Exhibit 4 marked for 13 identification and attached to the transcript.) 14 MR. HARWELL: I will raise the same 15 objection as to this document. We did not produce 16 it to you. It contains PHI that we excluded from 17 our production. 18 Q Dr. Kipper, do you recognize Kipper 19 Exhibit 4? 20 A Yes. 21 Q And what are the -- what is Kipper 22 Exhibit 4?</p>

37
1 **A It's a progress note dated June 11, '14 --**
2 **2014.**
3 Q And -- and did you keep these notes in the
4 normal course of business?
5 **A Yes.**
6 Q And did you take these notes?
7 **A Yes.**
8 Q And the notes are meant to be accurate;
9 correct?
10 **A Yes.**
11 Q All right. What is -- you had mentioned
12 it before, but what is polysubstance abuse?
13 **A Poly is multiple, so multiple substance**
14 **issues, multiple substance abuse.**
15 Q And you were going to be treating Mr. Depp
16 for multisubstance abuse; correct?
17 **A I was going to be treating Mr. Depp for**
18 **opiate issues.**
19 Q On the bottom of the first page where it
20 says "impression" that was your impression of
21 Mr. Depp at the time? Where it says polysubstance
22 abuse?

38
1 **A Yes.**
2 Q And were these the drugs that Mr. Depp was
3 taking at the time -- which is at the bottom of
4 page 1 of Kipper 4?
5 **A I'm sorry, can you -- am I relating to the**
6 **first entry under impression?**
7 Q It says -- what does -- what does it mean
8 where it says dopaminergic imbalance with lithium
9 300 MG bid to be increased to 300 MGTID?
10 **A These were medications that I had planned**
11 **to use upon our treatment.**
12 Q Okay. So all the medications that are on
13 Kipper 4 under impressions, those are medications
14 you planned to use with Mr. Depp; is that correct?
15 **A That's correct.**
16 Q And on the next page where it talks about
17 opiate dependence you write, will maintain on
18 current Norco dosage TID until the current filming
19 is completed in mid to late July. Mr. Depp agrees
20 to undergo detoxification with Clonidine, Robaxan
21 Bently and something else -- anxiolytics -- I
22 can't pronounce it, I'm sorry. But is that

39
1 correct?
2 **A You did a good job that's -- that's --**
3 **that's what it says, yes.**
4 Q Okay. What does TID mean? Or -- you see
5 where it says --
6 **A Three times a day.**
7 Q Three times a day. Okay. And Mr. Depp
8 was also going to undergo a sobriety program; is
9 that correct?
10 **A Yes.**
11 Q And it says, "To be regularly drug tested
12 in my office." How regularly was he to be drug
13 tested -- Mr. Depp?
14 **A That was dependent upon his progress and**
15 **my understanding of how he was doing.**
16 Q Okay. And -- and if he was progressing
17 well, how often would Mr. Depp be drug tested?
18 MR. HARWELL: You're getting close to the
19 expert question.
20 Q You can answer.
21 **A The answer is what I said, it would really**
22 **depend, Adam, on how he was doing at the time and**

40
1 **how he was progressing through his treatment.**
2 Q Do you recall how many drug tests you gave
3 to Mr. Depp in 2014?
4 **A No.**
5 Q Okay. You gave him at least one; correct?
6 **A Yes.**
7 Q Okay.
8 **A I believe so. I'd have to -- I'd have to**
9 **check through my records.**
10 Q Okay. And -- and Deborah Lloyd was going
11 to be Mr. Depp's nurse; correct?
12 **A Correct.**
13 Q You can take down Kipper 4. And can you
14 put up Kipper 5, please?
15 (KIPPER Deposition Exhibit 5 marked for
16 identification and attached to the transcript.)
17 Q Okay. And Kipper 5 is a long document.
18 It came out of your files. Do you recognize the
19 document?
20 **A Yes.**
21 Q What is Kipper 5?
22 **A It's a progress note dated the 12th of**

<p>41</p> <p>1 June 2014.</p> <p>2 Q Let me ask you this, did you -- do you</p> <p>3 understand that you produced progress notes from</p> <p>4 2014 through 2016 for Mr. Depp?</p> <p>5 MS. MEYERS: Objection. Assumes facts not</p> <p>6 in the record.</p> <p>7 Q All right. So this -- this exhibit,</p> <p>8 Kipper 5, which I will refer to throughout the --</p> <p>9 your deposition, is a multipage document that has</p> <p>10 progress notes throughout -- from multiple dates</p> <p>11 that you produced -- that came out of your files.</p> <p>12 Do you know who created these progress notes?</p> <p>13 A I created these progress notes.</p> <p>14 Q It wasn't -- it wasn't Ms. Lloyd?</p> <p>15 A No, these are my notes.</p> <p>16 Q Okay. All right. And you kept the notes</p> <p>17 in the normal course of business?</p> <p>18 A Yes.</p> <p>19 Q And again, the notes are meant to be</p> <p>20 accurate?</p> <p>21 A Yes.</p> <p>22 Q Okay. We go to -- I'm going to go to --</p>	<p>43</p> <p>1 so these 6/13/14; that is -- that is your notes?</p> <p>2 A Correct.</p> <p>3 Q Okay. And it says met with patient in his</p> <p>4 apartment, patient continued to be pleasant and</p> <p>5 cooperative, he stated that he initially started</p> <p>6 taking opiates after some dental work and became</p> <p>7 dependent on them. Do you recall -- do you recall</p> <p>8 that conversation with Mr. Depp?</p> <p>9 A Yes, those are my notes.</p> <p>10 Q Okay. And it's also accurate that patient</p> <p>11 is fearful of coming off of opiates but knows what</p> <p>12 he needs to do?</p> <p>13 A Yes. That reflects -- that reflects the</p> <p>14 conversation I had.</p> <p>15 Q Okay. And that patient also expressed</p> <p>16 some emotional trauma which causes him depression</p> <p>17 and anxiety?</p> <p>18 A Also true.</p> <p>19 Q Okay. And then if you go down, it says</p> <p>20 when asked to turn over all medications that he</p> <p>21 had in his possession, assistant gave the</p> <p>22 following medications to the registered nurse. So</p>
<p>42</p> <p>1 next -- excuse me for just a minute here --</p> <p>2 MR. HARWELL: Mr. Nadlehaft, there's some</p> <p>3 chance that Dr. Kipper has misidentified this</p> <p>4 document.</p> <p>5 MR. NADLEHAFT: Okay. Dr. Kipper, do you</p> <p>6 want another chance to identify what this document</p> <p>7 is?</p> <p>8 A I'm not sure what -- which document you're</p> <p>9 referring to, specifically. These -- these</p> <p>10 reflect my notes on those days. If that answers</p> <p>11 your question.</p> <p>12 Q It answered my question. Your counsel</p> <p>13 thought that you -- you misunderstood what the</p> <p>14 documents were.</p> <p>15 MR. HARWELL: Dr. Kipper, the -- the</p> <p>16 question is are these your notes or are these the</p> <p>17 nurse's notes?</p> <p>18 A These are my notes.</p> <p>19 MR. HARWELL: Okay.</p> <p>20 MR. NADLEHAFT: Okay.</p> <p>21 Q Now -- I'm sorry, let's go back up. I</p> <p>22 made a mistake, I apologize. Going to -- the --</p>	<p>44</p> <p>1 was Debbie Lloyd with you at this meeting?</p> <p>2 A I believe yes, but I'm not -- I believe</p> <p>3 so. Can you go back up to the top of the</p> <p>4 beginning of that note? Yes, I believe she was --</p> <p>5 she was with me during that meeting.</p> <p>6 Q Okay. And if we go to Kipper 54 of Kipper</p> <p>7 Exhibit 5, these are the medications that</p> <p>8 Mr. Depp's assistant gave to you?</p> <p>9 MR. HARWELL: Mr. Nadlehaft, those are</p> <p>10 the -- the prescriptions that were -- are listed</p> <p>11 are those which are within the HIPAA waiver.</p> <p>12 MR. NADLEHAFT: Okay. I understand.</p> <p>13 Within those listed within the HIPAA waiver and</p> <p>14 that's not -- that which is not redacted, this is</p> <p>15 an accurate listing of the medications that</p> <p>16 Mr. Depp was on; correct?</p> <p>17 A Correct.</p> <p>18 Q Okay. And going down, it's accurate where</p> <p>19 it says -- where it states that -- that patient</p> <p>20 states he currently takes oxycodone 15MGBID and</p> <p>21 oxycodone 30MG at bedtime?</p> <p>22 A Yes, that's correct.</p>

<p>45</p> <p>1 Q Okay. And BID means what?</p> <p>2 A Twice a day.</p> <p>3 Q Okay. And is it correct that where it</p> <p>4 says patient will be given the following</p> <p>5 medications on a daily basis to self-administer,</p> <p>6 these are the lists of the medications that you</p> <p>7 were prescribing Mr. Depp to be on at the time?</p> <p>8 A Yes, that's correct.</p> <p>9 Q Okay. All right. Going to scroll down a</p> <p>10 bit here. And we're going to go to Kipper 60 on</p> <p>11 Kipper Exhibit 5, the notes for 6/22/14. This is</p> <p>12 a -- this is, again, a note that you prepared? Is</p> <p>13 this a note that you prepared, Dr. Kipper?</p> <p>14 A I'm reviewing this.</p> <p>15 Q Okay. Sorry.</p> <p>16 A Yes.</p> <p>17 Q Okay. And you see where it says in the</p> <p>18 middle, patient spoke about his difficult</p> <p>19 childhood and current mood swings?</p> <p>20 A Yes.</p> <p>21 Q What did Mr. Depp tell you about his mood</p> <p>22 swings?</p>	<p>47</p> <p>1 encounter with Mr. Depp from June 22nd to</p> <p>2 June 24th of 2014.</p> <p>3 Q Okay. And -- and you keep these notes in</p> <p>4 the normal course of business; correct?</p> <p>5 A Yes.</p> <p>6 Q Okay. And again, they're meant to be</p> <p>7 accurate; correct?</p> <p>8 A Yes.</p> <p>9 Q Okay. And these notes reflect that you</p> <p>10 saw Mr. Depp in Boston again?</p> <p>11 A Correct.</p> <p>12 Q Okay. And the second paragraph, you</p> <p>13 write, "We discussed the need for compliance with</p> <p>14 his medications. We also discussed his nicotine</p> <p>15 habit and agreed we would address this when we</p> <p>16 completed the opiate and benzo detoxification.</p> <p>17 Mr. Depp's filming will be completed around mid</p> <p>18 July and we discussed the planned detoxification.</p> <p>19 Mr. Depp prefers to do this in his home in the</p> <p>20 Caribbean Islands. The anticipated duration is</p> <p>21 between ten to 14 days and he will be completely</p> <p>22 isolated without any professional or personal</p>
<p>46</p> <p>1 A That he had evanescent changes in his mood</p> <p>2 from good to bad.</p> <p>3 Q And did he give any more information about</p> <p>4 what a bad mood -- what a bad mood would be?</p> <p>5 A No, it was implied that that would be</p> <p>6 depression, sadness.</p> <p>7 Q What about anger?</p> <p>8 A Now, that was not -- that -- I don't</p> <p>9 remember him saying that.</p> <p>10 Q And -- and this note also said that he had</p> <p>11 been depressed for the past three days? Right</p> <p>12 above where we just looked?</p> <p>13 A Yes.</p> <p>14 Q Okay. And Alex, keep this up, but -- but</p> <p>15 put up Kipper Exhibit 6, please?</p> <p>16 (KIPPER Deposition Exhibit 6 marked for</p> <p>17 identification and attached to the transcript.)</p> <p>18 Q And Dr. Kipper, do you recognize Kipper</p> <p>19 Exhibit 6?</p> <p>20 A Yes.</p> <p>21 Q What is it?</p> <p>22 A It's a summary of the treatment and</p>	<p>48</p> <p>1 obligations." Does this reflect the discussion</p> <p>2 you had with Mr. Depp?</p> <p>3 A Yes, it does.</p> <p>4 Q And you also discussed that, "Mr. Depp</p> <p>5 understands that a nurse, Debbie Lloyd, will</p> <p>6 assist me with his program and I will initiate</p> <p>7 this withdrawal and supervise daily, visiting him</p> <p>8 at the end of his treatment to design the next</p> <p>9 steps in his therapy. And this protracted therapy</p> <p>10 will include 12 step private counseling and</p> <p>11 personal psychotherapy and couples therapy with</p> <p>12 his fiancée Amber. Both are in agreement to this</p> <p>13 plan." Does that reflect the conversation you had</p> <p>14 with Mr. Depp?</p> <p>15 A Yes.</p> <p>16 Q And was Ms. Heard in this conversation as</p> <p>17 well?</p> <p>18 A I don't remember, but the last sentence</p> <p>19 implies that both were in agreement, so it's very</p> <p>20 possible that she was, but I honestly can't</p> <p>21 remember.</p> <p>22 Q And during this detoxification, who was</p>

49
1 going to be with Mr. Depp at his home in the
2 Caribbean Islands?
3 **A His fiancée Amber, and the nurse, Debbie**
4 **Lloyd, and whatever staff members he had.**
5 Q What -- where was Ms. Lloyd going to be
6 each day in the Caribbean Islands?
7 **A She was going to be on his property in a**
8 **separate area.**
9 Q And who was administering the medications
10 to Mr. Depp?
11 **A Ms. Lloyd was giving these medications**
12 **and -- and supervising that. And there were**
13 **13 periods of time at night during the evening, early**
14 **morning, that Ms. Heard was also helping with**
15 **this.**
16 Q And would there be times where Ms. Heard
17 was administering the medications to Mr. Depp
18 without Ms. Lloyd being present?
19 **A Correct. Under supervision but without**
20 **being present.**
21 Q Okay. And when you say under supervision
22 what do you mean by that?

50
1 **A That Ms. Lloyd would give Ms. Heard the**
2 **direction on how to provide these medications.**
3 Q But wasn't necessarily going to be
4 physically present there when the medications were
5 delivered to Mr. Depp; correct?
6 **A Correct.**
7 Q On the second page of Kipper 6 it says, "I
8 met with Amber for 90 minutes and discussed the
9 above and her concerns -- and her concerns that he
10 be strictly monitored and supervised. Amber has
11 been with Mr. Depp for over three years and has
12 seen him go through several episodes of bingeing
13 behavior with punctuated episodes of sobriety,
14 always failing to maintain his sobriety." Do you
15 recall this conversation with Ms. Heard?
16 **A I recall having a conversation. These**
17 **notes help orient me as to what the conversation**
18 **was.**
19 Q Okay. And -- and you recall Ms. Heard
20 telling you that Mr. Depp has had several episodes
21 of bingeing behavior with punctuated episodes of
22 sobriety but never -- always failing to maintain

51
1 his sobriety?
2 **A Yes, if this is in my notes then it**
3 **reflects the conversation that I had with**
4 **Ms. Heard.**
5 Q Okay. Then it says bloods were taken --
6 in the third paragraph it says, "Bloods were taken
7 for general medical evaluation. These results
8 were pending at the time of this documentation.
9 Random urine and drug testing will follow.
10 Mr. Depp understands the consequences of a failed
11 test." What were the consequences of a failed
12 test?
13 **A That depends on where, again, he was in**
14 **his treatment.**
15 Q Well, this was the beginning of treatment.
16 So what did you mean where you said -- or before
17 even treatment even began, so what did you mean
18 where you said he understands the consequences of
19 a failed test?
20 **A Mr. -- Mr. Depp was -- we were getting**
21 **ready for the detoxification in July. And in June**
22 **-- between that moment in June 22nd to 24th, when**

52
1 **I wrote this note, any concern that I had for a**
2 **positive drug test would reflect on his inability**
3 **to comply going forward. So what we were checking**
4 **were things that we were not giving him.**
5 Q And -- and Mr. Depp admitted to you that
6 there may be traces of cocaine since he'd been
7 abusing the substance prior to the initiation of
8 this program; correct?
9 MS. MEYERS: Objection; assumes facts not
10 in evidence.
11 Q Is this note correct what you -- what you
12 write here in -- in Kipper 6? That Mr. Depp
13 admitted there may be traces of cocaine?
14 **A Yes.**
15 Q Okay. Can you -- let's just go to -- back
16 to Exhibit 5. And if we go to -- here -- you see
17 the note of 6/24/14 at 12:00?
18 **A Yes.**
19 Q Is 12:00 the time?
20 **A Yes.**
21 Q Okay. And it says -- are these -- are
22 these your notes again?

53

1 **A These are my notes.**
2 Q Okay. And it says, "RN and MD met with
3 patient's fiancée and informed her for treatment
4 fiancée. Fiancée voiced concerns of patient's
5 behavior while using drugs and alcohol." Do you
6 see that?
7 **A Yes.**
8 Q What behavior did Ms. Heard -- what
9 behaviors was -- concerned -- was Ms. Heard
10 concerned about while Mr. Depp was using drugs and
11 alcohol?
12 MS. MEYERS: Objection; calls for hearsay.
13 Q Based on the notes you've written here,
14 what was the conversation you had with Ms. Heard?
15 **A I can't remember specifics, I just**
16 **remember she had voiced concerns.**
17 Q "Concerns of patient's behavior." So you
18 don't have any -- any information about what
19 Mr. Depp's behavior was that she was voicing
20 concerns about while using drugs and alcohol?
21 **A I cannot remember.**
22 Q You can't remember anything?

54

1 **A I can't remember the specifics.**
2 Q What about general?
3 **A That she was concerned about his**
4 **behaviors, but I cannot answer which behaviors**
5 **because I -- I can't recall that.**
6 Q Do you recall if she said that Mr. Depp
7 has hallucinations?
8 MS. MEYERS: Objection; asked and
9 answered, calls for hearsay.
10 Q You can answer.
11 **A I'm reading my note because I do not**
12 **recall that.**
13 Q Do you recall if Ms. Heard said anything
14 about Mr. Depp becoming angry while he was using
15 drugs or alcohol?
16 MS. MEYERS: Objection; asked and
17 answered, calls for hearsay.
18 Q You can answer.
19 **A Again, I can't remember those specifics.**
20 Q And these -- what are these notes meant
21 for? Why do you keep these notes?
22 **A In case other professionals need to relate**

55

1 **to his treatment.**
2 Q And are they -- are the notes also to help
3 refresh your recollection?
4 **A Yes.**
5 Q Okay. And -- and if we go now to the --
6 this 7/9/14 at 19:30 note; do you see that?
7 **A Yes.**
8 Q This is on Kipper 5. Is this another note
9 of yours?
10 **A Yes.**
11 Q Okay. And it says, "Urine drug screen
12 completed and results given to M.D." M.D. is you;
13 correct?
14 **A Correct.**
15 Q "M.D. will discuss results with patient,"
16 do you see that?
17 **A Yes.**
18 Q All right. And then we go down. And you
19 see where it says 7/15/14 at 23:00?
20 **A Yes.**
21 Q And it says, "RN and M.D. met with
22 patient. Results of drug test were discussed."

56

1 Do you see that?
2 **A Yes.**
3 Q Do you recall what the results of the drug
4 test were?
5 **A I don't recall the specifics of the drug**
6 **test, but they would have been -- they would have**
7 **been consistent with the drugs we were giving him**
8 **for us to have proceeded. So that -- that's how**
9 **we established our relationship. And so the next**
10 **sentence says the next step in treatment plan is**
11 **for patient to finish filming. If those drug**
12 **tests had been positive for medications or a**
13 **substance he wasn't getting from us**
14 **professionally, we would not have proceeded.**
15 Q So are you -- are you -- are you saying
16 that if he tested positive for cocaine you would
17 not have proceeded?
18 **A Correct.**
19 Q Okay. Can you put up Kipper 7, please?
20 (KIPPER Deposition Exhibit 7 marked for
21 identification and attached to the transcript.)
22 Q Dr. Kipper, these 18 pages came from your

57
1 production. And I'll represent to you that there
2 were no drug tests that I saw for 2014 or 2015 for
3 Mr. Depp. Do you know why that is?
4 **A The only thing I can -- the answer is no.**
5 **I can't -- I don't understand that. We had a**
6 **flood in our office in 2014, October. The office**
7 **above us flooded our office and the basement,**
8 **which is where we kept certain records, but I'm**
9 **not sure which records relating to Mr. Depp would**
10 **have been involved in that. But other than that,**
11 **no.**
12 Q Okay. Would the -- would drug tests for
13 Mr. Depp for 2014 and 2015, would those also be
14 kept electronically?
15 **A No.**
16 Q Who did you work with to conduct the drug
17 test of Mr. Depp?
18 **A Yes, I ordered the drug test.**
19 Q And -- and what company did you work with?
20 **A It appears that it's MD Lab. That's the**
21 **lab we use.**
22 Q Okay. And -- and the drug tests that we

58
1 do have, they came from your files; correct?
2 **A Correct.**
3 Q And they're meant to be accurate; correct?
4 **A Correct.**
5 Q All right. And you would agree that drug
6 tests that you took of Mr. Depp in the 2016
7 through 2019 period showed Mr. Depp testing
8 positive for cocaine; correct?
9 **A Correct.**
10 MS. MEYERS: Objection.
11 Q The drug tests showed Mr. Depp being
12 positive for cocaine; correct?
13 **A Yes, correct.**
14 Q Okay. And for THC, he was -- Mr. Depp was
15 also positive for THC; correct?
16 **A Correct.**
17 Q And for benzo; is that correct?
18 **A The answer would be yes. I'm looking for**
19 **benzo -- the answer would be correct because he**
20 **was maintained on benzos, benzodiazepines.**
21 Q Okay. And how long was -- was Mr. Depp on
22 benzodiazepine?

59
1 **A He was on benzodiazepines pretty much**
2 **throughout our relationship during this period of**
3 **time.**
4 Q Wasn't -- wasn't one of the objectives to
5 get him off of benzodiazepines?
6 **A It was, and we actually used a medication**
7 **to accomplish that initially. But he didn't**
8 **tolerate that medication very well. Not everyone**
9 **does. So he was put back on his benzos.**
10 Q Okay. Do you believe that Mr. Depp had an
11 addiction to benzo?
12 **A I think Mr. Depp had an anxiety --**
13 MR. HARWELL: Objection; calls for an
14 expert opinion.
15 MR. NADLEHAFT: You're not going to answer
16 that?
17 MR. HARWELL: I'm instructing him not to
18 answer.
19 Q On page 3 of Exhibit 7, what's being shown
20 here under where it starts with cocaine
21 metabolites?
22 **A This -- this is a listing of substances**

60
1 **with reference ranges. And I think if you scroll**
2 **down you'll see his specific analysis related to**
3 **that.**
4 Q Okay. And -- and on page 4, Robert Wells
5 was the name for Mr. Depp; is that correct? An
6 alias; correct?
7 **A Yes, correct.**
8 Q Okay. And this -- this is a drug test for
9 11/21/16; correct?
10 **A Yes.**
11 Q And it -- what is it showing Mr. Depp
12 positive for? What drugs?
13 **A Positive for cocaine, amphetamines, and**
14 **benzodiazepines.**
15 Q Okay. Is -- is amphetamines a drug that
16 you were prescribing to Mr. Depp?
17 **A Correct.**
18 Q What -- what drugs were that -- what drugs
19 were they?
20 **A That's Adderall.**
21 Q Adderall. Okay. Is there any -- strike
22 that.

<p>1 And on page 5, this is -- this is a test, 2 drug test, for November 21st, 2016; correct? 3 A Correct. 4 Q Okay. And it's showing -- what drugs is 5 it showing Mr. Depp was positive for? 6 A It shows cocaine, benzodiazepine, 7 cannabinoids and amphetamines. 8 Q Okay. And again, you did take -- the drug 9 tests were taken of Mr. Depp in 2014 and 2015; 10 correct? 11 A Correct. 12 Q Now, you had mentioned before -- and the 13 notes said that the plan was for Mr. Depp to detox 14 on his island in the Bahamas; is that right? 15 A Correct. 16 Q Okay. And were you going to be going to 17 the island at any point? Were you planning to? 18 A Yes. 19 Q Was it going to be throughout Mr. Depp's 20 entire detoxification? Or -- or when were you 21 planning on being at the island? 22 A I was planning to see him, and did see</p>	<p>61</p> <p>1 Q All right. Now, on 8/8/14 it says, 2 "Arrived on island today. Plan is for patient to 3 continue to take routine meds through tomorrow at 4 HS. At that time he will not take -- take his 5 oxycodone and detox medications will be 6 initiated." Do you see that? 7 A Yes. 8 Q Okay. Is that you arriving at the island 9 or -- or Ms. Lloyd arriving at the island? 10 A That's Ms. Lloyd. 11 Q Okay. So that -- so that 8/8/14 note is 12 her note; correct? 13 A Correct. 14 Q Okay. So some notes are hers and some of 15 these notes are yours? 16 A These notes going forward are her notes -- 17 appear to be her notes. 18 Q Okay. What type of -- what type of system 19 were you putting these notes into? 20 A I don't understand your question. 21 Q The notes just appear to be continuous and 22 you said some are your notes, some are her notes,</p>
<p>62</p> <p>1 him, towards the beginning as we initiated 2 treatment and towards the end when we were 3 transitioning from that treatment into the next 4 phase of his treatment. 5 Q And -- and on Exhibit 5, Kipper 69, 6 there's a note of 7/31 to 8/4/14 which says, "RN 7 and MD will meet with patient on 8/4/14 to discuss 8 detox plan for the island"; do you see that? 9 A Yes. 10 Q Okay. So were you -- did you meet with 11 Mr. Depp before he went to the island to discuss 12 the detox plan? 13 A Yes. 14 Q And that's what the next note shows at 15 8/4/14, "RN and MD met with patient in his home." 16 Do you see that? 17 A I'm seeing -- yes. I'm -- I'm sorry, I'm 18 reading this as we're speaking. 19 Q You and Ms. Lloyd met with Mr. Depp on 20 August 4th, 2014, in his home to talk about the 21 detox? 22 A Yes.</p>	<p>63</p> <p>1 and I'm trying to understand how they got put 2 together? 3 A Because I put all of these treatment notes 4 together to be in one place. 5 Q All right. Would Ms. Lloyd type these 6 notes or were they handwritten? 7 A She would type these notes. 8 Q Okay. And then -- and then who would put 9 them -- who put them all together? 10 A I did. 11 Q Okay. You see 8/9/14, "Patient expressed 12 fears of never feeling normal without his drugs"? 13 MS. MEYERS: Objection. Document speaks 14 for itself. 15 Q Do you see that? 16 A I see that. 17 Q Was that -- did Mr. Depp ever express that 18 to you? 19 MS. MEYERS: Objection; calls for hearsay. 20 MR. HARWELL: You may answer, Doctor. 21 A Yes, in some form he -- he discussed that 22 with me.</p>

65	67
<p>1 Q Hold on one second. Sorry. Do you see at 2 Kipper 7 -- Kipper 71 where it says MD's flight 3 has been canceled. Arrangements are being made 4 for him to arrive on the island on 8/12/14? 5 A Yes, I see that. 6 Q Okay. So is it -- is it accurate that you 7 arrived at Mr. Depp's island on August 12, 2014? 8 Is that accurate? 9 A Yes, that is correct. 10 Q Okay. Do you see the note on 8/15/2014, 11 "Texts from fiancée that patient is quote 12 'paranoid' and trying to fight with fiancée. 13 States he is quote 'angry' and quote 'freaking 14 out'?" 15 MS. MEYERS: Objection; hearsay. 16 Q "RN and MD went to assess patient." Do 17 you see that? 18 A I do. 19 Q Is this note yours or -- or Ms. Lloyd's? 20 A It's Ms. Lloyd. 21 Q Okay. And do you recall -- do you recall 22 Ms. Heard informing either you or Ms. Lloyd that</p>	<p>1 15:45, "Patient's fiancée came to get MD and RN 2 stating that patient was erratic and paranoid." 3 Do you see that? 4 A Yes. 5 Q And was this -- and again, was this your 6 notes or Ms. Lloyd's notes? 7 A Ms. Lloyd. 8 Q Okay. And did -- do you recall anything 9 else that Ms. Heard said about Mr. Depp beyond 10 being erratic and paranoid? 11 MS. MEYERS: Objection; calls for hearsay. 12 A I can't remember. 13 Q Do you recall Mr. Depp having any -- being 14 erratic when he was on the island? 15 MR. HARWELL: I'm going to object as it 16 calls for an expert opinion. 17 MR. NADLEHAFT: I'm not asking as a doctor 18 just as a person who was on the island with 19 Mr. Depp. 20 Q Was he erratic? 21 A My opinion would come as a doctor, not as 22 a nondoctor, because I am a doctor. So there were</p>
66	68
<p>1 Mr. Depp was paranoid and trying to fight with 2 her? 3 MS. MEYERS: Objection; calls for hearsay. 4 Q You can answer. 5 A I can't recall that specific conversation. 6 But if it's in these notes I would assume that 7 it's an accurate statement. 8 Q And you and -- and you -- and you and 9 Ms. Lloyd went to assess Mr. Depp based on the 10 texts from Ms. Heard; correct? 11 MS. MEYERS: Objection; assumes facts not 12 in evidence. 13 Q Did you go to assess Mr. Depp on 14 August 15th, 2014, according to these notes? 15 A That's correct. 16 Q All right. And by the way, fiancée is 17 Ms. Heard in these notes; correct? 18 A Yes. 19 Q And patient -- and patient is Mr. Depp; 20 correct? 21 A Correct. 22 Q And you see the note for August 17th at</p>	<p>1 certainly times during the course of the treatment 2 which -- which he demonstrated discomfort with his 3 treatment. 4 Q When you say discomfort what do you mean 5 with that? 6 A He was frustrated, and per the notes and 7 my memory, he was anxious to get this over with 8 and had expressed some frustration and discomfort 9 when -- when he wasn't feeling well. 10 Q Okay. And if we scroll down to 8/18/14, 11 is this at 1:00 in the morning? 12 A Yes. 13 Q Okay. And this is at Kipper 77 on -- on 14 Kipper 5, "Patient is upset and irritable. M.D. 15 and R.N. went to assess patient." Is that 16 accurate that you came to see Mr. Depp at 1:00 in 17 the morning? 18 A Yes. 19 Q And after receiving a text from Ms. Heard? 20 A Correct. 21 Q And Mr. Depp -- the note says he states -- 22 he being Mr. Depp, states, "He had a fight with</p>

<p>69</p> <p>1 fiancée and is questioning whether or not he can 2 emotionally and -- physically handle detox." Do 3 you recall this conversation? 4 MS. MEYERS: Objection; calls for hearsay. 5 A I can't remember that conversation, but I 6 do know that he was struggling at that point. 7 Q And how was he struggling? 8 A Again, he was frustrated, he was 9 uncomfortable physically. 10 Q Okay. And Alex, can you put up Kipper 11 eight, please? 12 (KIPPER Deposition Exhibit 8 marked for 13 identification and attached to the transcript.) 14 Q Dr. Kipper, this is an email -- well, do 15 you recognize this document? 16 A I do. 17 Q And what is -- what is Kipper 8? 18 A This is an email that I sent to his 19 sister, Christi. 20 Q Christi Dembrowski is Mr. Depp's sister? 21 A Correct. 22 Q Okay. And you sent this email to</p>	<p>71</p> <p>1 you write this email to Ms. Dembrowski? 2 A We were planning to transition back to Los 3 Angeles. We had completed the initial phase of 4 his detoxification, and I wanted to update her as 5 to my impressions on how he was doing and how we 6 would proceed going forward. 7 Q Okay. And you informed Ms. Dembrowski 8 that around midnight on August 18th -- or August 9 17th Amber called asking us around midnight, 10 asking can we come over to the house. They 11 evidently had a fight. She claims he pushed her 12 and she asked him to leave the house. Do you 13 recall that Ms. Heard told you that? 14 MS. MEYERS: Objection; calls for hearsay. 15 A Is this in my note? Because, again, I'm 16 happy -- if you'll give me a minute to read this 17 email. If this is included in the email, I'm 18 asking you -- 19 Q This is an email you wrote to 20 Ms. Dembrowski. 21 A Is that statement included in the email? 22 I need to review the email to answer your</p>
<p>70</p> <p>1 Ms. Dembrowski on August 18th at 7:54 a.m.; 2 correct? 3 A Correct. 4 MS. MEYERS: Objection; vague. 5 Q And is this -- this email was shortly 6 after you had met with Mr. Depp in the note we 7 just discussed; correct? 8 MR. HARWELL: Mr. Nadlehaft, I'll -- I'll 9 point that it's 7:54 Pacific Daylight Time, so I 10 don't know what time it was in the -- in the 11 Bahamas at the time, but it was not 7:54. 12 Q Well, 7:54 Pacific, so it was sometime in 13 the morning in the Bahamas; correct? 14 A I guess, I -- I don't have that calculator 15 in front of me. 16 Q Right. It's either three or four hours 17 ahead, so either it's 10:54, maybe it's 11:54 in 18 the morning; correct? 19 MS. MEYERS: Objection; form. 20 A Correct. I guess that's right. I assume 21 that's right. 22 Q Okay. And you wrote this -- and why did</p>	<p>72</p> <p>1 question. 2 Q Sure. You can review this email. That's 3 fine. 4 A Thank you. And I have a copy -- 5 Q Okay. 6 A -- so if you allow me a minute. 7 Q Have you read that email, Dr. Kipper? 8 A Forgive me, I'm in the process of reading 9 this email. It's a long email. Almost done. 10 Q Okay. 11 A Thank you for indulging me. I've now read 12 the email. 13 Q Okay. You wrote this email to 14 Ms. Dembrowski; correct? 15 A Correct. 16 Q And you wrote, "Amber called us around 17 midnight asking that we come over to their house. 18 They evidently had a fight. She claims he pushed 19 her and she asked him to leave the house." You 20 wrote that; correct? 21 A Correct. 22 Q And Ms. Heard told you that; correct?</p>

<p>1 MS. MEYERS: Objection; calls for hearsay. 2 Q You can answer. 3 A She did – she did tell us that, yes. 4 Q And did Ms. Heard reaching out to you 5 cause you to visit Mr. Depp? 6 A Yes. 7 Q And in the second paragraph on Kipper 8 it 8 says, "It's difficult for me to read too much into 9 the conversation that followed. He's 10 uncomfortable, is pessimistic that he'll ever be 11 able to stop doing drugs, actually romanticizes 12 the entire drug culture, and has no accountability 13 for his behaviors." Was that accurate when you 14 wrote it? 15 A Yes. 16 MS. MEYERS: Objection. 17 MR. HARWELL: I'm going to object as to 18 whether that calls for an expert opinion. I think 19 that you can have some read -- read the language 20 into the record, but not ask him the basis for his 21 conclusion. 22 MR. NADLEHAFT: I just asked if it's</p>	<p>73</p>	<p>1 of patience. He is driven also reflexively by his 2 ID. He has no patience for not getting his needs 3 met, has no understanding of delayed 4 gratification, and is quite childlike in his 5 reactions when he does not get immediate 6 satisfaction." Is that accurate what you wrote? 7 MS. MEYERS: Objection; form; document 8 speaks for itself. 9 Q You can answer. 10 A That is what I wrote. 11 Q And you wrote this to Ms. Dembrowski 12 because you were concerned about Mr. Depp; is that 13 correct? 14 A I wrote this so that she was aware of 15 where we were in the process of his treatment. 16 Q And you wrote this after he had an 17 incident with Ms. Heard; correct? 18 MS. MEYERS: Objection; assumes facts not 19 in evidence. 20 A I did not witness the incident. I wrote 21 this after we were called to see him because there 22 was an alleged incident, but he clearly was</p>	<p>75</p>
<p>1 accurate. I didn't ask the basis. 2 MR. HARWELL: Is the writing accurate, 3 Dr. Kipper? 4 A Yes. That's what I said. That is what I 5 wrote. 6 Q And in the second page you write, "He has 7 fundamental issues with anger, and when he gets 8 mad at her, meaning Amber, for her bad behavior, 9 he has tremendous ambivalence and guilt about 10 these feelings even being valid." Is that 11 accurate -- is it accurate that you wrote that? 12 A Yes, it's accurate that I wrote that. 13 Q You also wrote, "I also think that his 14 need to be liked trumps his ability to actually 15 reach out to these guys with the vulnerability 16 that would ultimately give him the support he 17 needs from the community he respects." Is that 18 accurate that you wrote that? 19 A Yes. 20 MS. MEYERS: Objection; form; document 21 speaks for itself. 22 Q And you also write, "There's also an issue</p>	<p>74</p>	<p>1 uncomfortable at that time when we came to see 2 him. And, again, we were getting ready to 3 transition off of the island and I wanted Christi 4 to have a clear understanding of where we were at 5 that time. 6 Q Okay. And you wrote on page -- from the 7 bottom of page 2 to page 3, "For my two cents, I 8 think he needs to remain committed, endure some 9 discomfort. He's actually ever had very little. 10 Get neurochemically stable, seek an ongoing 11 therapeutic relationship with a doctor I know that 12 could help him, and get him into the recovery 13 community on whatever level he would accept. 14 Short of this, his chances remain slim. He is 15 discouraged and angry, but this is not unusual at 16 this phase of treatment." 17 Is that accurate what you wrote then? 18 A That is what I wrote, yes. 19 Q Okay. Do you need to take a break? 20 A I'm okay. 21 Q Okay. Fair enough. 22 A Pretty soon all this tea I'm drinking is</p>	<p>76</p>

77

1 going to change that opinion.
2 Q I understand. You let me know. You see
3 at 23 -- at Kipper 79 at 2315, it says, "R.N.
4 received text from fiance stating, 'he's manic,
5 full-on flipping out. Give up. Not to call you
6 guys.'" Do you see that?
7 **A Yes, I see that.**
8 Q Okay. That's a note from Ms. Lloyd?
9 **A Correct.**
10 Q And Ms. Lloyd would only have written down
11 this note if she actually received that -- a text
12 like that from Ms. Heard; correct?
13 **A Yes, that's correct.**
14 Q Were you informed at this time that
15 Mr. Depp was manic, full-on flipping out?
16 **A Yes, I was -- I certainly read her note,
17 and she relayed that information to me.**
18 Q Okay. And Ms. Lloyd also received a text
19 from Ms. Heard saying, "We need help. He's at the
20 border, refusing to take his meds. Fiancee
21 informed nurse would come right over." Do you see
22 that at 8:20?

78

1 A Yes.
2 MS. MEYERS: Objection; calls for hearsay.
3 Q And then at 12:30 you and Ms. Lloyd met
4 with Mr. Depp?
5 **A Yes, according to these notes, yes.**
6 Q Okay. And do you know, was this now in
7 the Bahamas or was this back in Los Angeles?
8 **A I need to go back to the date, not the
9 time. Can you scroll up? Thank you.**
10 Q 8/20/14.
11 **A And I'm just looking at my calendar. Yes,
12 we were now back in Los Angeles.**
13 Q And in the notes on 12:30 on August 20th,
14 "Mr. Depp stated he was done with the process and
15 no longer wanted M.D. and R.N. services." Do you
16 see that?
17 **A Yes.**
18 Q Do you recall Mr. Depp telling you that?
19 **A Yes.**
20 MS. MEYERS: Objection; calls for hearsay.
21 Q And do you recall Mr. Depp saying there
22 was tension between him and Ms. Heard?

79

1 MS. MEYERS: Objection; calls for hearsay.
2 **A Yes.**
3 Q And it was -- you thought it was best for
4 Ms. Heard to take a few days for herself; correct?
5 MR. HARWELL: Objection; calls for expert
6 opinion.
7 Q Was the plan for Ms. Heard to take a few
8 days for herself?
9 **A Yes.**
10 Q And Mr. Depp wanted -- is it true Mr. Depp
11 wanted to stop taking all the medications you were
12 providing him?
13 **A Yes, that's reflected in this note.**
14 Q Now, you mentioned you had -- you did text
15 with Mr. Depp on occasion; correct?
16 **A I believe so, but I really can't remember
17 any specific time or message that I sent to him.**
18 MR. NADLEHAFT: Okay. Alex, can you put
19 up Exhibit 9, please, Kipper Exhibit 9.
20 (KIPPER Deposition Exhibit 9 marked for
21 identification and attached to the transcript.)
22 Q Dr. Kipper, Mr. Depp has produced a number

80

1 of texts in this litigation between you and him.
2 And they're in this chart here. We're not going
3 to go through all of them, I promise you. But I
4 want to ask you about a few of them. And we'll do
5 this throughout the deposition. And on 8/21/2014
6 it says Dr. David Kipper, this 310 phone number,
7 was that your phone number at the time?
8 **A Yes.**
9 Q Okay. And this was a text from you that
10 says -- to Mr. Depp that says, "Glad you're better
11 today. Respect you as much as I love you. You're
12 impossible not to love, but an easier job not to
13 respect. You're making my job a pleasure, an
14 honor, and a few sleepless nights. Stop firing
15 me, I know what I'm doing." Do you recall sending
16 that text to Mr. Depp?
17 **A Yes.**
18 Q Okay. Now, you had been working with
19 Mr. Depp for how long at this point as of
20 August 21st, 2014, approximately?
21 **A We had started -- the detox started I
22 believe on the 10th of August, and this is -- I'm**

81

1 **having a little trouble – can this be enlarged a**
2 **little bit?**
3 Q Sure. That might be too much.
4 A **Yeah, that's a little – so this was**
5 **written on – I'm looking for the date, there it**
6 **is, 8/19 –**
7 Q No, it's 8/21, the bottom one.
8 A **Yes, I'm sorry. I forgot your question**
9 **already.**
10 Q How long had you been working with
11 Mr. Depp at this point as of August 21st, 2014?
12 A **And can you define by working with him?**
13 **Are you talking about specifically the detox or**
14 **are you talking about our initial meeting?**
15 Q Even if you go with the initial meeting,
16 how many months has that been?
17 A **So about four months.**
18 Q Okay. And you write, "Stop firing me."
19 In that four months, how many times had Mr. Depp
20 tried to fire you?
21 A **That was – I believe that was the first**
22 **time. And again, this was in reference to him not**

82

1 **wanting to proceed and not wanting our help. This**
2 **is actually – I'm sorry this was the second time,**
3 **because the first time was on the island just as**
4 **we were getting ready to leave. He did not want**
5 **to proceed, he didn't think he could do it. That**
6 **changed after a conversation, he was back on**
7 **board. And this came from – I think followed**
8 **that incident that you – we just referred to in**
9 **the notes when we were asked to come and visit**
10 **with them and – where he didn't want to proceed**
11 **and then again at the end of that visit he was**
12 **back on board.**
13 Q Okay. Now, on August 24th, 2014, its
14 shows a text -- when it shows him, that's Mr. Depp
15 to you, David Kipper, and Mr. Depp wrote, "Forgot
16 to tell you, had a hopefully very positive and
17 free of ego squawk with Amber last night that went
18 very well... And then I shot a few Negroes in a
19 club on Sunset Boulevard. So far so good..."
20 Do you recall this text from Mr. Depp?
21 A **No.**
22 Q Was that Mr. Depp's typical language?

83

1 A **Again, I don't recall this specific email.**
2 **So that may be – that may have been an attempt at**
3 **humor.**
4 Q Were you concerned at all that he was
5 having any -- Mr. Depp was having any
6 hallucinations?
7 A **No.**
8 Q Okay. Were you ever concerned that
9 Mr. Depp was having hallucinations?
10 MR. HARWELL: Objection; calls for an
11 expert testimony.
12 Q Were you ever told that Mr. Depp was
13 having hallucinations?
14 MS. MEYERS: Objection; calls for hearsay.
15 Q You can answer that.
16 A **I can't remember hearing that.**
17 Q From anybody at any time?
18 A **Correct.**
19 Q Alex, can you put up Kipper 10.
20 (KIPPER Deposition Exhibit 10 marked for
21 identification and attached to the transcript.)
22 Q Dr. Kipper, Kipper 10 is an -- do you

84

1 recognize this document?
2 A **No, but I'm looking at it.**
3 Q Let me ask you this, do you recall if
4 Arrowsarc@icloud.com was Ms. Heard's email
5 address?
6 A **I assume that by looking at this document.**
7 Q Do you recall Ms. Heard emailing you
8 saying that she got into an argument when Johnny
9 didn't come home the night before or that night?
10 MS. MEYERS: Objection; hearsay.
11 Q You can answer.
12 A **Until I saw this, I don't recall that**
13 **specifically, but I can see by this document that**
14 **that did happen.**
15 Q Is it true that Ms. Heard informed you
16 then and at other times that Mr. Depp explodes?
17 MS. MEYERS: Objection; calls for evidence
18 not in the record; hearsay.
19 Q You can answer.
20 A **Yes.**
21 Q Okay. Exhibit 5, Kipper 101 at 9/22/14 at
22 1:25. You see it says, "R.N. received text from

85
1 patient stating that he had been in an argument
2 with fiancée and she had 'a nasty freak out' and
3 would like nurse to give him some 'fucking knock
4 out yum yum.' R.N. instructed patient to take prn
5 Neurontin 300 mg prn and Seroquel 50 mg, and that
6 R.N. was on her way." Do you see that?
7 **A Yes.**
8 Q Okay. And this is a note from Ms. Lloyd?
9 **A Correct.**
10 Q Okay. Now, this -- some other entries are
11 highlighted, this is how it was produced to us.
12 Do you know who did the highlighting?
13 **A No.**
14 Q Okay.
15 MR. HARWELL: By the way, Mr. Nadlehaft,
16 that's the way we found them.
17 MR. NADLEHAFT: Okay.
18 Q Do you know if you did the highlighting,
19 Dr. Kipper?
20 MR. HARWELL: Sir, I was trying to suggest
21 to you that we found them that way, so I did not
22 do the highlighting, and Dr. Kipper already told

86
1 you he has no idea where it came from.
2 MR. NADLEHAFT: I understood that you
3 didn't highlight it, Counsel.
4 Q So, Dr. Kipper, you don't recall -- this
5 doesn't refresh your recollection whether you
6 highlighted the document; correct?
7 **A No, I don't remember that I did, and I**
8 **don't remember why I would have.**
9 Q Okay. And then it says at 3:30, "Upon
10 arriving at the home, patient was sitting in
11 kitchen with scraped and bloody knuckles on R
12 hand," meaning his right hand; correct?
13 **A Correct.**
14 Q "Patient stated he punched white board in
15 kitchen after fight. Patient stated he had been
16 texting his friend explaining why he didn't show
17 up to play music and fiancée got upset he was not
18 giving her enough support and the fight escalated
19 from there. Called the M.D. at 1:45 and
20 instructed to give a stat order of Ambien 10 mg to
21 help patient get to sleep as he has an early
22 workday."

87
1 Do you recall Ms. Lloyd telling you about
2 her visiting Mr. Depp is and him having bloody
3 knuckles and a scraped hand?
4 MS. MEYERS: Objection; calls for hearsay.
5 **A The specifics, I'm reading the note you're**
6 **reading, and yes, I remember there was an**
7 **incident.**
8 Q And an incident where Mr. Depp had scraped
9 and bloody knuckles on his hand?
10 **A As indicated in the note, yes. I did not**
11 **-- I did not see bloody knuckles. I did not see a**
12 **punched door. This was a communication I received**
13 **through the notes from Ms. Lloyd.**
14 Q And do you recall if you had -- it does
15 say you recall; do you recall if you had a
16 conversation with Ms. Lloyd about --
17 **A Yes, I recall having spoken about there**
18 **had been an incident. I don't recall the**
19 **specifics of that conversation.**
20 Q This wasn't the first incident of
21 purported violence between Mr. Depp and Ms. Heard,
22 correct, that --

88
1 MS. MEYERS: Objection; assumes evidence
2 not in the record; vague and ambiguous; calls for
3 hearsay.
4 Q You can answer.
5 **A The word violence to me is -- makes this**
6 **an invalid question. I would say no. I've never**
7 **observed violence between them.**
8 Q Not that you observed it, but this wasn't
9 the first time you had heard of there being
10 violence between Ms. Heard and Mr. Depp; correct?
11 MS. MEYERS: Same objection.
12 **A Can you define violence for me?**
13 Q Scraped and bloody knuckles, someone being
14 pushed, someone being touched without wanting to
15 be.
16 **A No, I can't remember another incident.**
17 Q You don't recall anything -- we saw
18 documents before where Ms. Heard said she was
19 pushed; correct?
20 **A Correct. There have been -- there have**
21 **been reports, as we've discussed, that came from**
22 **Ms. Heard, but I personally have never seen any of**

<p style="text-align: right;">89</p> <p>1 this.</p> <p>2 Q Right. You didn't see it, but you had</p> <p>3 been told that; correct?</p> <p>4 A Yes, we were told that.</p> <p>5 MS. MEYERS: Objection; vague.</p> <p>6 Q And you were told of incidents of being</p> <p>7 pushed or bruises, correct, from Ms. Heard?</p> <p>8 MS. MEYERS: Objection; vague.</p> <p>9 MR. CHEW: Argumentative.</p> <p>10 MR. NADLEHAFT: I think we should have one</p> <p>11 person objecting. You can observe, but she's</p> <p>12 doing a fine job objecting. One person objecting.</p> <p>13 Q Go ahead.</p> <p>14 A I can remember that there were messages</p> <p>15 from Ms. Heard that there was fighting. But</p> <p>16 specifically to bruising and to pushing and to</p> <p>17 those things, I don't have a recollection of those</p> <p>18 specific things.</p> <p>19 Q Did Ms. Boerum ever tell you that she had</p> <p>20 received pictures from Ms. Heard of bruising on</p> <p>21 Ms. Heard?</p> <p>22 MS. MEYERS: Objection; calls for hearsay.</p>	<p style="text-align: right;">91</p> <p>1 Q No problem.</p> <p>2 A Allow me to read this. I do remember this</p> <p>3 entry, yes.</p> <p>4 Q Okay. And you remember being told that</p> <p>5 Mr. Depp kicked in a door of his trailer and</p> <p>6 refused to speak to his director; correct?</p> <p>7 MS. MEYERS: Objection; calls for hearsay.</p> <p>8 Q You can answer.</p> <p>9 A I don't remember the specifics, but I do</p> <p>10 remember there was some disagreement between</p> <p>11 Mr. Depp and the director.</p> <p>12 Q And where it says, "Per M.D., patient is</p> <p>13 to take Xanax, two milligrams, to reduce his</p> <p>14 agitation at that time," is that an increase of</p> <p>15 his Xanax that he was to receive?</p> <p>16 A Yes.</p> <p>17 Q And you see at 10/15 at 6:45 it says,</p> <p>18 "Patient awake and slept from 2200 to 4:30.</p> <p>19 Patient continues to be agitated about work and is</p> <p>20 verbalizing having desires to escape with drugs."</p> <p>21 Do you recall seeing this note?</p> <p>22 A I – yes.</p>
<p style="text-align: right;">90</p> <p>1 A I can't recall.</p> <p>2 Q It could have been happened, you just</p> <p>3 don't recall one way or the other?</p> <p>4 A Correct.</p> <p>5 Q Can we put up -- no, forget that.</p> <p>6 THE VIDEOGRAPHER: Counsel, just to let</p> <p>7 you know, in 10 minutes or so I'm going to need a</p> <p>8 break to start a new media file.</p> <p>9 MR. NADLEHAFT: Okay. Perfect.</p> <p>10 Q Okay. On Kipper 5 at 10 -- the date of</p> <p>11 10/14, show you there, which is on Kipper 110 of</p> <p>12 Kipper 5, and then going down to 1930, it says,</p> <p>13 "Patient finished filming and was extremely</p> <p>14 agitated leaving the set. Patient kicked in the</p> <p>15 door of his trailer and refused to speak to</p> <p>16 director. Patient was verbally aggressive to</p> <p>17 another person on the set for no apparent reason.</p> <p>18 Per M.D., patient is to take Xanax, two</p> <p>19 milligrams, to reduce his agitation at this time."</p> <p>20 Do you recall that, Dr. Kipper?</p> <p>21 A I'm sorry to have disappeared, I dropped a</p> <p>22 paper.</p>	<p style="text-align: right;">92</p> <p>1 Q Okay. And do you recall Ms. Lloyd telling</p> <p>2 you this about Mr. Depp?</p> <p>3 MS. MEYERS: Objection; calls for hearsay.</p> <p>4 A I don't remember if she told me if he</p> <p>5 wanted to use, but I do remember her telling me</p> <p>6 that he was upset.</p> <p>7 Q And that -- and is that reflected in the</p> <p>8 note of 8:45, "M.D. informed patient's state of</p> <p>9 mind and continued agitated. He is on his way to</p> <p>10 assess patient"?</p> <p>11 MS. MEYERS: Objection; vague; form of</p> <p>12 question.</p> <p>13 Q Is this notice at 8:45 accurate?</p> <p>14 A Can you show me that note?</p> <p>15 Q Yeah, it's right under -- it's right here,</p> <p>16 8:45.</p> <p>17 A Okay.</p> <p>18 Q The note's accurate, that, "M.D. informed</p> <p>19 of patient's state of mind and continued agitated.</p> <p>20 He is on his way to assess patient"?</p> <p>21 A Yes.</p> <p>22 Q And then at 12:30 says, "Patient had</p>

<p style="text-align: right;">93</p> <p>1 fallen asleep and is now awake, talking with M.D. 2 It has been decided patient is under too much 3 stress as it would be best for him to stay home 4 and rest today." Do you see that? 5 A Yes. 6 Q Do you recall having a conversation with 7 Mr. Depp about his stress? 8 A Yes, I do. 9 MS. MEYERS: Objection; hearsay. 10 Q Do you recall anything that Mr. Depp told 11 you? 12 MS. MEYERS: Objection; calls for hearsay. 13 Q You can answer. 14 A I remember he was very upset. I don't 15 remember the specifics of that conversation, but I 16 remember he was upset. 17 Q And how was Mr. Depp displaying his -- 18 that he was very upset? 19 A He expressed himself very well, that he 20 and the director had some misunderstanding and 21 that he was upset about it. 22 Q Was Mr. Depp yelling?</p>	<p style="text-align: right;">95</p> <p>1 behavior and excuse herself from any fault during 2 arguments. Patient was upset by this label." And 3 then it later goes down, "Report given to M.D.," I 4 assume meaning you. 5 Do you recall this, where Mr. Depp was 6 upset that Ms. Heard was using the term mania to 7 explain Mr. Depp's behavior? 8 MS. MEYERS: Objection; calls for hearsay. 9 A I don't remember that specific 10 conversation, no. 11 Q Do you recall Mr. Depp ever being upset 12 with Ms. Heard using the term mania to explain 13 Mr. Depp's behavior? 14 MS. MEYERS: Objection; vague and 15 ambiguous. 16 A No, I don't. 17 Q You don't -- you don't doubt the accuracy 18 of this note though, do you? 19 A I can say that the note was written, and I 20 believe it was good reporting. I trusted my 21 nurses, that they would report what they were 22 told.</p>
<p style="text-align: right;">94</p> <p>1 A No. 2 Q Was he doing anything to display his being 3 upset other than his words? 4 A Just his words. 5 Q Okay. And you say Kipper 5, Kipper 113, 6 it shows 10/22, the date. And then if we go down 7 to Kipper 114, it shows 1530, "Patient states he 8 awakened at 1430 and self-administered a.m. meds. 9 He requested an emergency session with 10 psychiatrist to discuss feeling about arguments 11 with fiance and would like some tools to help him 12 deal with his emotions. Appointment made for 13 1900." 14 So do you recall there being -- Mr. Depp 15 and Ms. Heard having an argument where Mr. Depp 16 was calling for an emergency session with his 17 psychiatrist? 18 A No, I can't -- I can't recall that. 19 Q You see at 10/23 at 1520, "Text patient to 20 see if R.N. would stop by and check in. When R.N. 21 arrived in the room, patient was agitated and felt 22 fiance was using the term mania to explain his</p>	<p style="text-align: right;">96</p> <p>1 MR. NADLEHAFT: Okay. Why don't we take a 2 break now so the videographer can change the tape. 3 MS. MEYERS: How much time do we have on 4 the tape right now? 5 THE VIDEOGRAPHER: About an hour and a 6 half. 7 MS. MEYERS: An hour and a half, okay. 8 THE VIDEOGRAPHER: Okay. We're off the 9 record at 2:13. 10 (Off the record from 2:14 p.m. to 11 2:47 p.m.) 12 THE VIDEOGRAPHER: Back on the record at 13 2:47. 14 MR. NADLEHAFT: Welcome back after a short 15 lunch break. Alex, can you put back up Kipper 9, 16 please. And do I have -- thanks. There we go. 17 All right. 18 Q I am going to take you now, Dr. Kipper, to 19 a few more text messages between you and Mr. Depp 20 and ask you a few more questions about those. 21 Okay. So at 11 -- November 14th, 2014, there's a 22 text message from you to Mr. Depp, that says, "As</p>

97

1 you know, I'm scheduled to leave town tomorrow,
2 but it's important that I meet with you in the
3 morning before I leave. I would like to see you
4 at 10:00 a.m. at Sweetzer. I care for you deeply,
5 but I'm very concerned about the course you're on
6 and want you to help you get back to where you
7 have worked so hard to climb. I'll ask Debbie to
8 join us as we share the same concerns and
9 affection for you. You're too incredibly gifted
10 to allow yourself to destroy all you have worked
11 for. This comes from heart which is filled with
12 sadness as I write this text. Let me help you."
13 Do you recall sending this text to
14 Mr. Depp?
15 **A No, I don't recall that specific text. If**
16 **you'll allow me, I'm just looking at my time line**
17 **to see where things were on it. It's 11/14?**
18 Q 2014, yeah. What is it that you're
19 looking at, Dr. Kipper?
20 **A I just have a timeline of my interactions**
21 **with him, so this will orient me as to where we**
22 **were in the treatment.**

98

1 Q Do you know if you produced that timeline?
2 A **No, I just did this last night. And it's**
3 **not – it's not completely filled in. So – all**
4 **right. If you'll allow me to just reread this**
5 **quickly.**
6 Q Sure.
7 A **And your question, I'm very sorry,**
8 **Mr. Nadlehaft.**
9 Q Do you recall sending this text in
10 November 14th, 2014, to Mr. Depp?
11 **A I don't recall the sending it. I see that**
12 **I did, but I don't recall sending it.**
13 Q Do you recall being concerned about
14 Mr. Depp in the November 2014 time frame?
15 MS. MEYERS: Objection; vague.
16 **A I can't remember specifically what my**
17 **concern was, but I will say in general I would**
18 **have written this text if I was concerned about**
19 **his – his wanting to stay on target.**
20 Q Right. Because you write, "I'm very
21 concerned about the course you're on." Do you
22 recall in that time frame if there was -- what the

99

1 reason was for you being concerned about the
2 course that Mr. Depp was on?
3 **A No, I can't. I can speculate, but I can't**
4 **be 100 percent sure.**
5 Q Well, what do you think it was?
6 **A The –**
7 MS. MEYERS: Objection; calls for hearsay.
8 **A The only concerns that I had during –**
9 **remember now, this is relatively early in his**
10 **treatment. I know we started –**
11 MR. HARWELL: Doctor, I don't want you to
12 offer any expert opinions. If you have
13 recollection of communications with Mr. Depp,
14 you're more than pleased to answer them. But your
15 thought process as a physician and -- with respect
16 to your patient is expert opinion.
17 **A So as I said, I may have been concerned**
18 **about his staying on course.**
19 Q Do you know if Mr. Depp had failed any
20 drug tests at that time?
21 **A I can't specifically answer that question,**
22 **but I know that there were times when his drug**

100

1 **tests came up positive.**
2 Q And --
3 **A Not for the opiates.**
4 Q Not for the opiates, is that what you
5 said?
6 **A Correct.**
7 Q Positive for cocaine, for instance?
8 **A Yes.**
9 Q Now, you had testified before that if he
10 had tested positive for drugs like cocaine he
11 wouldn't be under your supervision anymore. So
12 that turned out to not be true; correct?
13 MS. MEYERS: Objection; assumes facts not
14 in evidence.
15 **A To get into that answer would require me**
16 **to tell you what the process is of somebody going**
17 **through drug addiction and rehabilitation, which**
18 **would require some expert opinion. So I will**
19 **simply say that at those specific times they were**
20 **signals to me to rope in compliance.**
21 Q And you texted him again on -- again on
22 November 15th that said, "I need to call you when

101

1 you're able to know how you are, good or bad.
2 This is when we need to connect, and without
3 judgment, but I'm very concerned about you and
4 want to right the ship." So same concerns as you
5 had in the text message before; correct?
6 **A Correct.**
7 Q And -- and then on November 16th you
8 write, "I need to hear from you. Please call me."
9 So you were still concerned about Mr. Depp in this
10 November 16th, 2014, time frame; correct?
11 MS. MEYERS: Objection; vague.
12 **A Yes. Evidently, yes.**
13 Q Now, on November 17th, 2014 -- in 2014,
14 Mr. Depp texted you and said, "I have been to see
15 Amber downtown. Yeah, yeah, interesting to say
16 the least. Wow. Anyway, I'm still away and don't
17 foresee slumber anytime soon to this broken
18 instrument of a squash situated atop my shoulders.
19 I would love to speak whenever you get a minute,
20 Dear David, though honestly if I were you, Debbie,
21 and/or Erin I would RUN for the fucking hills!!!
22 I love you, Doctor... Cannot thank you enough for

102

1 all you've done. Not only for me and my poor pack
2 of wolves and my sweet, fucking brave Mikey...
3 these are the things that remind us that life
4 should be a fucking gas. I'm waste deep in big
5 muddy here... Hit me when you're drunk... It'll
6 be far less boring. Love you long time,
7 brother... And of course, the beautiful and
8 luminous Chanelle... And by now 8'6" Sam! Mucho,
9 mucho... From those of us who are not as others.
10 X. JD."
11 You recall do you recall this text from
12 Mr. Depp?
13 **A No, I don't. But clearly I see that I**
14 **received that text.**
15 Q Do you -- okay. Do you recall in this
16 November -- when -- have you seen texts like this
17 from Mr. Depp to you?
18 MS. MEYERS: Objection; vague and
19 ambiguous.
20 Q Let me ask you this way, when you would
21 receive texts from Mr. Depp, could you tell
22 whether he was intoxicated or not?

103

1 MS. MEYERS: Objection; calls for
2 speculation; lacks foundation; vague and
3 ambiguous.
4 MR. HARWELL: And expert testimony.
5 **A No. The answer would be no.**
6 Q Do you know what he means by, "Fucking
7 brave Mikey"?
8 **A He had a friend that had a serious health**
9 **issue, and this may have been the one that died.**
10 **But this was in reference to one of his friends.**
11 Q Do you recall if after Mr. Depp had one of
12 his friends die, if he had a relapse into drugs or
13 alcohol?
14 MS. MEYERS: Objection; vague.
15 Q Around this 2014 time frame?
16 MR. HARWELL: And I'm going to object as
17 to calling for expert testimony. If you wish to
18 point him to a piece of paper and have him read it
19 to you, we're welcome to, otherwise you're asking
20 for expert testimony.
21 Q Do you recall if Mr. Depp was taking drugs
22 or alcohol in this November 2014 time frame after

104

1 he lost a friend?
2 **A No, I can't say. I can't remember.**
3 MR. NADLEHAFT: Okay. Okay. Alex, can
4 you put up Kipper 13, please.
5 (KIPPER Deposition Exhibit 13 marked for
6 identification and attached to the transcript.)
7 Q Do you recognize, Dr. Kipper, this email
8 chain between you and Connell Cowan?
9 **A I can't -- I don't remember it, but I'm**
10 **refreshing myself with what you're showing me.**
11 Q Okay. Who is Connell Cowan?
12 **A He's a psychologist that I had referred**
13 **Amber to see.**
14 Q Okay. And on January 27th, 2015, at 6:11
15 p.m. you wrote to Mr. Cowan -- Dr. Cowan,
16 "Connell, sorry for getting back to you late. I'm
17 swamped. Amber and JD have been fighting nonstop
18 since he confirmed his need for a prenu on their
19 way to the airport going to Japan to promote his
20 movie. She tried to push up the date of the
21 wedding to avoid all this, but the reality is
22 he'll need prenu. If she fails to sign, they

<p style="text-align: right;">105</p> <p>1 won't get married. Both behaved like super triple 2 DD types, complete with thrown coffee, attempts to 3 storm the cockpit by him to turn the plane around, 4 attempts by her to leave the plane while they were 5 over the fucking ocean, etcetera." 6 Do you recall writing that to Dr. Cowan? 7 A No, I don't recall writing that, but 8 clearly I did. 9 Q Were you -- do you recall being in the 10 plane with Mr. Depp and Ms. Heard where he tried 11 to storm the cockpit? 12 MS. MEYERS: Objection; assumes facts not 13 in evidence; calls for speculation. 14 Q You can answer. 15 A Never, no. 16 Q Okay. But you were somehow informed that 17 Mr. Depp tried to storm the cockpit; correct? 18 A Yes. 19 Q And there was thrown coffee; correct? 20 MS. MEYERS: Objection; calls for hearsay; 21 calls for speculation; assumes facts not in 22 evidence.</p>	<p style="text-align: right;">107</p> <p>1 violence? Were you asking a guy on the street it 2 might not be, but it would be the opinion of 3 someone who would be uninformed. You're asking 4 their physician whether he was concerned about 5 violence, and that in California requires expert 6 testimony. 7 Q Is there any -- Dr. Kipper, are there any 8 ethical rules to report -- report the violence if 9 you were to be told of violence? 10 A If I were to see the violence I would be 11 obligated to -- I would be obligated to make some 12 reporting. I never saw any violence. 13 Q And you didn't report either Mr. Depp or 14 Ms. Heard; correct? Because you didn't see -- 15 your testimony is you didn't see any violence 16 between -- from Mr. Depp to Ms. Heard or Ms. Heard 17 to Mr. Depp; correct? 18 A We never saw violence between the two of 19 them. 20 Q Okay. You heard reports but never saw -- 21 you never saw it is your testimony? 22 A Correct.</p>
<p style="text-align: right;">106</p> <p>1 A Again, I don't recall who gave me this 2 information that I translated to Dr. Cowan. 3 Q And you were concerned about the 4 information enough to share it with Dr. Cowan; 5 correct? 6 MS. MEYERS: Objection; vague and 7 ambiguous. 8 A Yes, I was concerned because I was -- I 9 was trying to arrange for therapy for these two. 10 Q Okay. And Ms. Heard was your patient as 11 well as Mr. Depp at this time; correct? 12 A At this time, yes. 13 Q Were you concerned about any sort of 14 violence towards Ms. Heard at this time? 15 MS. MEYERS: Objection; vague and 16 ambiguous as to violence; assumes facts not in 17 evidence. 18 MR. HARWELL: And I'm afraid you're 19 calling for an expert opinion. 20 MR. NADLEHAFT: The concern about violence 21 you're saying is an expert opinion? 22 MR. HARWELL: Were you concerned about</p>	<p style="text-align: right;">108</p> <p>1 Q Okay. And there isn't -- is there -- and 2 getting -- there's no ethical obligation to report 3 violence if you were told about purported 4 violence? 5 MR. HARWELL: If you know the answer to 6 that question, Doctor. 7 A I don't -- I know that -- if I know that a 8 patient of mine has committed a murder or has 9 committed a criminal act, murder, specifically, 10 then I am required to report that. 11 Q But if it's not a murder, if someone is -- 12 if a client is reporting being beaten by their 13 husband, you don't have to report that under the 14 ethical code? 15 A If it's reported to me, no. If I observe 16 this and know this to be a fact, then yes. 17 Q And that's based on your -- and that's 18 based on -- and you have that -- you gave the 19 statement based on what you recall of the ethical 20 code for doctors in California; is that correct? 21 A Yes, that's correct. 22 MR. NADLEHAFT: Okay. Can you put up</p>

109

1 Kipper 14, please.
2 (KIPPER Deposition Exhibit 14 marked for
3 identification and attached to the transcript.)
4 Q All right. Dr. Kipper, do you recognize
5 Kipper 14, which it looks like is an email between
6 you and Alan Blaustein?
7 **A Yes, I recognize this.**
8 Q Okay. And who is Alan Blaustein?
9 **A Alan Blaustein is the psychiatrist that I**
10 **referred Mr. Depp to.**
11 Q Okay. And if you look on Kipper 16, on
12 March 1st, 2015, you wrote in the second paragraph
13 to Dr. Blaustein, "J is in some trouble, and I've
14 been in touch with the camp in Australia and his
15 sister at home. Debbie is worried and somewhat
16 exhausted and he's doing what he wants since his
17 friend, Marilyn Manson, is there visiting."
18 Do you recall writing this to
19 Dr. Blaustein?
20 **A Yes.**
21 Q Do you recall what you understood Mr. Depp
22 was doing with Marilyn Manson?

110

1 MS. MEYERS: Objection; calls for
2 speculation.
3 **A I don't recall specifically, except I know**
4 **that he was not compliant with his professional**
5 **obligations and he was essentially just**
6 **noncompliant with his treatment at that point.**
7 Q So Mr. Depp as of March 1st, 2015, was not
8 compliant with your treatment of him; is that
9 correct?
10 **A Correct.**
11 MS. MEYERS: Objection; vague and
12 ambiguous.
13 Q And Mr. Depp was also not being compliant
14 as you understood with his professional
15 obligations?
16 **A That was my --**
17 MS. MEYERS: Vague and ambiguous.
18 **A That was my understanding based on the**
19 **note from Ms. Lloyd.**
20 Q And what did you understand were
21 Mr. Depp's professional obligations that he was
22 not compliant with?

111

1 **A I was under the impression that he was**
2 **working on a film.**
3 Q And was Mr. Depp not -- not going to
4 shooting of the film at the time?
5 MS. MEYERS: Objection; assumes evidence
6 -- facts not in evidence.
7 **A I don't remember specifics.**
8 Q But he was not compliant with the shooting
9 of the film at the time is what you understood?
10 **A That's what I understood.**
11 Q Okay. And when you wrote this email as of
12 March 1st, 2015, was it your understanding that
13 Mr. Depp was in Australia at the time?
14 **A Yes.**
15 Q And Marilyn Manson had been at some point
16 with Mr. Depp in Australia?
17 **A According to my -- what I was told, yes.**
18 Q And you'd also said that Mr. Depp had not
19 been compliant with the program he was working
20 with you. How was Mr. Depp not being compliant?
21 **A My understanding at the time is that he**
22 **was not checking in as he should have been.**

112

1 Q Do you know if Mr. Depp was drinking
2 alcohol or taking any drugs that he should not
3 have been taking as part of his plan with you?
4 MS. MEYERS: Objection; vague and
5 ambiguous; assumes facts not in evidence; lack of
6 foundation.
7 **A I can't recall. I can't recall those**
8 **specifics.**
9 Q Okay. At some point you flew to
10 Australia, is that correct, in this March 2015
11 time frame?
12 **A Yes.**
13 Q Was that the -- were you always planning
14 to fly to Australia to visit with Mr. Depp in
15 March of 2015?
16 **A No. I hadn't planned on it.**
17 Q What made you fly to Australia?
18 **A He had wanted to see me. He had just**
19 **wanted to check in. He wanted -- he wanted my**
20 **company at that point.**
21 Q He being Johnny Depp?
22 **A Yes.**

<p style="text-align: right;">113</p> <p>1 Q Do you know when you arrived in Australia? 2 A No, I don't. I can't recall. 3 Q Okay. Going to Kipper 5, and we're going 4 to be turning to Kipper 157. So this is going to 5 take me a minute to scroll here. 6 So were you also communicating with 7 Mr. Depp's sister throughout Mr. Depp's treatment? 8 MS. MEYERS: Objection; vague and 9 ambiguous as to time. 10 A Rarely. But yes, but rarely. 11 Q Were you communicating with Mr. Depp's 12 sister in the March 2015 time frame? 13 A I can't recall a specific communication 14 with her. 15 Q Do you know where Mr. Depp's sister was -- 16 well, strike that. 17 Was Mr. Depp's sister in Australia in 18 March of 2015? 19 A I don't know. 20 Q Okay. Ms. Lloyd had gone with Mr. Depp to 21 Australia? 22 A Yes.</p>	<p style="text-align: right;">115</p> <p>1 finger. According to patient, his assistant and 2 security were on their way to pick him up," do you 3 see that? 4 A Yes. 5 Q And whose note is this? 6 A That would be from Ms. Lloyd. 7 Q Okay. And is this note accurate? 8 MS. MEYERS: Objection; calls for 9 speculation. 10 Q You can answer. 11 A Yes, it's accurate. 12 Q Okay. Now, going back to Kipper 9 -- give 13 me a moment -- at Kipper 7 -- at Depp 7790 it 14 shows a text from Mr. Depp to you on 15 March 7th, 2015, at 5:00 p.m. and it says, "Hi. 16 Fuck, man. Had another one. I cannot live like 17 this. She's as full of shit as a Christmas goose. 18 I'm done. NO MORE!!! The constant insults, the 19 demeaning, belittling, most heartbreaking smew 20 that is only released from a malicious, evil, and 21 vindictive cunt!!!!!! But you know what?? Far 22 more hurtful than her venomous and degrading</p>
<p style="text-align: right;">114</p> <p>1 Q She wasn't staying with Mr. Depp; correct? 2 A No -- no, she was not. 3 Q Do you know how far away Ms. Lloyd was 4 from Mr. Depp in terms of time to get from where 5 she was staying to Mr. Depp's house? 6 A I would -- I would guesstimate somewhere 7 between 20 minutes to 30 minutes. 8 Q And when you went to Australia, how far 9 away were you from Mr. Depp in terms of time? 10 A Exactly the same. 11 Q Were you and Ms. Lloyd in the same hotel? 12 A Yes. Actually, that isn't true. I was in 13 a hotel around the corner from where the nurses 14 were staying. 15 Q Okay. But it would still take you about 16 25 to 30 minutes to get to Mr. Depp's house; 17 correct? 18 A Yes. 19 Q Okay. And in Kipper 5 at Kipper 157 you 20 see this note for 3/7/15 at 11:30, it says, "M.D. 21 received a text message from client that he had 22 been arguing with wife and that he had cut his</p>	<p style="text-align: right;">116</p> <p>1 endless 'educational' ranting...??? Is her 2 hideously and purposefully hurtful tirades and her 3 goddamn shocking treatment of the man she was 4 meant to love above all... Here's the real deal 5 mate... Her obsession with herself?? Is far more 6 important... She is So fucking ambitious!!! 7 She's so desperate for success and fame... That's 8 probably why I was acquired, mate...!! Although 9 she has Hammered me with what a sad old man 10 has-been I am... Cowan has done me the most cruel 11 of favors... I'm so very sad... I cut the top of 12 my middle finger off... What should I do?? 13 Except of course go to a hospital... I'm so 14 embarrassed for jumping into anything with her. 15 Fuck the world!!! JD." 16 Do you recall this text from Mr. Depp? 17 A I don't recall the text, but I do recall 18 him reaching out after this incident. 19 Q Is this text a typical type of text you 20 would receive? 21 MS. MEYERS: Objection; vague and 22 ambiguous as to typical.</p>

117	<p>1 Q You can answer.</p> <p>2 A In retrospect and in reading this, no, I</p> <p>3 think it reflected the fact that he was injured.</p> <p>4 Q Right. And Mr. Depp told you in the text,</p> <p>5 "I cut the top of my middle finger off"; correct?</p> <p>6 A That's what it says.</p> <p>7 Q Okay. And then -- and then you responded,</p> <p>8 "Call me." Do you see that? That's the next</p> <p>9 text.</p> <p>10 A Yes. Yes.</p> <p>11 Q Okay. And did Mr. Depp call you?</p> <p>12 A I can't recall if he called me, but I know</p> <p>13 that I went to the residence.</p> <p>14 Q Okay. And did you go with Ms. Lloyd?</p> <p>15 A Yes.</p> <p>16 Q Okay. And back to Kipper 5 at 13:00, it</p> <p>17 says on March 7th, 2015, "Patient was having a</p> <p>18 hard time leaving the house, so security suggested</p> <p>19 the M.D. and R.N. go to house to see patient.</p> <p>20 Upon arrival at the house, patient was sitting in</p> <p>21 car ready to leave. M.D. assessed patient's</p> <p>22 finger and will spend more time with patient at</p>	119	<p>1 that he was very clear in speaking to me.</p> <p>2 Q Okay. What did he -- other than his</p> <p>3 finger, what did he look like?</p> <p>4 A He looked like someone who just had part</p> <p>5 of his finger taken off.</p> <p>6 Q Anything -- did he -- what did the rest of</p> <p>7 his hands and arms look like?</p> <p>8 A Nothing unusual.</p> <p>9 Q What did the house look like?</p> <p>10 A The house was a mess.</p> <p>11 Q Can you -- anything else you can describe</p> <p>12 about the house?</p> <p>13 A There were things on the floor, there were</p> <p>14 things that had been thrown around, it looked</p> <p>15 like, there were just -- things were out of order</p> <p>16 in that house.</p> <p>17 Q What rooms did you see? What rooms did</p> <p>18 you look at in the house?</p> <p>19 A I was in the kitchen and I believe I went</p> <p>20 downstairs. I don't really remember. It was more</p> <p>21 of the same, that things looked out of place.</p> <p>22 Q Were -- did it look like there was</p>
118	<p>1 the location he's being moved to." So did you see</p> <p>2 Mr. Depp in the house?</p> <p>3 A I saw Mr. Depp outside the house in the</p> <p>4 car.</p> <p>5 Q Okay. So this note is accurate; correct?</p> <p>6 A Yes.</p> <p>7 Q Was Mr. Depp intoxicated when you saw him?</p> <p>8 A I don't --</p> <p>9 MR. HARWELL: Objection; calls for expert</p> <p>10 opinion.</p> <p>11 Q Was Mr. Depp coherent?</p> <p>12 A Yes, quite.</p> <p>13 Q He was quite coherent?</p> <p>14 A Yes.</p> <p>15 Q What do you recall him saying to you?</p> <p>16 A I don't recall the conversation</p> <p>17 specifically, but part of his finger was missing.</p> <p>18 Q Okay. And -- but you said he was quite</p> <p>19 coherent, so it sounds like you have memories of</p> <p>20 what he was saying. What do you recall him</p> <p>21 saying?</p> <p>22 A I don't recall what he said. I remember</p>	120	<p>1 painting on the wall, someone had written things</p> <p>2 on the wall?</p> <p>3 A No. I do -- it did look to me like there</p> <p>4 was blood on the wall. Not an actual painting.</p> <p>5 Q Or someone using their blood to write</p> <p>6 messages?</p> <p>7 MS. MEYERS: Objection; vague; leading.</p> <p>8 Q Did you see any messages at all on the</p> <p>9 walls?</p> <p>10 A No, not that I remember.</p> <p>11 Q How long were you in the house for?</p> <p>12 A Ten minutes, 15 minutes.</p> <p>13 Q What were you doing in the house?</p> <p>14 A I wanted to see what happened. I was</p> <p>15 trying to figure out what happened.</p> <p>16 Q Did you talk to Ms. Heard?</p> <p>17 A I did.</p> <p>18 Q And what did Ms. Heard say?</p> <p>19 A Again, I can't recall specifics other than</p> <p>20 they had a fight. And specifics beyond that, I</p> <p>21 don't -- I don't remember.</p> <p>22 Q Before seeing Mr. Depp that day, when was</p>

121	<p>1 the -- when had you seen Mr. Depp previously? 2 A I don't remember. 3 Q Do you know if it was the day before? 4 A I can't remember. 5 Q Do you remember if this was the first time 6 you saw Mr. Depp since your arrival in Australia? 7 MS. MEYERS: Objection; asked and 8 answered. 9 A Again, I can't remember. 10 Q So you don't recall if this was the first 11 time you saw Mr. Depp in Australia or if you had 12 seen him previously; correct? 13 MS. MEYERS: Objection; asked and 14 answered. 15 Q You can answer. 16 A Correct. I don't recall. 17 MR. NADLEHAFT: Alex, can you put up 18 Kipper 31. 19 (KIPPER Deposition Exhibit 31 marked for 20 identification and attached to the transcript.) 21 MR. HARWELL: Unless I'm having a moment, 22 I don't see a document.</p>	123	<p>1 think that might have been -- that's fine. We'll 2 go back. That's fine. 3 MR. HARWELL: You know, California is a 4 two-party state for recordings? 5 MR. NADLEHAFT: Right. This was in 6 Australia. The thing was in Australia. 7 MR. HARWELL: You're in California right 8 now, so... 9 MR. NADLEHAFT: Okay. I'll represent to 10 you that it was Mr. Depp that started the 11 recording, that put the recording on. 12 MR. HARWELL: I don't care. California is 13 a two-party state. 14 MR. NADLEHAFT: Okay. I mean, I didn't 15 even ask him anything. I asked him a question and 16 the recording didn't come on. 17 MR. HARWELL: We're disturbed that there 18 is a recording that is potentially being used for 19 some purpose in violation of California law. 20 MR. NADLEHAFT: I don't believe there is, 21 but in any event -- is the recording off? Thanks. 22 Alex, can you turn off the recording? You can</p>
122	<p>1 MR. NADLEHAFT: Yeah, nothing's up right 2 now. 3 Q Okay. And this is a -- and, Dr. Kipper, 4 this is a recording that is Bates-stamped 5 INT00737877. I'll represent to you it's an audio 6 from March 7th, 2015, in Australia. And it's 7 really long, like five hours long, but I can see 8 if I can do this. 9 MR. NADLEHAFT: Alex, do I have control? 10 Let's see if this works. 11 Q And I'm going to play something and my 12 question is -- I'm going to play about 30 seconds 13 to a minute, and my question is just going to be 14 to you, there's going to be a voice that says 15 "Amber is going to take care of herself, we're 16 going to take care of Pam." And my question is, 17 is this your voice, okay? 18 A Okay. 19 MR. CHEW: Hello? Are we on break? 20 Hello? 21 MR. NADLEHAFT: I'm going to stop it 22 because I don't know what's happening here. I</p>	124	<p>1 just close it. 2 PLANET DEPOS TECHNICIAN: This is Alex 3 speaking. It should be off, sir. 4 MR. NADLEHAFT: Okay. Thank you. Can you 5 put up Kipper 15. 6 (KIPPER Deposition Exhibit 15 marked for 7 identification and attached to the transcript.) 8 MR. HARWELL: Not my dog. 9 MR. NADLEHAFT: And not mine. 10 MR. HARWELL: Mine weighs 200 pounds and 11 when he barks we all know it. 12 Q Dr. Kipper, I'm showing you what's been 13 marked as Kipper 15. And my question is do you 14 recognize this email? 15 A Yes, I do. 16 Q Okay. And it's an -- and you told 17 Ms. Lisa Beane to please print for the chart, do 18 you see that at the top? 19 A Yes. 20 Q Okay. So that it's being printed for 21 Mr. Depp's chart; is that correct? 22 A Correct.</p>

<p>1 Q And Raja Sawhney emailed you, do you see 2 that? 3 A Yes. 4 Q Okay. And he writes, "Thank you for your 5 time, David. Attached is a copy of my notes for 6 you to use as necessary, re Robert Wells." And 7 Robert Wells is Mr. Depp; correct? 8 A Correct. 9 Q And this was from March 8th, 2015; 10 correct? 11 A Yes. 12 Q Okay. And Dr. Sawhney writes to you, 13 "51M, right ring finger injury and distal 14 detipping. Right-hand dominant. Unclear history 15 of traumatic event and no witnesses. Patient 16 under the influence and not coherent. Not sure of 17 mechanism. Accompanied by his physician, 18 Dr. Kipper, who has given him Toradol and 19 Augmentin, 870 milligrams orally." is there 20 anything inaccurate in that email? 21 A If this refers to him in the emergency 22 room in Australia, I did not see him as incoherent</p>	<p>125 1 speculation. 2 MR. HARWELL: And calls for an expert 3 opinion. 4 MR. NADLEHAFT: I don't believe it calls 5 for an expert opinion. 6 MR. HARWELL: You're asking him if there's 7 any reason for that doctor to have determined he 8 was coherent, and he did not determine he was 9 coherent. All you're going to get from him is 10 whether or not -- you asked him if it was 11 accurate; he said he doesn't think it's accurate. 12 Q Was it accurate that his hand -- that his 13 heavily contaminated hand and fingers with dirt, 14 grime, and paint? 15 A That's accurate. 16 Q Okay. Is there anything other than the 17 coherent here that you find that's inaccurate? 18 A No, the rest of that seems accurate. 19 Q Okay. And when you saw Ms. Heard at the 20 house in this March 7th, 2015, time frame, did she 21 seem like she was on -- was she coherent? 22 A She was coherent.</p>
<p>126 1 nor did I see him as under the influence. He was 2 perfectly coherent. 3 Q Okay. There was no reason for Dr. Sawhney 4 to lie in this email; correct? 5 MS. MEYERS: Objection; calls for 6 speculation. 7 A I can't respond to what he saw or what his 8 interpretation was. I only know my own. 9 Q Okay. And on the second page, he writes, 10 "On examination, conversant and pleasant when 11 awake, but not coherent. Heavily contaminated 12 hand and fingers with dirt, grime, and paint." Do 13 you see that? 14 A Yes. 15 Q Is that consistent with your memory? 16 A My memory was that he was coherent 17 throughout the time that I was with him. And I 18 was with him throughout that admission and 19 treatment in the emergency room. 20 Q So your -- again, is there any reason for 21 the doctor to say that he wasn't coherent? 22 MS. MEYERS: Objection; calls for</p>	<p>127 128 1 Q And did she seem like she was on any drugs 2 or alcohol? 3 MR. HARWELL: Objection; calls for an 4 expert opinion. 5 MR. NADLEHAFT: Okay. Can you put up 6 Exhibit 16. 7 (KIPPER Deposition Exhibit 16 marked for 8 identification and attached to the transcript.) 9 Q Dr. Kipper, do you recall seeing Kipper 16 10 from the Gold Coast University Hospital? 11 A Please allow me a minute to review this. 12 Q Sure. 13 A And your question was do I recall that 14 note? 15 Q Yeah. Do you recall seeing this document? 16 A Yes, I do. 17 Q Okay. And it's from Dr. Steve -- Steve 18 Dr. Grant, I'm not sure. And it says, "Thanks for 19 seeing and treating this patient. He sustained an 20 injury to his right middle finger tonight after 21 accidentally cutting it with a kitchen knife." Do 22 you see that?</p>

129	<p>1 A Yes.</p> <p>2 Q Okay. And when do you recall seeing this</p> <p>3 note? At the time on March 8th, 2015, or around</p> <p>4 then?</p> <p>5 A It was around then. This was the</p> <p>6 emergency room doctor that saw him, and then he</p> <p>7 gave him sort of temporary care. And then he was</p> <p>8 referred to – Mr. Depp was referred to the other</p> <p>9 doctor that we spoke of before this who was the</p> <p>10 surgeon, who was the hand surgeon, I believe.</p> <p>11 Q Okay. And do you -- did you talk to this</p> <p>12 doctor who wrote this note?</p> <p>13 A Yes, I was present when Mr. Depp was being</p> <p>14 examined and treated.</p> <p>15 Q Okay. And someone told this doctor that</p> <p>16 Mr. Depp had accidentally cut off -- cut his</p> <p>17 finger with a kitchen knife?</p> <p>18 MS. MEYERS: Objection; hearsay.</p> <p>19 Q You can answer.</p> <p>20 A Evidently. That's in his note.</p> <p>21 Q Okay. Now, going back to the text</p> <p>22 messages, which is Kipper Exhibit 9, on March 14th</p>	131	<p>1 Mr. Depp?</p> <p>2 A No, but I – my memory is refreshed upon</p> <p>3 reading this.</p> <p>4 Q And at this point you were -- as of</p> <p>5 March 14th, 2015, you were telling Mr. Depp that</p> <p>6 you weren't going to be able to treat Mr. Depp</p> <p>7 anymore; is that correct?</p> <p>8 MS. MEYERS: Objection; misstates the</p> <p>9 evidence.</p> <p>10 Q You can answer.</p> <p>11 A The purpose of this note was to make sure</p> <p>12 that he was strictly compliant with everything</p> <p>13 because he needed to have his finger</p> <p>14 reconstructed, and I wanted to be sure that he was</p> <p>15 following our guidelines for the drug treatment.</p> <p>16 Q Okay. And before -- as of</p> <p>17 March 1st, 2015, you were concerned that Mr. Depp</p> <p>18 was not following your guidelines; correct?</p> <p>19 MS. MEYERS: Objection; misstates</p> <p>20 testimony.</p> <p>21 MR. HARWELL: And it calls for an expert</p> <p>22 opinion.</p>
130	<p>1 at 20 -- 2015, you wrote to Mr. Depp, "Johnny, I</p> <p>2 have grown to love you like family. I accept that</p> <p>3 we can agree to disagree with what is best now for</p> <p>4 your health, but I cannot treat you optimally if</p> <p>5 we aren't on the same page. I know you're hurting</p> <p>6 and want to help you through this very rough</p> <p>7 moment. I'll come to your Sweetzer home tomorrow</p> <p>8 at 4:00 p.m. to discuss how we proceed in our</p> <p>9 relationship. I cannot watch you suffer but also</p> <p>10 cannot condone what we're in a disagreement over.</p> <p>11 I hope we can reach an understanding on a</p> <p>12 direction I believe is safe and constructive for</p> <p>13 you. I respect you enough not to do what I</p> <p>14 consider is not your best interest. Medications,</p> <p>15 I advise, the restoration of your sleep cycle and</p> <p>16 the help you deserve to get the tools to defeat</p> <p>17 your demons must now be the course you take to</p> <p>18 save your very amazing and special life. I'll</p> <p>19 always be there for you if you make these choices.</p> <p>20 I'll see you at 4:00 tomorrow to discuss. I love</p> <p>21 you, Johnny."</p> <p>22 Do you recall sending this text to</p>	132	<p>1 Q Mr. Depp was not following your protocol</p> <p>2 as of March 1st, 2015; correct?</p> <p>3 MS. MEYERS: Objection; vague and</p> <p>4 ambiguous.</p> <p>5 Q You can answer.</p> <p>6 A Yes, I had concerns.</p> <p>7 Q Okay. And as of March 14th, 2015,</p> <p>8 Mr. Depp was not following the protocols that you</p> <p>9 had given to him for his treatment; correct?</p> <p>10 MS. MEYERS: Objection; vague and</p> <p>11 ambiguous; assumes facts not in evidence.</p> <p>12 MR. HARWELL: Calls for an expert opinion.</p> <p>13 Q Mr. Depp was not following your protocols</p> <p>14 that you were giving him as of March 14th, 2015;</p> <p>15 correct?</p> <p>16 A Correct.</p> <p>17 MR. NADLEHAFT: Okay. And, Alex, could</p> <p>18 you put up Kipper 17.</p> <p>19 (KIPPER Deposition Exhibit 17 marked for</p> <p>20 identification and attached to the transcript.)</p> <p>21 Q Dr. Kipper, do you recognize Kipper 17?</p> <p>22 A Yes.</p>

133

1 Q What is it?
2 **A Allow me to please reread this.**
3 **So my concern at this point was –**
4 MR. HARWELL: Doctor, wait for the
5 question.
6 Q Doctor, I asked you what is Kipper 17?
7 MR. HARWELL: Doctor, I don't want you to
8 offer any expert opinions.
9 **A This is a note that I wrote to him**
10 **indicating that I would no longer be able to care**
11 **for him if he was not strictly compliant.**
12 Q And now this is not only saying you won't
13 care for him if he's not strictly compliant. The
14 second paragraph says, "It's with a very sad heart
15 that I must withdraw my care." So you were
16 withdrawing your care for Mr. Depp at least as of
17 March 15th, 2015; correct?
18 MS. MEYERS: Objection; assumes facts not
19 in evidence.
20 Q You can answer.
21 **A I was withdrawing my care if he did not**
22 **comply.**

134

1 Q So when you write, "It's with a very sad
2 heart that I must withdraw my care," that -- you
3 were saying what?
4 **A I was –**
5 MR. HARWELL: Other than what he just
6 answered?
7 Q You can answer, Dr. Kipper.
8 **A I – that's my answer, is that without**
9 **compliance I could no longer take care of him.**
10 Q Okay. And at that -- and as of
11 March 15th, 2015, Mr. Depp was not complying;
12 correct?
13 MS. MEYERS: Objection; misstates
14 testimony; assumes facts not in evidence.
15 Q You can answer.
16 **A Correct.**
17 MR. NADLEHAFT: Can you put up, Alex,
18 Kipper 18.
19 (KIPPER Deposition Exhibit 18 marked for
20 identification and attached to the transcript.)
21 Q Dr. Kipper, Kipper 18, do you recognize
22 this email between you and Connell Cowan?

135

1 **A I do upon seeing it here, yes.**
2 Q Okay. And Kipper 18 shows that on
3 March 15th, 2015, you forwarded the letter we just
4 saw, which was Kipper 17, to Dr. Cowan and said,
5 "I sent this letter out to him today after another
6 night of broken promises to remain sober and
7 compliant," do you see that?
8 **A Yes.**
9 Q So had -- had -- was Mr. Depp not sober
10 and compliant as of March 14th?
11 MS. MEYERS: Objection; assumes facts not
12 in evidence; misstates the document.
13 **A The answer is – the answer is yes, he was**
14 **not compliant. And the problem at hand, no pun**
15 **intended, was he was about to have surgery. And**
16 **for him to have surgery on a finger, he needed to**
17 **be strictly compliant with what his medications**
18 **were, what his behavior was, and I did not think**
19 **he was stable for surgery, and I could not clear**
20 **him for surgery and that was what provoked the**
21 **letter.**
22 Q Right. And Mr. Depp was -- had been

136

1 breaking promises to remain sober; correct?
2 **A Correct.**
3 Q And Dr. Cowan told you that he'd asked
4 Amber to stay low -- "Lay low, stay away, and
5 observe. Only J can decide if he's worth saving."
6 Do you recall Dr. Cowan writing that to you?
7 **A I can see this in the note, yes. I don't**
8 **recall him having the conversation. But in**
9 **rereading this note, that's clearly from him.**
10 Q Okay. And Dr. Cowan also wrote, "You went
11 a hundred miles beyond what anyone else would've
12 done. Why don't you take a couple pounds of your
13 Jewish guilt and bury it in some Utah snow." Do
14 you see that?
15 **A Yes.**
16 Q Do you recall Dr. Cowan writing that to
17 you?
18 **A When I look at this note, I can recall**
19 **that.**
20 Q Okay. And then did you ever stop your
21 care of Mr. Depp?
22 **A There was a week, I believe, and I'm fuzzy**

<p style="text-align: right;">137</p> <p>1 on the time frame, but there was a short period of 2 time after sending that note before he connected 3 back with me asking me to take care of him and 4 promising me compliance. 5 Q Okay. And after your experiences with him 6 up to that point, were you -- did you believe that 7 Mr. Depp was going to be compliant with the 8 program? 9 MS. MEYERS: Objection; vague and 10 ambiguous. 11 MR. HARWELL: Calls for an expert opinion. 12 Q Was Mr. Depp compliant with the program 13 going forward after March 15th, 2015? 14 A He was complaint around his surgery and 15 postoperative period. 16 Q And then he became uncompliant again? 17 MS. MEYERS: Objection; assumes facts not 18 in evidence. 19 A I would have to refer to my notes, but I 20 don't remember him being -- I don't remember him 21 being out of control. I remember him being, you 22 know, compliant with what we needed him to do.</p>	<p style="text-align: right;">139</p> <p>1 you for everything. I've chopped off my left 2 finger as a reminder that I should never cut off 3 my finger again. I love you, brother. Johnny." 4 Do you recall this text from Mr. Depp? 5 A Yes. 6 Q And is this the text, do you recall, where 7 Mr. Depp was saying that he would be compliant 8 going forward? 9 A Yes. 10 Q Okay. You're basing it off this text? 11 Was there any other conversations with Mr. Depp? 12 A We did -- I know he had we had a 13 conversation at some point around that time that 14 validated this message. 15 Q Can you put up Kipper 19? 16 (KIPPER Deposition Exhibit 19 marked for 17 identification and attached to the transcript.) 18 Q And now, Dr. Kipper, Kipper 19 is an email 19 chain between you and Ms. Lloyd, and we'll first 20 start with the bottom part where on 21 March 15th, 2015, you write, "Letter sent today. 22 Love you, Deb. I hope he starts making good</p>
<p style="text-align: right;">138</p> <p>1 There were times when Mr. Depp sort of went 2 underground. Some of that time was when he was 3 out of the country and was hard to connect to. 4 But I do not recall him going off the reservation 5 as far as his drug and alcohol issues. 6 Q Do you recall him testing positive for 7 cocaine after March of 2015? 8 A I believe that -- I believe so. I can't 9 tell you specifically when. 10 Q Okay. Going back to Kipper 9. There's a 11 text message from Mr. Depp to you on 12 March 19th, 2015. And he says, "My most sincere 13 apologies to you, Doctor. I understand your 14 decision based on my immunity to do the right 15 thing, and I truly thank you for your concern. I 16 must apologize for not having had the presence of 17 mind to respect the man who has been the most kind 18 and who has done more for me than anyone ever. 19 There was no call for my spineless and base 20 behavior toward you. I honestly understand the 21 reasons for your concerns in your letter and can 22 say to you now they're no longer an issue. Thank</p>	<p style="text-align: right;">140</p> <p>1 decisions. I'm so sad about this." And then it 2 shows Johnny Depp termination letter. So you sent 3 the termination of care letter to Ms. Lloyd, 4 correct, on March 15th, 2015? 5 A Correct. 6 Q Okay. And then on April 9th, 2015, 7 Ms. Lloyd wrote to you, "I couldn't sleep last 8 night. I have major concerns about leaving for 9 Australia with JD. I'm not saying I won't go, but 10 every part of my body is telling me it's a poor 11 decision." 12 Do you recall this email from Ms. Lloyd? 13 A No. I recognize this as what that is. 14 But I don't recall that specifically. 15 Q Okay. Do you recall any conversations 16 with Ms. Lloyd about any concerns she had about 17 going to Australia with Johnny Depp? 18 MS. MEYERS: Objection; calls for hearsay. 19 Q You can answer. 20 A Yes. She was concerned from my 21 perspective. He had had -- I guess he had had his 22 surgery by then and was going back to work. And I</p>

<p>141</p> <p>1 take – again, I'm fuzzy on this, but I think her 2 concerns were about his following up with his 3 treatments with respect to the relationship issues 4 that he had with Amber and the fact that that was 5 potentially volatile. That's – that's my 6 recollection. 7 Q And do you recall anything that Ms. Lloyd 8 said about her concerns about -- Ms. Lloyd's 9 concerns about going to Australia? 10 MS. MEYERS: Objection; calls for hearsay. 11 A I believe those were her concerns that I 12 just articulated. 13 Q Did she have any concerns about herself? 14 A No, I don't believe so. 15 Q All right. Going back to Kipper 5, which 16 are again the notes. And we're going to go to 17 Kipper 167. And at -- for 4/13 at 1500, the note 18 at the bottom says, "Patient is in good spirits 19 and said he's not smoked marijuana in three days. 20 States he feels the majority of his issues with 21 his wife have been from him using drugs and 22 alcohol. Patient states he'll no longer seek/use</p>	<p>143</p> <p>1 Do you recall Ms. Lloyd telling you about 2 these events of April 15th, 2015? 3 A My memory is refreshed by looking at this 4 note, yes. 5 Q And Mr. Depp had yelled at Ms. Lloyd; is 6 that right? 7 MS. MEYERS: Objection calls; for hearsay. 8 A I'm not sure he yelled at Ms. Lloyd, I 9 think he just yelled, wants to be heard. I can't 10 say, I wasn't there. 11 Q Do you recall Mr. Depp texting you about 12 the event? 13 A No, but I'm hoping you'll remind me. 14 Q You got me. 15 MR. HARWELL: It certainly is a colorful 16 texture, isn't it? 17 Q You can say that. There's a text from 18 Mr. Depp to you on April 15th, 2015. And he says, 19 "My dear brother David, if there's a god, then I'm 20 positive it's you. Thank you, darling man. I'm 21 fine. I didn't know it was Debbie until I'd 22 already thrown my voice toward the door. Thought</p>
<p>142</p> <p>1 and wants to enjoy clarity." 2 Do you see that note? 3 A I see that note. 4 Q Who is that note from? You or Ms. Lloyd? 5 A That's from Ms. Lloyd. 6 Q Okay. Did Ms. Lloyd report this to you? 7 A In this note. 8 Q Okay. And there's no reason to question 9 the accuracy of the note; correct? 10 A Correct. 11 Q Now, at Depp 168, 12:15, it says on 12 April 15th, 12:15, "Arrived at patient's home. 13 Assistant was in hallway. Informed R.N. that 14 patient was in a bad mood and told assistant he 15 did not need anything from him today. R.N. was 16 let in home by security and knocked on patient's 17 bedroom door to let him know that she was there. 18 Patient screamed, 'What?' R.N. informed patient 19 she was just letting him know she was there and 20 would be downstairs. R.N." -- a little more down 21 -- "R.N. left property and informed M.D. of the 22 events."</p>	<p>144</p> <p>1 it was Steven, who is no small cauldron of hot 2 water!! I'll call Debbie to apologize... My 3 boundless love and infinite thanks." 4 So you recall that he texted you and 5 called Ms. Lloyd to apologize? 6 MS. MEYERS: Objection to form; compound. 7 A No, I don't recall that specifically. I'm 8 reminded by this note, but I don't recall that 9 specifically. 10 Q Okay. Let me show you a couple of more 11 texts. You never went to your phone provider and 12 went into the cloud to see if you could restore 13 the text messages that you had from your old 14 phone? 15 A No. I was actually happy that I could get 16 a new phone. So it didn't upset me that much. 17 Q Now, Mr. Depp sent you a text on 18 June 28th, 2015, that says, "Thank you my darling 19 Kipper. All those technical abbreviations left me 20 flummoxed and in the dark!!! Soon soon I must see 21 you and just hang out!!! My deformed finger and I 22 have no friends. By the way... Amber and I have</p>

145

1 been absolutely perfect for three fucking months
 2 solid!!!! I've locked my monster child away in a
 3 cage within and it has fucking worked!!!! We're
 4 goddamn best friends now!!! Amazing!!! Big love
 5 to you my brother... JD" Do you see that?
 6 **A Yes.**
 7 Q Did Mr. Depp -- do you recall this text
 8 from Mr. Depp?
 9 **A No.**
 10 Q Okay. Did Mr. Depp ever use the term
 11 monster with you, whether it be verbally or in
 12 messages like this?
 13 MS. MEYERS: Objection; assumes facts not
 14 in evidence.
 15 Q You can answer.
 16 **A I can't recall.**
 17 Q He used it here though; correct?
 18 **A It appears so, yes.**
 19 Q Then on July 1st, 2015, you wrote to
 20 Mr. Depp, "Sorry you're struggling again.
 21 Consider two things, limit the Xanax so we don't
 22 run out, and it might actually make you feel

146

1 worse, and consider very low dose Seroquel while
 2 you're comfortable and you'll regain your control
 3 by not responding to the phone calls that upset
 4 you. This has been the way to break the cycle, as
 5 uncomfortable as it will feel, and you both will
 6 benefit from this and it will precipitate you
 7 getting back to good terms, emotional comfort, and
 8 bury the dragon. I love you and know this will
 9 put out the fire. Trust me on this. I want to
 10 know you're at peace where you belong. Love you,
 11 buddy. Call whenever you want. Kipper."
 12 Do you recall sending this text message to
 13 Mr. Depp?
 14 **A No. But again, my -- my memory is**
 15 **refreshed by reading this.**
 16 Q And what do you recall you were -- what is
 17 refreshed of your memory?
 18 **A That obviously there was concern that he**
 19 **was taking more Xanax than he should have been,**
 20 **and I needed him to tighten that up and go back to**
 21 **what he was prescribed. And also there's a**
 22 **reference here to the phone calls. I had asked**

147

1 **him not to respond and not to engage in these**
 2 **phone calls because those were -- that always**
 3 **precipitated problems between the two of them.**
 4 **What -- when they were in this -- when they were**
 5 **in a bad phase.**
 6 Q Phone calls between Mr. Depp and
 7 Ms. Heard?
 8 **A Correct.**
 9 Q And what do you mean by, "Bury the
 10 dragon," which is in your text message?
 11 **A I'm looking for it.**
 12 Q It's right there.
 13 **A The dragon being those bad feelings that**
 14 **he had inside of him.**
 15 Q Okay. And Mr. Depp responds on
 16 July 1st, 2015, and says, "I am and have been at
 17 peace for the last three to four months. It's
 18 been amazing. But she's somehow locked into this
 19 very unpleasant and belittling mode in the last
 20 three days. The accusations, the verbal abuse,
 21 and insults. Stooping to one -- the most unjust.
 22 You haven't changed. You fucking desperate

148

1 hypocrite. You didn't -- you didn't out the
 2 monster away. You're full of shit. You're a
 3 pathetic fraud. Man, you know how hard I have
 4 worked to put that motherfucker in its cage, and I
 5 did that, me. I took all those other problems and
 6 rid myself of them. There's a whole lot more. I
 7 won't bore you with it. The Xanax takes the edge
 8 off just a little. You know me, it would take
 9 more than a few to really affect me. Seroquel
 10 scares me for the reasons I wore off of it. If
 11 you're worried about the Xanax, prescribe me
 12 something different but with more potency. I
 13 don't take them all that often, just when the
 14 brain is inundated with this horrible badgering
 15 and half truths from my wife by the WSY." I don't
 16 know if you meant by the way.
 17 Do you recall this text?
 18 **A Again, I do in looking at it, yes.**
 19 Q Okay. And Mr. Depp again used the term
 20 monster; correct?
 21 **A Yes.**
 22 Q And Mr. Depp goes on in this text, he

149
1 says, by the way, he sends another -- sorry,
2 here's my -- "By the way, Cowan should be run out
3 town in utter shame. He's a fucking sump who's
4 done absolutely nothing but giving her the
5 verbosity that she uses" -- "that she uses ever,
6 whatever she feels like she must explain to me the
7 psychology of life!!! Ludicrous!!!! Yes, sir.
8 Cowan should be shot in places no one wants to be
9 shot in!!! He's a goddamn charlatan big time!!!
10 I'm not going to continue to pay the fucking yes
11 man to do nothing but stare at her tits and agree
12 with everything she spews... Tell him to tell
13 he's leaving the business or something or I too
14 will become a regular client whether I'm welcome
15 or not!!! Thanks, and so sorry. I lobs G you."
16 Do you recall -- do you recall Mr. Depp informing
17 you that he was upset with Dr. Cowan?
18 **A Yes.**
19 MS. MEYERS: Objection; misstates the
20 evidence -- excuse me, assumes facts not in
21 evidence; misstates the document.
22 **A Yes, I remember clearly that he was upset**

150
1 **with Dr. Cowan at a certain point.**
2 Q And do you recall why he was upset with
3 Dr. Cowan?
4 **A Not specifically. I can't really answer**
5 **that. Not specifically.**
6 Q Okay. You know, do you recall text
7 message from Mr. Depp that I just read to you?
8 **A Yes. In reading it, I do.**
9 Q Okay. And then Mr. Depp wrote to you
10 again on July 5th, 2015, and said, "You're a great
11 man and a great friend. As much as I would love
12 to see you... It would be a waste of your time...
13 I've just got quite a lot going on with business
14 stuff, my Keith film, and some Amber issues... By
15 the way, I'll try not to be too subtle about
16 this... Cowan should be stripped of his license to
17 practice his supposed profession... And then he
18 should be stripped and spray painted whilst
19 handcuffed to a stop sign!!! He's at best a
20 fraudulent irresponsible turd of monumental
21 proportions!!! I love you. Johnny."
22 Do you recall this text message from

151
1 Mr. Depp?
2 **A Again, I do upon reading this. I don't**
3 **remember all the specific messages I got from him,**
4 **but I certainly remember the gestalt of his**
5 **feelings.**
6 Q Okay. And do you continue to work with
7 Dr. Cowan? Do you continue to refer patients to
8 Dr. Cowan, let me ask it differently?
9 **A Yes. I have great respect for Dr. Cowan.**
10 Q And Mr. Depp sent you another text
11 messages on July 24th, 2015, that says, "Hey dear
12 pal, Amber is happy happy with Cowan... I just
13 don't know what truth he gets and I don't know
14 what his manners and strengths are... I think she
15 listens to him because when we argue she slathers
16 me up in the most condescending psychiatric trophy
17 lines like... Your fear is so visible... What
18 are you scared of...!!! Why are you letting your
19 fear and your ego control your life, etcetera...
20 Hippy shit... Makes me want to rampage against
21 ANYONE wearing Birkenstocks!!! Love you large.
22 J."

152
1 I assume you recall this text message as
2 well?
3 **A No, but I -- I recall when I'm looking at**
4 **it, yes.**
5 Q Okay. Now, I want to go to another text
6 message. On August 3rd, 2015, Mr. Depp texts you,
7 "You can flog me soon for waiting until now for
8 having not to properly given my kind apparatus the
9 appropriate and adequate general cock love...
10 I've tried and mostly failed... Many, many
11 unpleasant things happening with my business world
12 going on that are attempting to give me the funny
13 pain face that could render me no more and send me
14 head first straight into the bowl of minestrone or
15 worse, a green curry... So most necessary PRNs
16 are all headache meds, Xanax, Adderall, and
17 whatever this magical ointment for that traitorous
18 redness in the much valued and region of
19 significance... Thanks and love. X. JD."
20 Do you recall this text message?
21 **A No. But I'm, once again, reminded by**
22 **looking at it.**

<p style="text-align: right;">153</p> <p>1 Q Do you recall in this August 3rd, 2015, 2 time period Mr. Depp having any issues with his 3 business? 4 MR. HARWELL: Objection. I don't think we 5 have a physician-patient waiver that covers that 6 area. 7 MR. NADLEHAFT: Well, this wouldn't be -- 8 this is just -- how is a conversation about 9 Mr. Depp's business physician-patient? 10 MR. HARWELL: Any conversation that a 11 patient has to his physician with the intent of it 12 being confidential is -- comes within the 13 privilege. But you have been making a point about 14 his feelings throughout this process, and that's 15 what you're asking Dr. Kipper to opine on. And 16 that requires an expert opinion. 17 MR. NADLEHAFT: I'm not asking for his 18 feelings. I'm just asking if you recall him 19 sharing anything about his issues with his 20 business. 21 MS. MEYERS: Objection; calls for hearsay. 22 MR. HARWELL: And, I'm sorry, I'm still</p>	<p style="text-align: right;">155</p> <p>1 how long and it always turned back around. But 2 specifically that issue, no, I can't give you 3 specifics. 4 Q Can you put up Kipper 21, please. 5 (KIPPER Deposition Exhibit 21 marked for 6 identification and attached to the transcript.) 7 Q Dr. Kipper, Kipper 21, do you recognize 8 what this is? 9 A Give me a moment. Thank you. Yes, now I 10 can remember that letter. 11 Q So this is a letter February 10th, 2016, 12 that you wrote to Mr. Depp; correct? 13 A Correct. 14 Q And in this letter you write that 15 Mr. Depp, lack of follow through with appointments 16 we've agreed upon and tried to schedule; correct? 17 A That's what it says, yes. 18 Q And you were also concerned about 19 Mr. Depp's lack of -- Mr. Depp's accountant's lack 20 of response to your, "Many attempts to secure 21 payments for our services," do you see that? 22 A Yes.</p>
<p style="text-align: right;">154</p> <p>1 focused on the waiver we received at the beginning 2 of this session for patient-physician 3 communications was limited to the three areas that 4 were the subject of the waiver of the HIPAA 5 privacy. So we're not going to answer that 6 question. 7 MR. NADLEHAFT: Okay. 8 Q On January 12th, 2016, you wrote to 9 Mr. Depp, "Johnny, not sure how you are, but 10 concerned. We have tried all day to arrange to 11 get your medications to you, but no success. 12 Credit card rejected. Nathan not returning 13 Debbie's call. Also, your business manager has 14 not responded to our accountant, Re nursing, my 15 fees, for over three months. Please let me know 16 what's up, and at the very least you are okay." 17 Do you recall writing this text to 18 Mr. Depp? 19 A Yes. 20 Q Do you recall not being paid for three 21 months? 22 A I recall not being paid. I don't remember</p>	<p style="text-align: right;">156</p> <p>1 Q So there was a period of time where 2 Mr. Depp was not paying you for your services; 3 correct? 4 A Correct. 5 Q Okay. You also write, with your mom -- "I 6 know this has been a difficult period for you with 7 your mom's illness and your professional issues, 8 it appears you're under tremendous stress." What 9 are you referring to about professional issues? 10 A These would be private conversations that 11 I had with him, and I would again, vis-à-vis HIPAA 12 prefer not to go into the details of those 13 conversations. 14 Q This is about his stress, so this would be 15 related to his mental -- his mental issues. So 16 what conversation -- 17 MR. HARWELL: We are not talking about 18 anything that is beyond the scope of the HIPAA 19 waiver. Although his mental health treatment is 20 within the waiver, that wasn't your question. 21 You're asking about his business issues, and we're 22 not talking about that.</p>

<p>157</p> <p>1 MR. NADLEHAFT: I'll note this -- that 2 objection. We disagree -- 3 MR. HARWELL: Okay. 4 MR. NADLEHAFT: -- but we'll move on. 5 MR. HARWELL: As I told you, we're very 6 willing to talk about anything that we're allowed 7 to talk about under the terms of the waiver. 8 MR. NADLEHAFT: I got it. I'm not asking 9 -- I note your objection. Okay. 10 Q And then you said, "Add to this list any 11 personal problems that may be on your plate. And 12 I see the perfect storm for a threat to your 13 health." Do you see that? 14 A Yes. 15 Q Okay. So as of February 10th, 2016, you 16 were very concerned about Mr. Depp's health; 17 correct? 18 MS. MEYERS: Objection; misstates the 19 document. 20 A In the document I'm also serving as his 21 internist managing some medical issues. That's 22 the nature of these concerns.</p>	<p>159</p> <p>1 you and Ms. Heard on February 11th, 2016, you 2 write, "Amber, can you help me get Johnny into the 3 office? Given our concerns, I must see him in 4 order to continue caring for him. I've reached 5 out to him and asked Nathan to set an appointment. 6 Otherwise, I assume he must not" -- "does not want 7 our participation in this case." Do you see that? 8 A Yes. 9 Q Okay. And do you see where Ms. Heard 10 writes, "Things have been bad with him. I found 11 lots of coke and have collected pill bottles for 12 you, which I need to drop off at your office as 13 well, as we talked about. I texted Erin yesterday 14 to see if she could let you know. I think we 15 might be ready for some change and have been 16 talking about it off and on, but more and more 17 lately." Do you see that? 18 A Yes. 19 Q Do you recall Ms. Heard telling you that 20 she found lots of coke? 21 MS. MEYERS: Objection; calls for hearsay. 22 A I recall this thread. As I see this</p>
<p>158</p> <p>1 Q You weren't concerned at all about 2 Mr. Depp's continuing with his treatment plan for 3 drug and alcohol use? 4 A You can't separate those two issues. 5 They're not two distinct issues. But in order for 6 me to assess how he was doing in general with his 7 general health, these metrics that I identify in 8 the second paragraph were things that I needed to 9 have follow-up on. And I wasn't -- I wasn't 10 getting that follow-up and I needed to know that 11 we were on the writing course medically. 12 Q Okay. Could you put up Kipper 22. 13 MS. MEYERS: Could we get a read on the 14 time on the tape, please. 15 (KIPPER Deposition Exhibit 22 marked for 16 identification and attached to the transcript.) 17 THE VIDEOGRAPHER: 3:11. And I could use 18 a break in the next 10 minutes, Counsel, if you 19 don't mind. 20 MR. NADLEHAFT: Okay. Yep. Let's just 21 look at Kipper 22 real quick. 22 Q Kipper 22 is a text message chain between</p>	<p>160</p> <p>1 thread, I recall that we had that exchange. 2 MR. NADLEHAFT: Okay. Alex, can you put 3 up Kipper 26. 4 (KIPPER Deposition Exhibit 26 marked for 5 identification and attached to the transcript.) 6 Q Kipper 26, do you recognize as an email 7 you wrote to Ms. Dembrowski on June 22nd, 2018? 8 A Yes, I do. 9 Q And you write, "I hope you and your family 10 are well and happy. I'm writing to get your pulse 11 on how your brother is doing. I was scheduled to 12 see him prior to is departure to Europe but his 13 depositions ran late and I was unable to see him. 14 I've been receiving several images of him that 15 look worrisome and I need to know how he's" -- "I 16 need to know he is doing well. I have reached out 17 to Nathan in order to connect with your brother. 18 I wanted to get your input in case there was a 19 problem." 20 Do you recall writing this text -- this 21 email to Ms. Dembrowski? 22 A Yes, I do.</p>

161	<p>1 Q Do you recall being concerned about 2 Mr. Depp in June 2018? 3 A Yes. 4 Q Mr. Depp had been divorced from Ms. Heard 5 by this point; correct? 6 A I'm not sure when their divorce was. 7 MR. NADLEHAFT: Okay. Alex, can you put 8 up Kipper 27. 9 (KIPPER Deposition Exhibit 27 marked for 10 identification and attached to the transcript.) 11 Q Kipper 27 is an email chain between you 12 and Steven Deuters, do you see that? 13 A Yes. 14 Q And who is Steven Deuters? 15 A Steven is his main assistant. 16 Q Okay. And this was in the April 10, 17 April 11, 2019, time frame; correct? 18 A Yes. 19 Q And you write, "I'm writing after 20 receiving some concerning news about our mutual 21 friend and my patient. I'm concerned that my 22 prescribing will only create problems with his</p>	163	<p>1 A I was concerned that that could be 2 potentially an issue. 3 MR. NADLEHAFT: Okay. Can you, Alex, put 4 up Kipper 28. 5 (KIPPER Deposition Exhibit 28 marked for 6 identification and attached to the transcript.) 7 THE VIDEOGRAPHER: You got five more 8 minutes. 9 MR. NADLEHAFT: Okay. Until the tape run 10 out; right? 11 THE VIDEOGRAPHER: Yes. 12 Q Dr. Kipper, Kipper 28 are invoices that 13 you produced from February 2015 through -- from 14 February 20 -- February 6, 2015, to 15 February 1st, 2020. Do you recall producing these 16 documents? 17 A No. 18 Q No? 19 A Those would've come from my accountant's 20 office. 21 Q Okay. All right. 22 MR. HARWELL: Mr. Nadlehaft, sorry, the</p>
162	<p>1 health and be dangerous given this information. 2 I've asked that after his scan today he make an 3 appointment to see me in the office tomorrow or 4 Friday to review the situation and his general 5 health and scans. I'll also need to get a 6 laboratory panel to assess his wellness." 7 Did you write that on April 11th, 2019? 8 A Yes. 9 Q And what were your concerns about 10 Mr. Depp? 11 MR. HARWELL: Objection; calls for expert 12 testimony. 13 Q Okay. You were concerned about Mr. Depp 14 as of April 11th, 2019; correct? 15 A Yes. 16 Q And you were concerned that -- were you 17 concerned he was taking medications and drugs that 18 were not part of the protocol? 19 MS. MEYERS: Objection; leading. 20 Q What, if any, concerns did you have about 21 Mr. Depp taking drugs or alcohol that were not 22 part of the protocol?</p>	164	<p>1 accountant's office provided them to me. I 2 redacted them and provided them to you. 3 MR. NADLEHAFT: Okay. Fair enough. 4 Q So I guess you don't know, they start on 5 February 6th, 2015, there would have been invoices 6 for 2014 too; correct? 7 A I don't know. 8 Q Okay. 9 A I honestly don't know. 10 Q And do you review the invoices? 11 A No. 12 Q Okay. Do you review -- do you review any 13 descriptions, like what's here, nurse supervision? 14 A Do I review those, no. I know that when 15 we set up these billings, there are nursing 16 services and there are medical -- my professional 17 services. So those nursing -- those nursing fees 18 are submitted directly to -- from our office, but 19 our -- we receive them from the nurses, they are 20 then sent to the accountants. 21 Q Okay. Are you still working for Mr. Depp? 22 A Yes.</p>

165

1 Q Okay. And so at the bottom here there's a
2 lot that just say case management fee. Do you
3 know what that refers to as opposed to nursing
4 services and doctor services?
5 **A That's -- that's a retainer fee that I**
6 **have with him on a monthly basis.**
7 MR. NADLEHAFT: Okay. Why don't we let
8 the tape change, and then I just have a couple
9 more questions.
10 THE VIDEOGRAPHER: Off the record at 4:15.
11 (Off the record from 4:15 p.m. to
12 4:16 p.m.)
13 THE VIDEOGRAPHER: Back on the record at
14 4:16.
15 MR. NADLEHAFT: Can you put up Kipper 29.
16 (KIPPER Deposition Exhibit 29 marked for
17 identification and attached to the transcript.)
18 Q Now, Dr. Kipper we received invoices for
19 you from Mr. Depp from Fireman's Insurance Fund
20 for 2014. Does this look like an invoice from
21 your office to Mr. Depp?
22 **A It does.**

166

1 Q Okay. And this is for July 14th, 2014.
2 Are -- those amounts seem accurate?
3 MR. HARWELL: You have no idea how much I
4 object to the production of this document as
5 violating Dr. Kipper's rights of the California
6 Constitution, Article I, Section I, the right of
7 privacy of financial information. And there is
8 simply no way we're answering any questions about
9 any of the financial matters. And I instruct him
10 not to answer.
11 MR. NADLEHAFT: Okay.
12 MR. HARWELL: And I'm going to make a
13 request that this document be redacted in order to
14 comply with California law as I have objected to
15 the production of any documents that contain any
16 financial information, and the fact that this has
17 been obtained by you does not mean that the
18 document should ever become something that can be
19 made a part of any public record.
20 MR. NADLEHAFT: This doesn't need to be
21 made part of a public record. We can take -- I
22 take note of your objection, I disagree with it,

167

1 but --
2 Q Dr. Kipper, you've already testified that
3 these are invoices to Mr. Depp; correct?
4 **A I've testified that these are invoices.**
5 **This is something generated from my accountant,**
6 **yes.**
7 Q And over your time with Mr. Depp, how much
8 have you charged Mr. Depp?
9 MR. HARWELL: Objection. Instruct not to
10 answer. Section I, Article I, State California
11 Constitution.
12 MR. NADLEHAFT: Note your objection.
13 Q Have you spoken to Mr. Depp's legal
14 counsel since the beginning of this year?
15 **A Yes.**
16 Q Who have you spoken to?
17 **A I've spoken to Camille on two occasions.**
18 Q Anybody else?
19 **A No.**
20 Q What did you speak to Camille about?
21 **A About the deposition.**
22 MR. HARWELL: Dr. Kipper, I think you're

168

1 incorrect. I think also Ms. Meyers was in one of
2 those telephone conversations.
3 **A That's correct.**
4 Q And other than the scheduling of the
5 deposition, did they talk about the issues that
6 you were going to be asked about?
7 **A Yes, of course.**
8 Q Okay. How long were the conversations?
9 **A 45 minutes, each.**
10 Q Were they over phone or by Zoom or in
11 person?
12 **A The first conversation was in person and**
13 **the second was by Zoom.**
14 Q Okay. And you thought they were about two
15 45-minute calls?
16 **A About that.**
17 Q Are -- are you paying for your counsel in
18 this case?
19 **A Yes, I am.**
20 MR. NADLEHAFT: All right. Thank you. I
21 have no further questions at this time.
22 MS. MEYERS: Could I ask that we take a

169	171
1 break now, maybe 15, 20 minutes, and then we can 2 resume and we'll try to get this done as soon as 3 possible. 4 MR. HARWELL: Could I have the exhibit 5 number for the last exhibit, Mr. Nadlehaft? 6 MR. NADLEHAFT: Yeah, it was Exhibit 29. 7 MR. HARWELL: That's what I thought. 8 Thank you. 9 THE VIDEOGRAPHER: And we're off the 10 record at 4:20. 11 (Off the record from 4:20 p.m. to 12 4:50 p.m.) 13 THE VIDEOGRAPHER: We're back on the 14 record at 4:50. 15 MR. NADLEHAFT: Counsel for -- this is 16 Adam Nadlehaft, counsel for Ms. Heard. I spoke 17 with counsel for Mr. Depp, and we agree to a 18 waiver of the doctor-patient privilege at the same 19 scope that Mr. Depp agreed to in the beginning of 20 this deposition as to -- the same scope of waiver 21 as to mental condition, physical injuries, and I 22 believe that was the scope. But we agree to the	1 marked, my apologies. 2 MS. MEYERS: Yeah. I'm going to do my 3 best to use the exhibits that have already been 4 marked. Thank you. Can you give me control or? 5 Is this me having control of the document? Yes. 6 Okay. All right. 7 Q First of all, Dr. Kipper, do you remember 8 seeing this document earlier? 9 A Yes, I do. 10 Q And you recognize it as your initial 11 consultation notes with Mr. Depp? 12 A Yes. 13 Q I'd like to direct your attention to the 14 third page. Excuse me one moment. Do you see 15 here where it says impressions? 16 A Yes. 17 Q Could you describe what the items listed 18 under this heading are? 19 A So the first one, primary dopamine 20 imbalance. This in general terms, I don't know -- 21 MR. HARWELL: Doctor, objection. I'm not 22 going to let you answer that question. It calls
170	172
1 same scope as what Mr. Depp agreed to. And I'm 2 also going -- we're also going to -- we did 3 discuss there was a HIPAA release that was signed 4 by Ms. Heard that Dr. Kipper doesn't appear to 5 have that both sides are looking to find and will 6 provide to counsel for Dr. Kipper. 7 MR. HARWELL: Thank you. 8 MS. MEYERS: Thank you. 9 EXAMINATION BY COUNSEL FOR THE PLAINTIFF 10 BY MS. MEYERS: 11 Q Good afternoon, Dr. Kipper. Jessica 12 Meyers, Brown Rudnick for Mr. Depp. I'd like to 13 talk with you first about the document that's been 14 marked as Kipper Exhibit 3. 15 MS. MEYERS: Alex, could you please bring 16 that up. 17 PLANET DEPOS TECHNICIAN: This is Alex, 18 the tech speaking. Are you referring to 19 Exhibit C, Ms. Meyers? 20 MS. MEYERS: I'm going by what I believe 21 Adam already marked as Exhibit 3. 22 PLANET DEPOS TECHNICIAN: Previously	1 for an expert opinion. You can read the words. 2 A Primary dopamine imbalance, ADHD, which is 3 attention deficit hyperactivity disorder, Bipolar 4 I, depression secondary to above, insomnia, 5 chronic substance abuse disorder, chronic reflux. 6 MR. HARWELL: Doctor, I'd rather you do 7 not read that part out loud. We do not have a 8 waiver for that part. 9 THE WITNESS: All right. Sorry. 10 MR. HARWELL: In fact, for the bottom 11 three we do not have a waiver. 12 Q So with respect to these items, are these 13 an official diagnosis of Mr. Depp? 14 A These are my impressions, yes. 15 Q When you say impression, is that 16 considered a -- would you consider that a 17 diagnosis? 18 A Yes, Ms. Meyers, that's my diagnostic 19 impression. 20 Q And you list Bipolar I here. Is this also 21 an official diagnosis? 22 A Yes.

173

1 Q Do you have a background in psychology?
2 A Yes. **Actually, I have a background in**
3 **mental health, in addiction, and as a general**
4 **internist.**
5 Q So you're qualified to make a diagnosis of
6 Bipolar I?
7 A Yes.
8 Q And did this diagnosis impact your
9 treatment of Mr. Depp in any way?
10 MR. HARWELL: Objection; calls for expert
11 opinion.
12 Q I'd like to direct your attention now to
13 the heading "Plan." Do you see this?
14 A Yes.
15 Q Okay. I'm going to go through the
16 medication listed under the heading re-establish
17 dopamine balance, do you see that?
18 A Yes.
19 Q Okay. So first of all, I see Adderall
20 listed. Was Mr. Depp taking Adderall at the time
21 you started treating him?
22 A **Not at the time, no.**

174

1 Q Adderall is something that you prescribed
2 to him when you started treating him?
3 A Yes.
4 Q And what was the purpose of prescribing
5 him Adderall?
6 MR. HARWELL: Objection. Calls for expert
7 opinion.
8 Q How did Adderall affect Mr. Depp?
9 A **Adderall increased his ability to focus.**
10 Q Okay. And I see trial lithium here, is
11 this another medication you prescribed to
12 Mr. Depp?
13 A Yes.
14 Q And he wasn't already taking it at the
15 time that you started treating him?
16 A **Correct.**
17 Q And how did lithium affect Mr. Depp?
18 A **Lithium ultimately was not a good choice**
19 **because it created some fatigue for him. And**
20 **lithium is a mood stabilizing medication. And the**
21 **prescription -- the prescribing was to stabilize**
22 **his mood.**

175

1 Q From what you observed, did it stabilize
2 his mood?
3 A **Unfortunately it was hard to dissect that**
4 **out. Because this was -- again, he was in the**
5 **middle of a maintenance program on medication when**
6 **we started at that time to transition to an actual**
7 **detox. So during that period of time it's hard to**
8 **say what was what, which medicines were creating**
9 **what effects.**
10 Q I see here you say maintain current dosing
11 of Roxicodone and Klonopin. How did -- so am I
12 correct this was medication that Mr. Depp was
13 already taking when you started treating him?
14 A Yes.
15 Q And how did maintaining this medication
16 affect Mr. Depp?
17 A **It kept him from going into withdrawal**
18 **from these two different medicines.**
19 Q Okay. I'd like to go on to the next page
20 here. I see trial of Ambien here. Is this -- is
21 this also medication that you prescribed to
22 Mr. Depp?

176

1 A Yes.
2 Q And he was not previously taking Ambien?
3 A **Not -- not recently when I first met him,**
4 **no.**
5 Q And how did the Ambien affect Mr. Depp?
6 A **It allowed him to sleep.**
7 Q And I see here maintain current Lexapro
8 but wean off gradually. Was this a medication
9 that Mr. Depp was already on when you started
10 treating him?
11 A Yes.
12 Q And how did this medication affect
13 Mr. Depp?
14 A **It also contributed to adjusting his mood,**
15 **depression, and anxiety.**
16 Q Of the medications that we've just
17 discussed, taking them together, how did that
18 affect Mr. Depp?
19 A **These medications did not -- as a**
20 **combination did not negatively impact him.**
21 Q When you say negative -- what do you mean
22 by when you say didn't negatively impact him?

177

1 **A These medications were synergistic, they**
2 **did not oppose each other and there was no**
3 **interaction of these medications that would've**
4 **created adverse effects because of those**
5 **interactions.**
6 MR. NADLEHAFT: I'm going to object.
7 Isn't this the expert testimony that I was
8 prevented from asking about?
9 MR. HARWELL: The question was phrased for
10 that of a percipient witness of how did it affect
11 him, and so I've been allowing him to answer as a
12 percipient witness would as to how it affected
13 him. But we've gotten awfully close to the expert
14 level, and we will not be answering expert
15 questions no matter who asks them without being
16 retained.
17 MS. MEYERS: Understood.
18 Q Dr. Kipper, did you observe Mr. Depp
19 experience any side effects from these
20 medications?
21 **A Yes.**
22 Q And what were those side effects?

178

1 **A The lithium created some sedation in him.**
2 **And that was ultimately withdrawn.**
3 Q And were there any other side effects from
4 these medications that you observed?
5 **A No.**
6 MS. MEYERS: I'd like to pull up what's
7 already been marked as Kipper Exhibit 4, please.
8 Q And, Dr. Kipper, I believe we've already
9 established, but can you confirm that you
10 recognize these documents -- this document?
11 **A Yes.**
12 Q And these are also notes of a consultation
13 you had with Mr. Depp?
14 **A Correct.**
15 Q And it appears from these notes that
16 Ms. Debbie Lloyd was at the meeting; correct?
17 **A Yes.**
18 Q And she's a registered nurse?
19 **A Yes.**
20 Q And did Mr. Depp's treatment plan
21 contemplate Ms. Lloyd remaining with Mr. Depp
22 during his therapy?

179

1 **A Yes.**
2 Q And was it contemplated that Ms. Lloyd
3 would personally distribute his medications to
4 him?
5 MR. NADLEHAFT: Objection; leading.
6 **A Yes.**
7 Q Did Ms. Lloyd provide personally dispensed
8 medications to Mr. Depp?
9 MR. NADLEHAFT: Objection; leading.
10 **A Yes, she did.**
11 Q And how -- how regular was Ms. Lloyd's
12 contact with Mr. Depp?
13 **A She had contact with him daily, either**
14 **physically or by phone.**
15 Q How often would you estimate that she was
16 physically in contact with him?
17 MR. NADLEHAFT: Objection; speculation.
18 **A I would say 80 percent, 90 percent of the**
19 **time, somewhere in there.**
20 Q And Mr. Depp agreed to this supervision by
21 Ms. Lloyd?
22 MR. NADLEHAFT: Objection; leading.

180

1 **A Yes.**
2 Q At this meeting that you had with
3 Mr. Depp, which appears to have been on
4 June 11th, 2014, was Ms. Heard present at that
5 consultation?
6 **A No, not at that consultation.**
7 Q Had you met her at that point?
8 **A I can't remember.**
9 MS. MEYERS: Alex, can we please pull up
10 what's been marked as Kipper Exhibit 6.
11 Q Dr. Kipper, can you please confirm these
12 are your notes from a consultation you had with
13 Mr. Depp in Boston in June of 2014?
14 **A Yes, this is a summary from June 22nd to**
15 **June 24th of that consult -- of that time with**
16 **him.**
17 Q And if we scroll down, I guess I have
18 control here. The notes reflect here that you met
19 with Ms. Heard at that time; correct?
20 **A Yes.**
21 Q Would this have been the first time that
22 you met Ms. Heard?

<p style="text-align: right;">181</p> <p>1 A I'm not certain of that.</p> <p>2 Q How many times would you have met her</p> <p>3 before this point?</p> <p>4 A Again, I can't answer that. For sure I</p> <p>5 would – I can't answer that.</p> <p>6 Q Would you have met Ms. Heard outside of</p> <p>7 your consultations with Mr. Depp prior to this</p> <p>8 point?</p> <p>9 A I might have, I just can't recall how many</p> <p>10 times or if.</p> <p>11 Q In your notes you state that you discuss</p> <p>12 with Ms. Heard her concerns that Mr. Depp be</p> <p>13 strictly monitored and supervised; is that</p> <p>14 accurate?</p> <p>15 A I'm hesitating only because I'm reading my</p> <p>16 note.</p> <p>17 Q Okay.</p> <p>18 A Yes.</p> <p>19 Q Did Ms. Heard's concerns factor into your</p> <p>20 treatment plan at all --</p> <p>21 MR. HARWELL: Objection. Objection;</p> <p>22 expert testimony.</p>	<p style="text-align: right;">183</p> <p>1 behaviors?</p> <p>2 A Having grown up in that environment, she's</p> <p>3 used to seeing the trauma that it inflicts and is</p> <p>4 not only able to recognize it, but also it affects</p> <p>5 her – she has the ability to understand what that</p> <p>6 looks like.</p> <p>7 Q And was this your observation of her or</p> <p>8 something she told you?</p> <p>9 A This is something she told me.</p> <p>10 MS. MEYERS: Alex, can you please pull up</p> <p>11 what's been marked as Kipper Exhibit 5, please.</p> <p>12 Q Dr. Kipper, you recognize these as, I</p> <p>13 believe you testified a combination of your own</p> <p>14 patient notes and Ms. Lloyd's patient notes for</p> <p>15 Mr. Depp; correct?</p> <p>16 A Yes.</p> <p>17 Q And you -- I believe you testified you</p> <p>18 compiled them together; is that right?</p> <p>19 A Yes.</p> <p>20 Q Did you -- for the notes that were taken</p> <p>21 by Ms. Lloyd, did you specifically request that</p> <p>22 she maintain these notes?</p>
<p style="text-align: right;">182</p> <p>1 MR. NADLEHAFT: Same objection.</p> <p>2 Q Did Ms. Heard tell you that she was</p> <p>3 concerned about Mr. Depp being violent with her at</p> <p>4 this consultation?</p> <p>5 A No.</p> <p>6 Q If she had told you that, is that</p> <p>7 something you would've documented in these notes?</p> <p>8 MR. NADLEHAFT: Objection; vague as to the</p> <p>9 term violent.</p> <p>10 A Yes.</p> <p>11 Q You can answer.</p> <p>12 A Yes.</p> <p>13 Q Your note here states that, "Amber has a</p> <p>14 strong family history of drug and alcohol abuse</p> <p>15 and is particularly sensitive to his behaviors and</p> <p>16 potential for abuse." The phrase potential for</p> <p>17 abuse, is that referring to substance abuse?</p> <p>18 A Yes.</p> <p>19 Q It's not referring to physical abuse?</p> <p>20 A No.</p> <p>21 Q And what do you mean when you say that</p> <p>22 Ms. Heard is particularly sensitive to Mr. Depp's</p>	<p style="text-align: right;">184</p> <p>1 A Yes, that's part of her responsibility.</p> <p>2 Q And did you advise her on what type of</p> <p>3 information she should include in those notes?</p> <p>4 A No.</p> <p>5 Q Is there anything in particular that you</p> <p>6 asked to include in the notes?</p> <p>7 A No. She was trained in this and she --</p> <p>8 she knew what the important metrics were in</p> <p>9 notation.</p> <p>10 Q And I believe you testified that you have</p> <p>11 reviewed these notes in their entirety before;</p> <p>12 correct?</p> <p>13 A Yes.</p> <p>14 Q How many times would you say you've</p> <p>15 reviewed these notes?</p> <p>16 A I reviewed them at the time they were</p> <p>17 written, and I reviewed them probably a couple of</p> <p>18 weeks ago, so twice.</p> <p>19 Q Would you review them periodically as she</p> <p>20 provided them to you?</p> <p>21 A No.</p> <p>22 Q If we could turn to the last page -- oh, I</p>

<p style="text-align: right;">185</p> <p>1 have control. I'm going to turn to the last page 2 of these notes. Dr. Kipper, do you see the note 3 marked June 29, 2015? 4 A Yes. 5 Q I'm going to turn to the last page now. 6 And do you see this note marked June 30th? 7 A Yes. 8 Q And so do you understand that to be 9 June 30th, 2015? 10 A Yes. 11 Q Did Ms. Lloyd stop attending to Mr. Depp 12 around this time? 13 A I'm going to refer to my timetable just 14 because I'll have a better sense of where the 15 treatment was. 16 MR. NADLEHAFT: And, John, can we have a 17 copy of this note that he's looking at since he's 18 now referred to it a couple of times and is 19 reviewing the notes? 20 MR. HARWELL: It seems to me you have a 21 right, yes. We'll arrange to have it sent over. 22 MR. NADLEHAFT: Thank you.</p>	<p style="text-align: right;">187</p> <p>1 you traveled down to attend to Mr. Depp during 2 this time; correct? 3 A Yes. 4 Q And when you arrived on the island, who 5 was present? 6 A Mr. Depp, Ms. Heard, Ms. Lloyd, and 7 assistants for Mr. Depp. But I can't recall which 8 assistants. 9 Q Do you recall how many? 10 A No. There were people that I think lived 11 or serviced that island when he was there. There 12 were probably four of those people. And I'm not 13 sure if he had one or two of his own assistants. 14 And I'm going to unfortunately have to excuse 15 myself for just a moment. 16 Q Certainly. We can go off the record. 17 A I'm so sorry. I'll be right back. 18 THE VIDEOGRAPHER: Off the record at 5:15. 19 (Off the record from 5:15 p.m. to 20 5:18 p.m.) 21 THE VIDEOGRAPHER: Back on the record at 22 5:18.</p>
<p style="text-align: right;">186</p> <p>1 A Again, I'm assuming that you're correct, 2 but I – I certainly couldn't tell you that this 3 is the year '15. I'll have to read this, if 4 you'll give me a second. 5 Q Would you like me to scroll up a bit for 6 you? 7 A No, the next note confirms that, the 8 neurologist's involvement. 9 Q Sorry. When you say confirms this, what 10 are you referring to? 11 A I'm on the same page with you, that this 12 is the year 2015. 13 Q Okay. And so you can't recall whether 14 Ms. Lloyd continued supervising Mr. Depp after 15 this point? 16 A No, I can't recall. 17 Q You continued to treat Mr. Depp after this 18 point? 19 A Yes. 20 Q All right. I'd like to talk to you 21 briefly about the detox process on Mr. Depp's 22 island in August 2014. I believe you said that</p>	<p style="text-align: right;">188</p> <p>1 MR. HARWELL: Let me just say I've just 2 reviewed a letter to Dr. Kipper from Ms. Heard's 3 lawyers that contains a note on it apparently 4 signed by Ms. Heard that suggests an intention to 5 waive HIPAA patient protection rights as to any 6 psychological or medical care rendered in response 7 to any abuse caused by Mr. Heard -- sorry, 8 Mr. Depp. So to that narrow extent, Doctor, you 9 can talk about any matters involving Ms. Heard. 10 MS. MEYERS: Thank you. 11 Q Dr. Kipper, when you arrived on the island 12 in August 2014, did you see where Mr. Depp was 13 staying during that time? 14 A Yes. 15 Q And what did these accommodations look 16 like? 17 A He had a little home structure, it was a 18 small structure, a bedroom and a kitchen and a 19 sitting area. 20 Q And was Ms. Heard staying there with him? 21 A Yes. 22 Q And relative to where Mr. Depp was</p>

189

1 staying, where was Ms. Lloyd staying?
2 **A She was staying on another part of the**
3 **island in a structure called a yurt, which is like**
4 **a tent.**
5 Q And how far away -- how long would it take
6 Ms. Lloyd to get to where Mr. Depp was staying?
7 **A Five minutes.**
8 Q Five minutes?
9 **A Five minutes.**
10 Q Would that be walking?
11 **A No, that would be on a motorized vehicle.**
12 Q And relative to where Mr. Depp was
13 staying, where did you stay when you were on the
14 island?
15 **A I stayed on the other side of that yurt.**
16 Q Okay. Also in a yurt?
17 **A Yes.**
18 Q Had Mr. Depp's detoxification process
19 already started when you arrived on the island?
20 **A Yes.**
21 Q And had Ms. Lloyd been overseeing that
22 process?

190

1 **A Yes.**
2 Q Did she report any issues to you upon your
3 arrival?
4 MR. NADLEHAFT: Objection; leading.
5 **A She certainly updated -- I was updated --**
6 **he started on the 10th. I arrived on the 12th, so**
7 **I was in full communication with her from the**
8 **beginning of that.**
9 Q When you arrived on the island, did you
10 see Ms. Heard?
11 **A Yes.**
12 Q And how did she seem at that point?
13 **A She seemed fine.**
14 Q And at that time how long had you known
15 Ms. Heard, approximately?
16 **A Probably a couple months.**
17 Q And at this time how many times had you
18 met in person with Ms. Heard?
19 **A I can't remember, but I would say it was**
20 **less than five.**
21 Q And at this time had you ever provided
22 medical treatment to Ms. Heard?

191

1 **A At this time when Mr. Depp was going**
2 **through his detox?**
3 Q That's correct.
4 **A I began treating Ms. Heard after that**
5 **period of time, after his detoxification.**
6 Q So Ms. Heard was not a patient at the time
7 -- of yours at the time you were on the island
8 treating Mr. Depp --
9 **A Yes.**
10 Q -- in August 2014? After you arrived on
11 the island, did you personally oversee Mr. Depp's
12 detoxification process?
13 **A Yes.**
14 Q And how often would you check in on him?
15 **A Several times a day.**
16 Q And was this physically going to see him?
17 **A No, this would be seeing him physically**
18 **once a day and then checking on his progress**
19 **throughout the day.**
20 Q So during the detoxification process you
21 did see Mr. Depp at least once a day?
22 **A Yes.**

192

1 Q And was Ms. Lloyd checking on Mr. Depp
2 daily?
3 **A Yes.**
4 Q And she was seeing him in person daily as
5 well?
6 **A Yes.**
7 Q I believe earlier in your examination you
8 were asked some questions about a message you
9 received from Ms. Heard stating that Mr. Depp was
10 having a challenging time on August 17th, do you
11 remember that?
12 **A I remember vaguely -- you mean in the --**
13 **earlier today?**
14 Q Yes.
15 **A Yes.**
16 Q And I believe you testified that you had
17 received a message from Ms. Heard stating that
18 Mr. Depp was acting erratically and had pushed
19 her, do you remember that?
20 **A I don't remember.**
21 Q And you went and saw Mr. Depp after
22 receiving that message; correct?

193

1 **A Yes.**
2 Q And did Ms. Lloyd go with you?
3 **A Yes.**
4 Q And where did you see Mr. Depp after
5 receiving that message?
6 **A I believe I saw him outside of his little**
7 **home. It was either in the -- across from this**
8 **little home was a little cantina where one would**
9 **eat, and it was I think around the cantina.**
10 Q And what was his physical condition at
11 that time?
12 MR. HARWELL: I'm going to ask that you
13 limit your answer to what you might have been able
14 to physically observe, not make an expert opinion
15 as to his physical condition.
16 **A He was frustrated. He was uncomfortable.**
17 Q How was his demeanor?
18 **A One of being frustrated and uncomfortable.**
19 Q And was Ms. Heard with him at that time?
20 **A When I saw Mr. Depp at that point, no, she**
21 **was not.**
22 Q And at this time, this was in the middle

194

1 of his detoxification process; correct?
2 **A Yes.**
3 Q Did you see Ms. Heard that evening?
4 **A I can't remember.**
5 Q Do you recall Ms. Heard seeking medical
6 treatment from you for any physical injuries while
7 you were on the island in August 2014?
8 **A No.**
9 MR. NADLEHAFT: Objection; leading.
10 Q If you had -- go ahead.
11 **A No, I don't.**
12 Q If Ms. Heard had sought treatment from you
13 for injuries, is that something you would've
14 documented?
15 MR. NADLEHAFT: Objection; leading.
16 **A Yes, I would have.**
17 Q Is that something you would have
18 remembered her telling you?
19 MR. NADLEHAFT: Objection; leading;
20 speculation.
21 **A Yes.**
22 Q Did you see Ms. Heard after this evening

195

1 of August 17th?
2 **A On that particular evening, that I can't**
3 **remember. But I did see Ms. Heard pretty much**
4 **daily during the time -- my time on the island.**
5 Q So did you see her at some point perhaps
6 -- did you see her the next day?
7 **A Yes.**
8 Q And did you observe any injuries to
9 Ms. Heard at that time?
10 MR. NADLEHAFT: Objection; leading.
11 **A No.**
12 MR. NADLEHAFT: Objection; calls for
13 expert testimony.
14 Q She didn't have any bruises that you
15 observed?
16 MR. NADLEHAFT: Objection; leading.
17 **A No.**
18 Q Did you -- after you met with Mr. Depp
19 that evening of August 17th, did you go back to
20 his accommodations at some point?
21 **A No. No, I think we resolved the issues**
22 **where we were outside of his little hut, his home.**

196

1 Q So you didn't go and attend to him again
2 in his home after that time?
3 **A No.**
4 MS. MEYERS: Alex, could you please pull
5 up what's been marked as Kipper Exhibit 8.
6 Q Dr. Kipper, I think you -- do you remember
7 this email from earlier in your deposition?
8 **A Yes, I do.**
9 Q And I believe you testified that you
10 recall sending this email to Ms. Dembrowski on
11 August 18th, 2014; correct?
12 **A Yes.**
13 Q At the time you wrote this email how long
14 had you known Mr. Depp?
15 **A Approximately four months.**
16 Q And in those four months how much time had
17 you spent with Mr. Depp in person?
18 **A I couldn't give you a cumulative number of**
19 **hours, but I would say -- I would estimate that**
20 **including up until August 18th, I would**
21 **guesstimate 20 hours.**
22 Q Is it fair to say that when you wrote this

<p>197</p> <p>1 email, most of the time you had known Mr. Depp or 2 spent with Mr. Depp was while he was in detox? 3 MR. NADLEHAFT: Objection; leading. 4 A Yes. 5 Q Turning to the content of the email, I'd 6 like to direct your attention to this sentence 7 right here that starts, "As we discussed in my 8 office at our first meeting." If you need to take 9 a minute to read the remainder of that paragraph, 10 please go ahead and just let me know when you're 11 done. 12 A Yes. 13 Q In this part of the email, is it fair to 14 say you identified three steps to Mr. Depp's 15 treatment? 16 A Yes. 17 Q The first is stabilizing medication? 18 A This is what I wrote, yes. 19 Q And then the second was to detoxify from 20 substances? 21 A Yes, that's what I wrote. 22 Q And that was what was going on on the</p>	<p>199</p> <p>1 that you identify here? 2 MR. NADLEHAFT: Objection; leading. 3 Q You can answer. 4 A Not completely, no. 5 Q I'm going to direct your attention to this 6 next paragraph which starts on the first page and 7 goes on to the second page of the exhibit. Do you 8 need a minute to read through it before I ask you 9 any questions? 10 A No, go ahead. If I do, I'll ask for some 11 time. 12 Q Okay. Would you characterize this 13 paragraph as summarizing a conversation you had 14 with Mr. Depp on August 17th? 15 A I would say that statement is from a 16 series of conversations that I'd had with him from 17 the beginning of his detoxification. 18 Q And that detoxification had started on 19 August 10th? 20 A Correct. 21 Q All right. I'm going to direct you to 22 this last paragraph here. It reads, "He agreed to</p>
<p>198</p> <p>1 island in August 2014; correct? 2 MR. HARWELL: Objection; calls for an 3 expert testimony. You can ask what it says but 4 you can't ask what it means. 5 Q The third phase that you identify here is 6 to rebalance Mr. Depp's brain chemistry; is that 7 correct? 8 A Yes, that's what I wrote. 9 Q When you wrote this email, how far into 10 this treatment was Mr. Depp? 11 A This was written on the 18th and we 12 started treatment on the island on the 10th. We 13 maintained him starting in those – as you see in 14 the June notes, to make sure that he was taking 15 the prescribed amount and scheduling of the 16 medications. 17 Q Had you started this third phase with 18 Mr. Depp and his treatment? 19 MR. NADLEHAFT: Objection; vague; time 20 frame. 21 Q At the time you wrote this email had you 22 started the third phase of Mr. Depp's treatment</p>	<p>200</p> <p>1 sleeping on all this last night. He did not sound 2 at all committed to continuing the care once we 3 arrived in Los Angeles, but he did waiver a bit 4 when we suggested that he and Amber take a few 5 days apart once we landed." Now, at the time you 6 wrote this email, had you spoken to Mr. Depp since 7 the night before? 8 A No, I wrote this email after having met 9 with him the night before. 10 Q So you hadn't spoken to him since he 11 agreed to sleep on your conversation? 12 A Correct. 13 Q You go on to say, "For my two cents, I 14 think he needs to remain committed and bear some 15 discomfort. He has actually had very little. Get 16 neurochemically stable, seek an ongoing 17 therapeutic relationship with a doctor I know that 18 could help him, and get into the recovery 19 community on whatever level he would expect. 20 Short of this, his chances remain slim, he is 21 discouraged and angry, but this is not unusual at 22 this phase of the treatment. Our best course now</p>

<p>201</p> <p>1 is to get him back to Los Angeles, get his 2 pharmacological fine-tuning initiated and add in 3 the therapist while we have his attention." Do 4 you see that you wrote that? 5 A Yes. 6 Q After you wrote this email did Mr. Depp 7 continue with his treatment plan with you? 8 A Yes. 9 Q And after you sent this email did Mr. Depp 10 seek a therapeutic relationship with the doctor 11 you mentioned? 12 A Yes. 13 Q And who was that doctor? 14 A Dr. Alan Blaustein. 15 Q And what is his discipline? 16 A He's a psychiatrist. 17 Q With respect to what you wrote, that, 18 "Mr. Depp is discouraged and angry, but this is 19 not unusual in this phase of the treatment," why 20 is this -- why would that -- strike that. 21 Why were you expressing concern to 22 Mr. Depp's sister his behavior was not unusual at</p>	<p>203</p> <p>1 A Yes. 2 Q During the time that you were with 3 Mr. Depp on the island for his detox process, did 4 you ever witness him physically abuse Ms. Heard? 5 MR. NADLEHAFT: Objection; leading. 6 A No, never. 7 Q Did you ever see any physical evidence 8 that Mr. Depp had abused Ms. Heard? 9 MR. NADLEHAFT: Objection; leading; calls 10 for expert testimony. 11 MR. HARWELL: That's asking as a 12 percipient witness. You may answer, Doctor. 13 A No. Same answer. Never. 14 Q And during your time on the island, did 15 you observe Ms. Heard abuse Mr. Depp in any way? 16 MR. NADLEHAFT: Objection; leading. 17 A No. 18 Q If I could take you back to Exhibit -- 19 what's already been marked as Kipper Exhibit 5, 20 please. And just bear with me for a moment while 21 I find that. 22 Dr. Kipper, I'm showing you an entry that</p>
<p>202</p> <p>1 that phase of the treatment? 2 A This does call for some expert input. 3 MR. HARWELL: Then don't give it. 4 A So I'm not comfortable addressing that, 5 I'm sorry. 6 Q That's okay. Did your impression of 7 Mr. Depp change after you wrote this email? 8 MR. NADLEHAFT: Vague. May call for 9 expert testimony. 10 MR. HARWELL: I don't know. It would 11 depend on -- I can't even work out what -- I'm 12 sorry. It's a little bit too vague for him to be 13 able to answer that question in a comfortable 14 manner to me. 15 Q After you wrote this email you continued 16 to treat Mr. Depp; correct? 17 A Correct. 18 Q And you treated him for many -- a couple 19 of years after this; right? 20 A Yes. 21 Q And would you say that you got to know 22 Mr. Depp better as a person after that time?</p>	<p>204</p> <p>1 is from August 10th, 2014. Is this an entry that 2 you made or is this an entry by Ms. Lloyd? 3 A That would be Ms. Lloyd. 4 Q And if we go on to the next page under the 5 heading 1650, which I believe is the time -- 6 there's a list, it says, "Detox orders for today," 7 do you see that? 8 A Yes. 9 Q And under here there's a list for 10 medications; correct? 11 A Yes. 12 Q Were these all medications that were 13 prescribed to Mr. Depp on -- while he was in 14 detox? 15 A Yes. Not all at one time, but that was 16 the composite of his medications. 17 Q Were any of these medications part of 18 Mr. Depp's regimen prior to the detox process? 19 A No. 20 Q And from your observations, how did these 21 medications affect Mr. Depp? 22 MR. NADLEHAFT: Objection.</p>

205	<p>1 A That would be expert testimony that I'm 2 not comfortable giving an answer. 3 Q Did you observe Mr. Depp experience any 4 side effects from this combination of medications? 5 MR. NADLEHAFT: Same objection to expert. 6 MR. HARWELL: Yeah, I'm afraid we're going 7 to be in the same place. 8 Q After the detox process on the island you 9 and Mr. Depp returned to Los Angeles to continue 10 his treatment; correct? 11 A Yes. Correct. 12 Q And what medications were prescribed to 13 Mr. Depp during this time period? 14 A The time period upon immediate return? 15 Q Yes. 16 A I would like to refer to my notes, if you 17 have them in front of you. That would be on the 18 18 19th of August. 19 Q We can come back to that. I don't want to 20 waste any of your time, Dr. Kipper. 21 MS. MEYERS: Alex, can you please pull up 22 what's been marked as Kipper Exhibit 14.</p>	207	<p>1 THE WITNESS: No, I think I'm close here. 2 MR. HARWELL: You need a 12-year-old kid. 3 THE WITNESS: Give me one more second 4 here. I don't know what happened, but why would I 5 know what happened? I don't understand these 6 computers. 7 MR. NADLEHAFT: We can see and hear you, 8 Dr. Kipper. 9 THE WITNESS: Okay. I'm sorry I can't see 10 all of you, but as long as you know I'm here. 11 MS. MEYERS: Can you see the document? 12 THE WITNESS: No, I can't see anything. 13 Do you want me to close out and go back in? 14 MS. MEYERS: I think that might be best 15 given that we're going to have to look at some 16 additional documents. 17 THE WITNESS: See you later. 18 MS. MEYERS: Can we go off the record 19 while he revolves this? Thank you. 20 THE VIDEOGRAPHER: Off the record at 5:46. 21 (Off the record from 5:46 p.m. to 5:54 22 p.m.)</p>
206	<p>1 Q Dr. Kipper, do you recognize this email 2 from March 1st, 2015? 3 A Yes. 4 Q And this is an email to Dr. Blaustein that 5 I believe you looked at earlier in your 6 deposition; correct? 7 A Correct. 8 Q Now -- I apologize, I'm going to come back 9 to this email in a moment. 10 MS. MEYERS: Alex, could you please pull 11 up what I designated as document G. 12 (KIPPER Deposition Exhibit G marked for 13 identification and attached to the transcript.) 14 THE WITNESS: I don't know if you can 15 still hear me. Can you hear me? 16 MS. MEYERS: Yes. 17 THE WITNESS: Okay. I've lost the video. 18 I'm now back into launch meeting so I'm -- 19 MR. HARWELL: That's funny because we can 20 see you still. 21 MS. MEYERS: Do you want to go off the 22 video briefly so you can try to reconnect?</p>	208	<p>1 THE VIDEOGRAPHER: We're back on the 2 record at 5:54. 3 Q Okay. Thank you. 4 (KIPPER Deposition Exhibit 32 marked for 5 identification and attached to the transcript.) 6 MS. MEYERS: Alex, I think right before we 7 went off the record I asked if you could pull up 8 the document that I marked as G. Thank you. And 9 this will be marked as Kipper Exhibit 30 is my -- 10 or 32. Thank you. 11 Q Dr. Kipper, scrolling down to this email 12 here on September 14th -- excuse me, 13 September 18th, 2014, do you recognize this as an 14 email from you to Dr. Blaustein? 15 A Yes. 16 Q And at this time had Mr. Depp started 17 seeing Dr. Blaustein as a therapist? 18 A No, I believe this -- I believe this was 19 the beginning of that. I'm not sure. I had given 20 him -- I had given Mr. Depp Dr. Blaustein's 21 information, but I'm not sure if they had formally 22 connected.</p>

<p style="text-align: right;">209</p> <p>1 Q Okay. Do you see at the bottom here you 2 say, "He is doing remarkably well"?</p> <p>3 A Yes.</p> <p>4 Q Is that a reference to Mr. Depp?</p> <p>5 A Yes.</p> <p>6 Q And is this consistent with your 7 recollection that at the time Mr. Depp was doing 8 well?</p> <p>9 A Yes.</p> <p>10 Q And when you say he was doing well, does 11 that refer to his progress and the treatment you 12 were providing?</p> <p>13 A Yes.</p> <p>14 MS. MEYERS: Alex, can you please bring up 15 document M, which I believe will be marked as 16 Kipper Exhibit 33.</p> <p>17 (KIPPER Deposition Exhibit 33 marked for 18 identification and attached to the transcript.)</p> <p>19 Q Dr. Kipper, do you recognize this 20 document?</p> <p>21 A Yes.</p> <p>22 Q And what is it?</p>	<p style="text-align: right;">211</p> <p>1 A I did.</p> <p>2 Q Okay. In this paragraph, fair to say 3 Ms. Heard is describing Mr. Depp?</p> <p>4 A Yes.</p> <p>5 Q And would it also be fair to say that she 6 generally states that he's doing well?</p> <p>7 MR. NADLEHAFT: Objection.</p> <p>8 A Yes.</p> <p>9 Q Is this consistent with your recollection 10 of how Mr. Depp was doing with his treatment in 11 October of 2014?</p> <p>12 MR. HARWELL: I'm going to have to object 13 because it calls for expert testimony.</p> <p>14 Q Have you observed any of the positive 15 behavioral changes that Ms. Heard is describing in 16 this paragraph, in Mr. Depp?</p> <p>17 MR. NADLEHAFT: Objection; leading.</p> <p>18 A Yes, I have. I had, yes.</p> <p>19 Q And I'm going to direct you to the 20 paragraph that begins on the third page and just 21 ask that you read the first three sentences 22 starting off with, "And me?"</p>
<p style="text-align: right;">210</p> <p>1 A It's a letter from Amber, I believe I'm 2 correct, to me.</p> <p>3 Q And you recall receiving this letter from 4 Amber?</p> <p>5 A Yes.</p> <p>6 Q And the letter appears to be dated 7 October 2014; right?</p> <p>8 A Yes.</p> <p>9 Q And that's when you recall receiving it?</p> <p>10 A Yes.</p> <p>11 Q Okay. Turning to the second page -- 12 excuse me. Starting with the paragraph that 13 starts, "The other day." Would you please take a 14 moment to read through this?</p> <p>15 A Yes. Can you bring it down a little bit?</p> <p>16 Q Yes, I'm sorry.</p> <p>17 A Thank you. Okay. Now you can go up a 18 little bit. Good. You can move up a little, 19 please.</p> <p>20 Q Certainly. My questions don't pertain to 21 the latter part of the paragraph if you've read 22 the first couple sentences.</p>	<p style="text-align: right;">212</p> <p>1 A Yes, I've read that.</p> <p>2 Q Okay. This is Ms. Heard referring to 3 treatment -- your treatment of her; correct?</p> <p>4 A Yes.</p> <p>5 Q She references you taking great care of me 6 physically; right?</p> <p>7 A Yes.</p> <p>8 Q And so Ms. Heard was your patient by this 9 time; is that correct?</p> <p>10 A Yes.</p> <p>11 Q Fair to say that Ms. Heard is 12 complimentary in this paragraph of you?</p> <p>13 A Yes.</p> <p>14 Q And was this the impression that you got 15 from her when you were treating her at this time, 16 that she was appreciative and complimentary of 17 you?</p> <p>18 A Yes.</p> <p>19 Q And did her attitude towards you that's in 20 this letter persist through the entire time that 21 you treated her?</p> <p>22 A I believe so.</p>

213	<p>1 Q Did her behavior towards you change in any 2 way during the course of your treatment of her? 3 MR. NADLEHAFT: Objection; leading. 4 A Not that I'm aware of. I did stop seeing 5 Amber at a certain point or Amber stopped seeing 6 me at a certain point. 7 Q Do you recall when that was? 8 A No. 9 Q Do you recall when Ms. Heard first became 10 your patient? 11 A No, I couldn't give you a definitive date. 12 Q It was -- it would have been before 13 October 2014, though; correct? 14 A Yes. 15 Q And it would have been after Mr. Depp's 16 detox on the island in August 2014; is that right? 17 A That's correct. 18 Q When you started treating Ms. Heard, did 19 you assign a nurse to her? 20 MR. HARWELL: I didn't hear the question, 21 I'm sorry. 22 Q When -- when you started treating</p>	215	<p>1 Ms. Boerum is a contractor for you? 2 A Yes. 3 Q But she reports to you with respect to 4 your patients that she covers? 5 A Correct. 6 Q And how closely did Mr. Boerum monitor 7 Ms. Heard? 8 MR. NADLEHAFT: Objection; vague. 9 MS. MEYERS: I'm sorry. Did you get an 10 instruction not to answer from Mr. Harwell? 11 MR. HARWELL: I was unable to understand 12 the period of time you were discussing. 13 MR. NADLEHAFT: And I said objection; 14 vague. This is Adam. 15 MS. MEYERS: Apologies. 16 Q During the time that Ms. Heard was your 17 patient and she had a -- Ms. Boerum was assigned 18 to her, how regular was Ms. Boerum checking in 19 with Ms. Heard? 20 A Very regular. Very regularly she saw her, 21 yes. 22 Q Would she have seen her on a daily basis?</p>
214	<p>1 Ms. Heard, was there a nurse that you assigned to 2 her? 3 MR. HARWELL: Thank you. 4 A I can't recall where it was -- whether, 5 Ms. Meyers, it was when I started to treat her. 6 At some point I did assign a nurse to her. But I 7 can't tell you which came first. I believe I was 8 treating her before I recommended a nurse for her. 9 Q So your recollection is that you started 10 treating her and after that a nurse was assigned? 11 A That's my memory, yes. 12 Q Do you have a sense of how close in time 13 to you beginning your treatment the nurse was 14 assigned to Ms. Heard? 15 A It couldn't have been too long. But I 16 honestly can't give you a specific reference to 17 time. 18 Q Do you remember that nurse's name? 19 A Erin Boerum. 20 Q And is Mr. Boerum a registered nurse? 21 A Yes. 22 Q And I believe you covered this earlier,</p>	216	<p>1 A I don't believe -- 2 MR. NADLEHAFT: Objection. 3 You can answer. 4 A I don't believe it was a daily basis, but 5 she, I know, had daily contact with her in some 6 way. 7 Q Would Ms. Boerum have seen Ms. Heard in 8 person on at least a weekly basis? 9 A Yes. 10 MR. NADLEHAFT: Objection. 11 Q Were there times that Ms. Boerum traveled 12 with Ms. Heard? 13 MR. NADLEHAFT: Objection; leading. 14 A Yes. 15 Q And as a registered nurse does Ms. Boerum 16 have an obligation to report any suspected abuse 17 of her patient to you? 18 A Yes. 19 Q And did she ever report any suspected 20 abuse to you of Ms. Heard? 21 MR. NADLEHAFT: Objection; leading. 22 A No.</p>

<p style="text-align: right;">217</p> <p>1 MS. MEYERS: Alex, could you please pull 2 up document H. Alex, is this Kipper Exhibit 34? 3 A Yes. 4 (KIPPER Deposition Exhibit 34 marked for 5 identification and attached to the transcript.) 6 Q Dr. Kipper, do you recognize this 7 document? 8 A Yes. 9 Q And what is it? 10 A It's an initial intake of that care. 11 Q I'm going to scroll down a bit and show 12 you there are future entries on this document as 13 well. Do you see these? 14 A I do. I'm -- I'm assuming -- I don't want 15 to make an assumption, but I would believe these 16 notes are from Erin Boerum. But if you give me a 17 second to look at this, I can be more specific. 18 Q Certainly. Let me know if you'd like me 19 to scroll through the document a bit more, I can 20 do that for you. 21 A Yes. These are notes from Erin Boerum. 22 Q Does this document reflect any of your</p>	<p style="text-align: right;">219</p> <p>1 MR. NADLEHAFT: Objection; speculation. 2 A Yes, I do. 3 Q You weren't telling her what to include in 4 these notes, she was drafting them on her own; is 5 that correct? 6 MR. NADLEHAFT: Objection; leading. 7 A That's correct. 8 Q Have you reviewed these notes before? 9 A I have reviewed these notes. 10 Q Have you reviewed them in their entirety? 11 A Yes, but not recently. 12 Q And how often would you review 13 Ms. Boerum's notes on Ms. Heard? 14 A I review my nurse's notes as they come in, 15 so that would be on a real time basis. 16 Q Okay. And going back to the first page, 17 you see this first entry is dated 18 August 27th, 2014? 19 A Yes. 20 Q Does this refresh your recollection as to 21 when Ms. Boerum would have been assigned to 22 Ms. Heard?</p>
<p style="text-align: right;">218</p> <p>1 note on Ms. Heard? 2 A This reflects my treatment 3 recommendations. 4 Q But these are Ms. Boerum's notes -- 5 A Yes. 6 Q -- you believe? 7 A Yes. 8 Q Did you ask Ms. Boerum to retain those 9 notes? 10 A Yes. 11 Q And for what purpose? 12 A Because she was monitoring a patient and I 13 needed to be informed of how the patient was doing 14 and for any adjustments of treatment. 15 Q Did you tell Ms. Boerum what type of 16 information should be documented in the notes? 17 A No. 18 Q And would there be anything that you 19 expressly asked her not to document? 20 A No. 21 Q Do you understand that Ms. Boerum used her 22 training and judgment in preparing these notes?</p>	<p style="text-align: right;">220</p> <p>1 A Yes. 2 Q And does this at all refresh your 3 recollection as to when you started treating 4 Ms. Heard? 5 A Yes, this would -- this would be about the 6 time. 7 Q I'm going to turn to the last page of the 8 note quickly. Do you see the last entry is dated 9 May 26, 2016? 10 A Yes. 11 Q Did Ms. Boerum start -- stop treating 12 Ms. Heard at this time? 13 A I don't believe so. 14 Q You believe that Ms. Boerum treated 15 Ms. Heard after May of 2016? 16 A I believe so. Can I -- can I see the end 17 of that note before you move it? Thank you. No, 18 my recollection is that Ms. Boerum [sic] continued 19 to see Erin. 20 Q Ms. Heard continued to see Erin? 21 A Ms. Heard continued to see Ms. Boerum, 22 yes.</p>

221	1 Q Did you continue to treat Ms. Heard after 2 this time, after May 2016? 3 A Yes. 4 Q In your time -- do you recall when you 5 stopped treating Ms. Heard? 6 A No. 7 Q Fair to say you treated her for at least 8 two years? 9 A I would -- I would need to refer to her 10 chart in order to give you a specific answer, but 11 that is my recollection, that it -- it may have 12 been longer than that, it may have been a few 13 years, but I have not treated Ms. Heard for at 14 least a couple years, maybe three years. 15 Q During your treatment of Ms. Heard, did 16 she ever miss any appointments with you? 17 A Not that I remember. 18 Q Did she ever ignore any of your attempts 19 to contact her for medical treatment? 20 A Not that I can remember. 21 Q During the time you treated Ms. Heard, did 22 she ever seek treatment from you for injuries that	223	1 MR. NADLEHAFT: Objection; leading. 2 A No. 3 Q And did Ms. Boerum ever report to you that 4 Ms. Heard had injuries that she claimed were 5 caused by Mr. Depp? 6 MR. NADLEHAFT: Objection; leading; 7 hearsay. 8 A Can you repeat that, please, Ms. Meyers? 9 Q Did Ms. Boerum ever report to you that 10 Ms. Heard had injuries, physical injuries, that 11 she claimed were caused by Mr. Depp? 12 MR. NADLEHAFT: Objection; leading; 13 hearsay. 14 A No, not that I can remember. 15 Q Did Ms. Boerum ever report to you that she 16 witnessed Mr. Depp physically abuse Ms. Heard? 17 MR. NADLEHAFT: Objection; leading. 18 A Never. 19 Q If Ms. Heard had reported an injury to 20 Ms. Boerum, is this something that Ms. Boerum 21 would've documented in her patient notes for 22 Ms. Heard?
222	1 appeared to be the result of domestic abuse? 2 MR. NADLEHAFT: Objection; leading. 3 A No, she did not. 4 Q Did she ever seek treatment from you for 5 injuries that she told you were caused by 6 Mr. Depp? 7 MR. NADLEHAFT: Objection; leading. 8 A No, she did not. 9 Q Did Ms. Heard ever tell you that Mr. Depp 10 abused her? 11 MR. NADLEHAFT: Objection; leading and 12 vague. 13 A No, she did not. 14 Q And you -- you never witnessed any 15 physical abuse by Mr. Depp against Ms. Heard 16 during the time you treated both of them? 17 A No. 18 MR. NADLEHAFT: Objection. 19 A No, never. 20 Q Did Ms. Boerum ever report to you that she 21 suspected Ms. Heard was the victim of domestic 22 abuse?	224	1 MR. NADLEHAFT: Objection; leading; 2 speculation. 3 A Yes, I believe so. 4 Q If Ms. Boerum observed that Ms. Heard had 5 any physical injuries, is this something that 6 would have been documented in her patient notes 7 for Ms. Heard? 8 MR. NADLEHAFT: Objection; leading; 9 speculation. 10 A Yes, absolutely. 11 Q Did Ms. Lloyd were report to you that she 12 witnessed Mr. Depp physically abuse Ms. Heard? 13 MR. NADLEHAFT: Objection; leading; 14 hearsay. 15 A No, never. 16 Q In March 2015, you traveled down to 17 Australia to attend to Mr. Depp; is that right? 18 A Yes. 19 Q And at the time Mr. Depp was already in 20 Australia; correct? 21 A Correct. 22 Q And was Ms. Lloyd with him?

225

1 **A Yes.**
2 Q And was Ms. Heard with him?
3 **A Yes.**
4 MS. MEYERS: Alex, can you please bring up
5 Kipper Exhibit 14.
6 Q Dr. Kipper, do you recognize this
7 March 1st, 2015, email as an email to
8 Dr. Blaustein?
9 **A Yes, I do.**
10 Q And you saw this email earlier in your
11 deposition; correct?
12 **A Correct.**
13 Q Do you -- do you see right here where you
14 say the big problem has been his sleep issue?
15 **A Yes.**
16 Q Was this something that had been reported
17 to you?
18 MS. MEYERS: Objection; leading; hearsay.
19 **A Yes. My understanding was that --**
20 MR. HARWELL: Doctor, you answered the
21 question, had it been reported to you. I don't
22 want you to explain it. That would be expert

226

1 testimony.
2 Q Who had reported that to you?
3 **A Ms. Lloyd.**
4 Q And so at the time that was reported to
5 you, you weren't in Australia yet; correct?
6 **A That I can't remember, but I believe that**
7 **is correct.**
8 Q I'm going to turn to the next page and
9 direct you to the first full sentence. It says,
10 "If he doesn't come home, I am planning to go out
11 there tomorrow night for a few days to get him
12 back on track." Do you recall whether you
13 traveled to Australia the day after sending this
14 email on March 1st?
15 **A I believe so, yes, but I --**
16 Q When --
17 **A -- can't give you a specific travel date.**
18 Q When you arrived in Australia was
19 Ms. Heard already there with Mr. Depp?
20 **A Yes.**
21 Q When you arrived in Australia when did you
22 first see Mr. Depp?

227

1 **A I believe it was the day after I arrived.**
2 Q And where did you see him?
3 **A I saw him at his home in Australia.**
4 Q And how long did you meet with him during
5 that time?
6 **A Probably an hour.**
7 Q How -- from what you observed, how did he
8 -- how was he physically?
9 MR. HARWELL: I'm going to object except
10 to anything he might have observed by watching.
11 Otherwise it's expert opinion.
12 **A Ms. Meyers, could you ask me that question**
13 **again in a way I can answer? I'm happy to answer.**
14 Q Sure. When you saw Mr. Depp after first
15 arriving in Australia -- you know what, strike
16 that.
17 Did you perform a medical assessment of
18 Mr. Depp when you first arrived?
19 MR. NADLEHAFT: Objection; leading.
20 **A Yes, I created a medical opinion, yes.**
21 Q Did you provide any medical treatment to
22 Mr. Depp when you arrived?

228

1 MR. NADLEHAFT: Objection; leading.
2 **A He was already under treatment at my**
3 **direction.**
4 Q Fair to say that you continued your
5 treatment when you first saw him in Australia?
6 MR. NADLEHAFT: Objection; leading.
7 **A That's correct.**
8 Q When you first met with Mr. Depp in
9 Australia, did you see the home that he was
10 staying in?
11 **A Yes.**
12 Q And was it a standalone house?
13 **A Yes.**
14 Q Was there a fence around the house?
15 **A I'm sorry?**
16 Q Was there a fence around the house?
17 **A That I can't recall.**
18 Q Do you recall whether Mr. Depp's security
19 -- security team was at the property?
20 **A Yes, they were.**
21 Q Where did you see them?
22 **A I saw them in and around the house.**

229	1 Q Do you recall how many security personnel 2 there were? 3 A Two to three. 4 Q What do you recall about the home's 5 appearance? 6 A It was a large home. It was a very 7 beautiful home. And it had a lot of surrounding 8 property. And I saw a kangaroo on that property. 9 Q Did the house have large windows? 10 A Yes. 11 Q Did the house have balconies? 12 A I can't -- that I can't remember. 13 Q And Ms. Heard was staying at this house 14 with Mr. Depp when you first arrived? 15 A Yes. 16 Q And where -- where were you staying 17 relative to where Mr. Depp was staying? 18 A I was at a hotel in Brisbane probably 19 20 minutes away, 15, 20 minutes away. 20 Q And Ms. Lloyd was staying with -- at that 21 same location? 22 A She was staying around the corner at a	231	1 his security team present? 2 MR. NADLEHAFT: Objection; leading. 3 A Yes. I saw him seated in the car when I 4 arrived. 5 Q Did Mr. Depp tell you what had happened to 6 his finger at that time? 7 A Yes. 8 Q And what did he tell you? 9 MS. MEYERS: Objection; leading; hearsay. 10 A He told me that -- that Ms. Heard had 11 thrown a vodka bottle at him, that he raised his 12 hand to cover his face, and the bottle shattered 13 and lacerated his finger. 14 Q How long did you attend to Mr. Depp 15 outside of the house? 16 A Not long. Probably a half hour because I 17 needed to get him to the emergency room. 18 Q So immediately after meeting him at the 19 house you went with him to the emergency room? 20 A Yes. I cleaned his wound to the best that 21 I could with the supplies that we had and then 22 took him. So it was within a half hour that we
230	1 different hotel. 2 Q Now, after you arrived in Australia at 3 some point you were notified that Mr. Depp had 4 been injured; correct? 5 A Yes. 6 Q And I believe this was covered earlier in 7 your deposition, you were actually -- you actually 8 received a text message from Mr. Depp; correct? 9 A Yes. 10 Q And after you received that message, did 11 you go directly to Mr. Depp? 12 A Yes. 13 Q And Ms. Lloyd came with you? 14 A Yes. 15 Q And I believe you said that Mr. Depp was 16 outside the property in his -- in a car at that 17 time; right? 18 A That's correct. 19 Q Was Mr. Depp's security team there with 20 him? 21 A Yes. 22 Q And you examined Mr. Depp in the car with	232	1 left. 2 Q Did you return to the house after bringing 3 Mr. Depp to the hospital? 4 A No. I was taken back to my hotel. 5 Q After you attended to Mr. Depp and before 6 you went to the hospital with him, did you go 7 inside the house? 8 A No. 9 Q So you did not go inside the property the 10 day that Mr. Depp contacted you about his injured 11 finger? 12 A No, I did go into the house. As I stated, 13 that after I saw him initially I went into the 14 home to see the home. I had -- 15 Q That was before you went to the hospital 16 with him? 17 A Yes. I -- I went in to instruct one of 18 the people with him to look for the tip of the 19 finger, hoping that we would be able to put it 20 back. 21 Q Was the tip of the finger found? 22 A It was found.

233	<p>1 Q Who found it? 2 A I believe this man was their chef. 3 Q And do you know where he found it or where 4 he told you he found it? 5 A He said he found it in the kitchen area. 6 Q When you went into the house did you see 7 Ms. Heard? 8 A Yes. 9 Q And how did she appear? 10 A She was certainly upset. 11 Q Did Ms. Heard seek any medical attention 12 from you for any injuries at that time? 13 A No. 14 Q Did Ms. Heard seek any medical attention 15 from Ms. Lloyd at that time? 16 MR. NADLEHAFT: Objection; leading. 17 A No. 18 Q Did you observe any physical injuries to 19 Ms. Heard when you saw her that -- on 20 March 7th, 2015? 21 MR. NADLEHAFT: Objection; leading. 22 A No.</p>	235	<p>1 injured, is this something that you would've 2 documented? 3 MR. NADLEHAFT: Objection; leading; 4 speculation. 5 A Yes. 6 Q Did you observe any broken glass in the 7 house? 8 A Yes. 9 Q Could you tell what the glass was from? 10 A No. 11 Q Was there blood around the broken glass? 12 A There was blood around the home, as I had 13 previously mentioned, but I didn't specifically 14 see blood on glass. 15 Q Where did you see the broken glass? 16 A In the kitchen area. 17 Q And that's where the finger -- the top 18 part of the finger was found as well? 19 A Yes. 20 MS. MEYERS: Alex, can you please bring up 21 what I believe was marked as Kipper Exhibit 17. 22 Q Dr. Kipper, you recognize this document</p>
234	<p>1 Q So Ms. Heard did not have any observable 2 bruises that you saw? 3 MR. NADLEHAFT: Objection; leading. 4 A That's correct. 5 Q And did Ms. Heard appear to have a broken 6 nose? 7 MR. NADLEHAFT: Objection; leading. 8 Objection; calls for medical -- calls for expert 9 testimony. 10 Q Was Ms. Heard's face swollen at all when 11 you saw her? 12 MR. NADLEHAFT: Objection; leading. 13 A Not that I was aware of, no. 14 Q Did Ms. Heard have any cuts on her arm 15 when you saw her? 16 MR. NADLEHAFT: Objection; leading. 17 A Not that I can recall. 18 Q Do you recall seeing any cuts on her feet 19 or any other part of her body? 20 MR. NADLEHAFT: Objection; leading. 21 A I can't recall. 22 Q If Ms. Heard had appeared to have been</p>	236	<p>1 from earlier in the deposition? 2 A Yes. 3 Q It's a letter dated March 15th, 2015, from 4 you to Mr. Depp; correct? 5 A Correct. 6 Q And you did send this letter to Mr. Depp; 7 correct? 8 A Correct. 9 Q This -- this sentence that begins, 10 "Further," it says, "Further, the nurse 11 supervision has also broken down, and this places 12 you at great risk for medical interactions that 13 could prove harmful." Is this consistent with 14 your recollection that nurse supervision had 15 broken down with respect to Mr. Depp? 16 A Yes. 17 Q When -- do you recall how long it had been 18 since a nurse had seen Mr. Depp at this point? 19 A You're talking about from the very 20 beginning of their relationship? 21 Q I mean going back from this letter where 22 you're indicating your concern about the breakdown</p>

<p style="text-align: right;">237</p> <p>1 of nurse supervision. When was the last time a 2 nurse had seen Mr. Depp at this point? 3 A It was shortly after our return to Los 4 Angeles. 5 Q You go on to state, "I also believe that 6 re-engaging with Amber without a professional 7 third party to help guide you both through your 8 issues will not be productive. The last time you 9 both addressed the issues ended in disaster." 10 What disaster are you referring to here? 11 A I'm sorry, I need to see that sentence 12 again. 13 Q It's two sentences, and the first one 14 starts with, "I also." 15 A Okay. And I'm sorry, Ms. Meyers, your 16 question was? 17 Q What was the disaster that you're 18 referring to here? 19 A I believe that was -- again, I may have my 20 times a little bit fuzzy, but I believe that's 21 when they both saw Dr. Cowan. And Amber saw 22 Dr. Cowan for her care, and then I believe</p>	<p style="text-align: right;">239</p> <p>1 A I'm sorry, can you restate that question? 2 I'm confused by that. 3 Q You write here, "Without" -- "What I 4 believe you need is a clear system without any 5 substances that could interfere with your 6 medications and jeopardize your surgical 7 procedure. Without this assurance, based on 8 behaviors and not promises, I am putting you at 9 risk." My question is, did Mr. Depp ever provide 10 the behavioral assurances that you state are 11 needed here? 12 MR. NADLEHAFT: Objection; leading. 13 A Yes. I'm sorry? Yes, that was a few days 14 later, four or five days later. 15 Q And what type of assurances did he provide 16 to you? 17 A That he would realign with a program and 18 the monitoring from the nurses and me. 19 Q And did he follow through on that? 20 A Yes. 21 Q And ultimately did you end up terminating 22 your care for Mr. Depp?</p>
<p style="text-align: right;">238</p> <p>1 Mr. Depp came in with her to a session or two, and 2 that I was told did not go well. 3 Q When you use the term disaster, you're not 4 referring to any physical abuse by either party, 5 are you? 6 A No. I know what this is. No, I'm not 7 referring to physical abuse. But I think this -- 8 from the timeline, this represents -- this 9 represents the two of them trying to resolve their 10 issues and to be able to have a productive 11 relationship. That never went well. 12 Q I'd like to direct to this sentence right 13 here that states -- that starts off with, "What I 14 believe you need is a clear system without any 15 substances that could interfere with your 16 medications and jeopardize your surgery procedure. 17 Without this assurance based on behaviors and not 18 promises, I am putting you at risk." 19 Did Mr. Depp and Ms. Heard end up 20 providing you with the behavioral assurances that 21 you're referring to here? 22 MR. NADLEHAFT: Objection; leading.</p>	<p style="text-align: right;">240</p> <p>1 I'm sorry, did you answer that? 2 A I answered that no. I answered it, the 3 answer was no. 4 Q Okay. Thank you. 5 MS. MEYERS: Alex, could you please pull 6 up what I marked as Document K. And I believe 7 will be Kipper Exhibit 35. 8 (KIPPER Deposition Exhibit 35 marked for 9 identification and attached to the transcript.) 10 Q Dr. Kipper, do you recognize this 11 document? 12 A Yes. 13 Q And what is it? 14 A If you could just for my verification, can 15 you scroll down to the bottom, please? 16 Q Sure. It goes on for two pages. 17 A Yes. I'm familiar with this document, 18 yes. 19 Q Did you prepare this document? 20 A No. 21 Q Is this a document that was prepared by 22 someone who works for you?</p>

<p style="text-align: right;">241</p> <p>1 A This was prepared by Monroe Tinker, who 2 was a nurse practitioner who worked for me at that 3 time. 4 Q Is this a record that's ordinarily 5 prepared and maintained in the course of your 6 business? 7 A Yes. 8 Q And have you reviewed this document 9 before? 10 A Yes. 11 Q When would you have reviewed it? 12 A I reviewed it immediately after the visit, 13 probably the next day. And I also reviewed this a 14 couple weeks ago. 15 Q I'd just like to direct your attention to 16 the last page. Is this your signature here? 17 A Yes. 18 Q And when would you have signed this? 19 A That was confirming that I reviewed 20 Mr. Tinker's notes. 21 Q Going back to the top. This is a patient 22 record for Ms. Heard; correct?</p>	<p style="text-align: right;">243</p> <p>1 Q And it states -- the third sentence 2 states, "Today the patient reports a headache 3 after she bumped her head while standing up two 4 days ago;" correct? 5 A Yes. 6 Q And a couple of sentences below that it 7 says, "Last seen in the office on 12/23/2015." Is 8 that an error or did she come back in later? 9 A No, I think that's got to be an error. 10 Q So based on this document, it's your 11 understanding that Ms. Heard called the office on 12 December 17th? 13 A Yes. 14 Q Scrolling down to the bottom here. It 15 says, "Objective data, physical exam." Do you see 16 that? 17 A Yes. 18 Q Does that mean that Ms. Heard came into 19 the office for a physical examination? 20 A That's what it signifies, yes. 21 Q And would that have also been on 22 December 17th, 2015?</p>
<p style="text-align: right;">242</p> <p>1 A Yes. 2 Q And where it says date 3 December 17th, 2015, is that the date of this -- 4 that's the date of this document? 5 A Yes. 6 Q And the document states, "Phone call 7 consultation, headache;" correct? 8 A Yes. 9 Q So does that mean that on 10 December 17th, 2015, Ms. Heard called the offices 11 to report a headache? 12 A Yes. 13 Q And right below this there's a paragraph 14 that starts out with, "HPI." What does that stand 15 for? 16 A History of present illness. 17 Q And is the information in this paragraph 18 what Ms. Heard reported during her phone 19 consultation? 20 MR. NADLEHAFT: Objection. 21 A That's what was written. I was not there, 22 but that's what's written.</p>	<p style="text-align: right;">244</p> <p>1 A Yes. 2 MR. NADLEHAFT: Objection; speculation. 3 A This note reflects that visit. Everything 4 in this note reflects that visit. 5 Q And so Monroe would have also performed 6 that physical examination? 7 A Monroe did perform that physical 8 examination. I did not see Ms. Heard. Monroe saw 9 Ms. Heard. 10 Q And the information below this heading of 11 physical exam, which goes on to the next page, are 12 these the findings from Ms. Heard's physical exam 13 on December 17th? 14 A Correct. 15 Q And if Ms. Heard had any physical 16 injuries, would those have been noted in this 17 portion of the document? 18 MR. NADLEHAFT: Objection; speculation. 19 A Yes. 20 Q And there are some medical terms in here, 21 so if you could let me know, does any of this 22 indicate that there were physical injuries that</p>

245	<p>1 were documented? 2 A No. 3 Q Does this document indicate that a 4 concussion check was performed? 5 A Yes. 6 Q And what were the results of that? 7 A Under the assessment and plan as written 8 – as written, Mr. Tinker did not indicate 9 concussion under his assessment. 10 Q Where in the document can you tell that a 11 concussion evaluation was performed? 12 A Again, this speaks to expert input. Not 13 comfortable answering that. 14 Q Understood. 15 A I'd like to, but I can't. 16 Q If Mr. Monroe had – or, excuse me, if 17 Monroe had suspected that Ms. Heard's injuries 18 were the result of domestic abuse, would that have 19 been documented in this report? 20 MR. NADLEHAFT: Objection; speculation. 21 A Yes, he would've. 22 Q And does this report indicate any concern</p>	247	<p>1 Q Dr. Kipper, do you recognize this 2 document? 3 A Yes, I recognize it upon looking at it, 4 yes. 5 Q What do you recognize this document as? 6 A As an email from Ms. Heard to me 7 requesting medical records for that month of 8 December. 9 Q December 2015? 10 A Yes. 11 Q And do you recall receiving this email? 12 A I don't recall receiving it, but I'm sure 13 I did, and I'm sure I reviewed it, yes. 14 Q And you see that the email is dated 15 August 8th, 2016; correct? 16 A Yes. 17 Q And you have no reason to doubt that you 18 received the email on or around that date? 19 A Correct. 20 Q On August 8th, 2016, was Ms. Heard still 21 your patient? 22 A I believe so, but I can't be sure.</p>
246	<p>1 about domestic abuse? 2 MR. NADLEHAFT: Objection; leading. 3 A No, it's not indicated in this note. 4 Q Under assessment and plan, Item 4 says 5 that Dr. Kipper is aware of the medical plan and 6 is in agreement. That's consistent with your 7 recollection? 8 A Yes. 9 Q And I believe you testified you didn't see 10 Ms. Heard on December 17th; correct? 11 A That's correct. 12 Q How were you informed of the medical plan? 13 A I spoke to Mr. Tinker by telephone. 14 Q And would that conversation have happened 15 on the 17th as well? 16 A Yes. 17 Q Okay. 18 MS. MEYERS: Alex, could you please pull 19 up Document L? And I believe this is what will be 20 marked as Kipper Exhibit 36. 21 (KIPPER Deposition Exhibit 36 marked for 22 identification and attached to the transcript.)</p>	248	<p>1 Q Now, I'm going to read from this email 2 here. Ms. Heard writes to you, "As per our 3 conversation earlier, is it possible to get my 4 medical records from the month of December, 5 please? [I know I saw Monroe during one of my 6 office visits, if it makes it easier for you to 7 find. I'm not sure. Anyway, it was great talking 8 to you earlier." Ms. Heard references speaking to 9 you earlier in this email; correct? 10 A Yes. 11 Q Do you recall having spoken to Ms. Heard 12 before receiving this email? 13 A I can't remember. 14 Q You don't remember anything about a 15 conversation that you might have had with 16 Ms. Heard prior to receiving this email? 17 A No, I can't recall that. 18 Q And I believe you already stated this, but 19 you understand Ms. Heard to be requesting medical 20 records from December 2015; correct? 21 A Correct. 22 Q And Ms. Heard mentions Monroe in this</p>

249	<p>1 email as well; correct? 2 A Correct. 3 Q And Monroe is the nurse practitioner that 4 Ms. Heard saw on December 17, 2015; right? 5 A Yes. 6 Q Did you provide Ms. Heard with her medical 7 records for December 2015? 8 A I believe so. 9 Q And do you recall what those records 10 consisted of? 11 A The one we just reviewed. 12 Q Was that the only one for December 2015? 13 A Again, I would have to research her chart 14 for that information, but I know at least it was 15 that note. 16 Q Did Ms. Heard ever ask you for any other 17 medical records? 18 A No. 19 MS. MEYERS: If everyone -- would this be 20 a good time for a quick break? I'm going to 21 collect my thoughts and see how much more I have 22 to go. Is that okay with you, Adam?</p>	251	<p>1 Q So was he taking multiple doses of certain 2 medications during the day? 3 A Yes. 4 Q And during that time did Mr. Depp ever 5 tell you that Ms. Heard was withholding 6 medications from him? 7 A No. 8 Q And did Ms. Lloyd ever report to you that 9 Ms. Heard was withholding medications from 10 Mr. Depp? 11 A No. 12 MS. MEYERS: Alex, I'm going to ask you to 13 bring up an exhibit that was previously marked. 14 And I apologize, I don't have the number. It was 15 the email from Dr. Kipper to Lisa Beane asking for 16 a certain -- an email to be included in Mr. Depp's 17 medical record. 18 Adam, do you know what exhibit that was? 19 MR. NADLEHAFT: Sorry, I don't. 20 MS. MEYERS: I think it was one of the 21 later ones, I hope. 22 MR. NADLEHAFT: I agree with that.</p>
250	<p>1 MR. NADLEHAFT: Yeah, it's fine with me. 2 MS. MEYERS: Oh, sorry. Dr. Kipper does 3 that work for you? 4 THE WITNESS: It does, but I'm not 5 punching any buttons. I'm going to sit right here 6 until you're back. 7 MR. HARWELL: Yeah, don't touch anything. 8 THE VIDEOGRAPHER: Off the record at 6:49. 9 (Off the record from 6:49 p.m. to 10 6:59 p.m.) 11 THE VIDEOGRAPHER: We're back on the 12 record at 6:59. 13 Q Dr. Kipper, I'd like to go back and ask 14 you a couple of questions about Mr. Depp's detox 15 on the island in August 2014. During that time 16 you were prescribing Mr. Depp a number of 17 medications as part of the detox process; right? 18 A Yes. 19 Q And how often was Mr. Depp taking these 20 medications during that time? 21 A On a continuum. He was taking medications 22 on a continuum.</p>	252	<p>1 MS. MEYERS: Could you try bringing up 2 Kipper Exhibit 26? 3 PLANET DEPOS TECHNICIAN: This is Alex, 4 the tech speaking, I think I may have found it. 5 It appears to be Exhibit 15. 6 MR. NADLEHAFT: There's a couple of 7 documents where I think he asked that. 8 MS. MEYERS: Okay. Let's try that one. 9 PLANET DEPOS TECHNICIAN: Very well. 10 Q Dr. Kipper, do you recognize this email 11 from March 8th, 2015, from -- 12 A I recognize this email from about two 13 hours ago, yes. 14 Q You recall you discussed this document 15 with Ms. Heard's counsel, yes? 16 A Yes. 17 Q And this is an email to you from 18 Mr. Depp's surgeon in Australia; is that right? 19 A Correct. 20 Q And this statement where it says, "Patient 21 under the influence and not coherent, not sure of 22 mechanism." Is that statement accurate based on</p>

253

1 your recollection of Mr. Depp on that day?
2 MR. NADLEHAFT: Objection; asked and
3 answered.
4 **A I had a different understanding of**
5 **Mr. Depp in the emergency facility. But I'm not**
6 **sure whether that doctor saw him -- I'm trying to**
7 **remember if that doctor saw him at the same time.**
8 **Because there was -- if you scroll down, I think**
9 **there's a note from the emergency room doctor that**
10 **stabilized him, and I think that if you can go**
11 **down a little bit further, so -- there we go. So**
12 **March 8th was the date of the injury, and now,**
13 **Ms. Meyers, if you don't mind scrolling up, I want**
14 **to see the date that that doctor wrote the note.**
15 **That was at 4:05, so no, I guess that was the same**
16 **day, but that is not my recollection of Mr. Depp's**
17 **status.**
18 Q You don't recall Mr. Depp appearing to be
19 under the influence?
20 **A No, Mr. Depp was -- remember what happened**
21 **to him, he had some fractured -- fractures in his**
22 **finger and he lost part of his finger. He was**

254

1 given pain medication. And he may have been a
2 little bit sedated from the pain medicine he got.
3 **But I didn't find him to be under the influence.**
4 **He was maybe under the influence of some narcotic**
5 **pain medicine that he got.**
6 Q Did you provide any pain medication to
7 Mr. Depp when you arrived at the house before you
8 went to the hospital?
9 **A No. No.**
10 Q And this statement here that Mr. Depp was
11 not coherent, I believe you already testified that
12 that was inconsistent with what you recalled;
13 correct?
14 MR. NADLEHAFT: Objection --
15 **A Yes.**
16 MR. NADLEHAFT: -- asked and answered.
17 **A Sorry. Yes.**
18 Q All right. Dr. Kipper, as you sit here
19 today, Mr. Depp is still your patient; correct?
20 **A Yes.**
21 Q And so Mr. Depp has been your patient for
22 over six years at this point; right?

255

1 **A Yes.**
2 Q In the over six years that you've known
3 Mr. Depp, have you ever witnessed him be
4 physically abusive to any person?
5 MR. NADLEHAFT: Objection; leading.
6 **A Never.**
7 Q And you've never witnessed him being
8 physically abusive to Ms. Heard; correct?
9 MR. NADLEHAFT: Objection; leading.
10 **A Correct.**
11 Q In those over six years that Mr. Depp's
12 been your patient, has anyone that works for you
13 or reports to you ever told you that they
14 witnessed Mr. Depp be abusive to Ms. Heard?
15 MR. NADLEHAFT: Objection; leading.
16 **A No, never.**
17 Q You've also known Ms. Heard for over six
18 years at this point; correct?
19 **A Yes. Although I've not seen Ms. Heard for**
20 **at least a couple years, perhaps three years.**
21 Q In the six years that you treated -- or in
22 the over six years you've treated Mr. Depp, has

256

1 Mr. Depp ever complained to you that Ms. Heard has
2 physically abused him?
3 MR. NADLEHAFT: Objection; leading.
4 **A No, not that I can recall.**
5 Q Have you ever witnessed Ms. Heard be
6 physically abusive to Mr. Depp?
7 MR. NADLEHAFT: Objection; leading.
8 **A No.**
9 Q Has anyone that works for you or reports
10 to you ever reported to you that they witnessed
11 Ms. Depp -- or excuse me, Ms. Heard, be physically
12 abusive to Mr. Depp?
13 MR. NADLEHAFT: Objection; heading;
14 hearsay.
15 **A No, not that I can recall.**
16 MS. MEYERS: If you'll just bear with me
17 one moment, please. I don't have any further
18 questions at this time.
19 MR. NADLEHAFT: Okay. Dr. Kipper, I just
20 have -- I just have a few. Thank you for your
21 time today.
22 EXAMINATION BY COUNSEL FOR THE DEFENDANT

257	1 BY MR. NADLEHAFT: 2 Q You testified -- you testified earlier on 3 questions from Ms. Meyers that the tip of 4 Mr. Depp's finger was found in the kitchen -- 5 found on the floor of the kitchen in the home in 6 Australia; correct? 7 A Correct. 8 Q Where -- do you know where the kitchen 9 was? Was it on -- what floor the kitchen was? 10 A There was a downstairs below the kitchen 11 area, I think those -- I'm not really sure, I 12 think those were bedrooms, but I'm not positive. 13 So this would be on the main floor, the kitchen 14 was on the main floor as you went into the home. 15 Q And that's where the tip of the finger was 16 found, in the kitchen on the main floor? 17 A Yes. 18 Q You testified that Mr. Depp told you when 19 you arrived in Australia that his finger had been 20 lacerated by Ms. Heard throwing a bottle at 21 Mr. Depp? That's correct, that's what you 22 testified to?	259	1 emergency room doctor. 2 Q Okay. So Mr. Depp told the emergency room 3 doctor that he had cut his finger with a knife; 4 correct? 5 A Yes. 6 Q Okay. And he didn't say anything 7 different; correct? 8 A Mr. Depp told me that he did not want to 9 tell the emergency room doctor that he was -- that 10 someone threw a bottle at him, so that's what he 11 told -- because I asked him, you told me the this, 12 and he said I did not want to reveal that to the 13 doctor. 14 Q Now, again though, Mr. Depp, when texted 15 you, he didn't say a bottle was thrown at him; 16 correct? 17 A No. 18 Q Okay. And you didn't put that in any of 19 your notes, that a bottle was thrown at Mr. Depp; 20 correct? 21 A Correct. 22 Q And Ms. Lloyd didn't put in her notes that
258	1 A Yes, that's what he said. 2 Q Okay. You would agree that that's not in 3 writing anywhere; correct, as best as you know? 4 A As best as I know. 5 Q Mr. Depp -- when we went through a text 6 with you and Mr. Depp where Mr. Depp said that he 7 sliced his finger; correct? 8 MS. MEYERS: Objection; mischaracterizes 9 the document or text that you're referring to. 10 Q Do you want me to go back to the text? 11 A That was the -- I think that was a 12 direction from the emergency room. 13 Q No, there was a text message where you got 14 a text message from Mr. Depp? 15 A Yes. 16 Q And he said he cut his finger; correct? 17 A I think that's what it said, yes. 18 Q Okay. And the reference from the 19 emergency room said that Mr. Depp had sliced his 20 finger with a knife; correct? 21 A Yes, that's what he told -- because I was 22 present for that, that's what he told the	260	1 a bottle was thrown at Mr. Depp; correct? 2 MS. MEYERS: Objection; lacks foundation. 3 A I did not see that in any of the notes, 4 nurse's notes. 5 Q Did Mr. Depp have any glass anywhere on 6 his body when you found him? 7 A I saw him in the car when I arrived and he 8 had -- he had a lot of debris in there, and I 9 could not tell -- I could not differentiate glass 10 from anything else in there. It was -- it was a 11 mess. So I could not differentiate a piece of 12 glass from anything else. 13 MR. NADLEHAFT: And, Alex, if you could 14 put back up Kipper 15. 15 Q This is the email we've seen a couple of 16 times now from Dr. Sawhney. And on the second 17 page, if I can get down to it, he says, "Heavily 18 contaminated hand and fingers with dirt, grime, 19 and paint." He doesn't mention glass anywhere; 20 correct? 21 A He does not mention glass. 22 Q Did Mr. Depp have any cuts anywhere else

<p style="text-align: right;">261</p> <p>1 on his face or anywhere else that would've come 2 from glass? 3 A I don't remember seeing any of that. 4 Q Did Mr. Depp tell you that he had taken 5 shot of vodka that day? 6 A No. 7 Q Would that have been something important 8 to know? 9 A Not relative to his finger, I don't think. 10 Q What about relative to the drugs that he'd 11 be getting when he went to the hospital? 12 A Possibly. 13 Q Now, if Ms. Heard told Ms. Boerum that 14 Mr. Depp had hit her in the face several times and 15 sent her pictures of bruises, would you expect 16 Ms. Boerum to report that in her notes? 17 A I would have expected Ms. Boerum to send 18 me those pictures. 19 Q Okay. So you would have expected to see 20 those pictures from Ms. Boerum; is that correct? 21 A Yes. 22 Q And you had testified before that it was</p>	<p style="text-align: right;">263</p> <p>1 7:18 p.m.) 2 THE VIDEOGRAPHER: Back on the record at 3 7:18. 4 Q Okay. I just -- I wanted to just make 5 sure that the testimony was consistent and I 6 understand what you're saying. When you were 7 asked some questions by Ms. Meyers, I understood 8 you to be saying that if Ms. Heard had reported 9 abuse to Ms. Boerum, you would have expected her 10 to report it to you and that Ms. Boerum would have 11 had an expectation to document it and report it, 12 but that seems different from what you were saying 13 before about what you -- if someone reported abuse 14 to you, you didn't have to report it unless you 15 saw it. So I'm trying to understand which way -- 16 which -- what your testimony is. 17 A If somebody -- if somebody complains to 18 you as the doctor of that person that they're 19 being -- that they are beating somebody, that they 20 are inflicting harm on to that person, it's my 21 obligation to investigate that and determine 22 whether that is a reportable incident. Without</p>
<p style="text-align: right;">262</p> <p>1 your duty to report abuse if you saw it; correct? 2 A Correct. 3 Q But not -- there was no -- did Ms. Boerum 4 or you or anyone working for you have the duty to 5 report abuse that was reported to you and not seen 6 by you? 7 MR. HARWELL: You actually explored that 8 question earlier. I'm going to ask that you not 9 ask the same question twice. 10 MR. NADLEHAFT: Well, I will say that he 11 testified that Ms. Boerum had a responsibility to 12 report abuse if it was reported to her, and that's 13 different from the testimony he said earlier that 14 he needed to see it. So that's what I'm trying to 15 explore. 16 A Excuse me one second. I'm happy to answer 17 or not answer. I have this problem here. Be 18 right back. 19 MR. NADLEHAFT: Go off the record. 20 MR. HARWELL: Are we off the record? 21 THE VIDEOGRAPHER: Off the record at 7:16. 22 (Off the record from 7:16 p.m. to</p>	<p style="text-align: right;">264</p> <p>1 viewing this, without seeing this, without having 2 this come from a third party, then it's to me and 3 knowing that that alleged injured party did not 4 show me any evidence of that or complain directly 5 to me of those injuries, then I have no reason to 6 report that. 7 Q And you would have expected -- and you 8 would've wanted Ms. Boerum to -- if she seen a 9 text that said, "I was hit in the face by 10 Ms. Heard," and received pictures of bruises, that 11 Ms. Boerum would report that to you; correct? 12 A Yes. 13 Q Is that an instruction that you gave to 14 your nurses, to report to you any abuse that they 15 saw or reported to them? 16 A Yes, if they saw that as valid. 17 Ms. Heard, for example, if somebody hurt Ms. Heard 18 while she was under the care -- direct care of 19 Ms. Boerum, and Ms. Boerum documented that 20 Ms. Heard had been injured, she certainly would 21 have reported that to me. 22 Q That's what your expectation would be,</p>

<p style="text-align: right;">265</p> <p>1 that she would report it?</p> <p>2 A Yes.</p> <p>3 Q Okay. Let's see here. Have you -- have</p> <p>4 you given Mr. Depp any drug tests this year, in</p> <p>5 2021?</p> <p>6 A No.</p> <p>7 Q Did you give Mr. Depp any drug test in</p> <p>8 2020?</p> <p>9 A No. I have not left my home since the</p> <p>10 beginning of 2020.</p> <p>11 Q And you didn't have anybody give Mr. Depp</p> <p>12 drug tests, not personally, but you didn't direct</p> <p>13 anyone to give Mr. Depp drug tests?</p> <p>14 A No.</p> <p>15 Q So do you know if -- so you don't know for</p> <p>16 sure if Mr. Depp is -- what type of drugs he may</p> <p>17 or may not be taking in 2020 and 2021; is that</p> <p>18 correct?</p> <p>19 MS. MEYERS: Objection; calls for</p> <p>20 speculation.</p> <p>21 A My understanding, Mr. Nadlehaft, is that</p> <p>22 -- and I know this to be true, that Mr. Depp has a</p>	<p style="text-align: right;">267</p> <p>1 somewhere towards the end of 2019. Now, whether</p> <p>2 he was with him months before that, I can't say.</p> <p>3 Q Mr. Mathias doesn't work for you; correct?</p> <p>4 A No.</p> <p>5 Q Okay. And, Mr. Mathias, is there any</p> <p>6 agreement to report anything to you between you</p> <p>7 and Mr. Mathias?</p> <p>8 A As I said, when I visited Mr. Depp,</p> <p>9 Mr. Mathias was there, and I had that conversation</p> <p>10 with Mathias, and he promised to let me know if</p> <p>11 things were problematic or he had some questions.</p> <p>12 Q Okay. And that was kind of a verbal</p> <p>13 promise that Mr. Mathias made to you?</p> <p>14 A Yes.</p> <p>15 MR. NADLEHAFT: All right. Thank you. I</p> <p>16 have no further questions.</p> <p>17 THE WITNESS: Thank you for not having</p> <p>18 further questions.</p> <p>19 MS. MEYERS: Unfortunately, I have a</p> <p>20 couple of additional questions just to follow-up</p> <p>21 what Adam was just asking about. And I'll try to</p> <p>22 be very quick, because I know it's getting late</p>
<p style="text-align: right;">266</p> <p>1 gentleman with him named Mathias, who is a drug</p> <p>2 and alcohol person who's been religious in caring</p> <p>3 for Mr. Depp and monitoring him and watching him.</p> <p>4 And Mr. Mathias, who I met before the pandemic</p> <p>5 when I met with Mr. Depp at some point,</p> <p>6 Mr. Mathias was there. I had a good feeling about</p> <p>7 Mr. Mathias. I asked him to please let me know if</p> <p>8 there were any issues that I need to be aware of,</p> <p>9 and to date I haven't had any concerns from</p> <p>10 Mathias.</p> <p>11 Q Is Mr. Mathias, what is he? Is he a</p> <p>12 doctor? A nurse? What is he?</p> <p>13 A No, he's one of these drug and alcohol</p> <p>14 counseling people. I don't know if he's</p> <p>15 credentialed officially, but it's a sober person</p> <p>16 who's committed to sobriety. And according to</p> <p>17 Mr. Depp's inner circle, he's been really</p> <p>18 wonderful for him.</p> <p>19 Q And when did Mr. Depp start working with</p> <p>20 Mr. Mathias?</p> <p>21 A Well, it was before the pandemic because I</p> <p>22 met him so I was out of my house, so it had to be</p>	<p style="text-align: right;">268</p> <p>1 for everyone.</p> <p>2 EXAMINATION BY COUNSEL FOR THE PLAINTIFF</p> <p>3 BY MS. MEYERS:</p> <p>4 Q Dr. Kipper, did you keep any notes on --</p> <p>5 of your treatment of Mr. Depp while he was in</p> <p>6 Australia?</p> <p>7 A Other than the summary notes, no.</p> <p>8 Q And was Ms. Lloyd with you when Mr. Depp</p> <p>9 told you what had happened to his finger before</p> <p>10 you brought him to the hospital?</p> <p>11 A I believe, yes. I'm not positive, but I</p> <p>12 believe, yes. Because she was helping me at the</p> <p>13 car to try to clean out that finger, which is when</p> <p>14 he explained what happened.</p> <p>15 Q So you believe that -- that Mr. Lloyd</p> <p>16 would have heard Mr. Depp's explanation?</p> <p>17 A I believe so.</p> <p>18 Q And who is CG Colclough. I apologize,</p> <p>19 C-O-L-C-O-U-G-H?</p> <p>20 A I don't know.</p> <p>21 Q You've never interacted with that</p> <p>22 individual on behalf of Mr. Depp?</p>

269	<p>1 A Say the name again. The answer, I 2 believe, is no because I don't think I've ever 3 heard that name before. 4 MS. MEYERS: Okay. I have no other 5 questions. Thank you. 6 MR. NADLEHAFT: Thank you, Dr. Kipper. 7 THE WITNESS: Thank you both. 8 MR. HARWELL: Not being a Virginia lawyer, 9 I do not know the mechanism for handling 10 depositions in Virginia. Can you please let me 11 know what they are? 12 MR. NADLEHAFT: You can read and sign the 13 transcript -- you have the opportunity to read and 14 sign, Dr. Kipper and you to read, and I think it's 15 generally 30 days or something after you get the 16 depo -- after you get the transcript. 17 MR. HARWELL: And any corrections, do you 18 have an errata page or do you like people to write 19 in on -- in alese (phonetic) or what? 20 MR. NADLEHAFT: There's an errata -- 21 there's an errata sheet generally at the end of 22 the deposition transcript.</p>	271	<p>1 reporter has done a fantastic job of getting 2 everything 100 percent correct, but if you need to 3 go passed the page of the errata sheet, you're 4 more than welcome to. 5 MR. HARWELL: I only ask, because as I 6 said, California changed its rules last year about 7 how we handle these things. When I was a baby 8 lawyer -- 9 THE VIDEOGRAPHER: Should I go off the 10 video record? 11 MR. HARWELL: Sure, if you wish. 12 THE VIDEOGRAPHER: Off the record at 7:27. 13 (Off the record at 7:27 p.m.) 14 15 16 17 18 19 20 21 22</p>
270	<p>1 MR. HARWELL: And then after it has been 2 read and sign, to whom is it delivered? 3 MR. NADLEHAFT: I believe you deliver it 4 to Planet Depos, directly to Planet Depos. 5 MR. HARWELL: Will Planet Depos let me 6 know how to do that or will it be in the 7 deposition transcript? 8 PLANET DEPOS TECHNICIAN: I'm certain -- 9 I'm certain the office has -- will be happy to 10 give you explicit instructions, sir. 11 MR. HARWELL: I just don't want to screw 12 this up. We -- California has recently changed 13 its rules and people can sometimes get testy, and 14 so I just want to make sure we understood what you 15 had expected of us. We're pleased to cooperate 16 and do it, but I just need to know what it is. 17 MR. NADLEHAFT: I believe you'll get -- I 18 believe you'll get a -- you'll get the transcript 19 from Planet Depos and in those instructions it 20 will say that you can read and sign. And I know 21 there's an errata sheet at the end of the 22 transcript. And obviously I'm sure our court</p>	272	<p>1 ACKNOWLEDGMENT OF DEPONENT 2 I, DAVID KIPPER, M.D., do hereby 3 acknowledge that I have read and examined the 4 foregoing testimony and the same is a true, 5 correct and complete transcription of the 6 testimony given by me and any corrections appear 7 on the attached errata sheet signed by me. 8 9 _____ 10 (SIGNATURE) (DATE) 11 12 13 14 15 16 17 18 19 20 21 22</p>

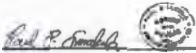
273

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

2 I, PAUL P. SMAKULA, the officer before whom
3 the foregoing deposition was taken, do hereby
4 certify that the foregoing transcript is a true
5 and correct record of the testimony given; that
6 said testimony was taken by me stenographically
7 and thereafter reduced to typewriting under my
8 direction; that reading and signing was requested;
9 and that I am neither counsel for, related to, nor
10 employed by any of the parties to this case and
11 have no interest, financial or otherwise, in its
12 outcome.

13
14 IN WITNESS WHEREOF, I have hereunto set my hand
15 and affixed my notarial seal this 1st day of
16 March, 2021.

17
18 My commission expires: June 18, 2023.

19
20 

21 NOTARY PUBLIC IN AND FOR
22 THE STATE OF MARYLAND