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3 Confidential Video Deposition of JOSHUA
4 DREW, taken on behalf of Plaintiff, at 2211
5 Michelson Drive, 7th Floor, Irvine, California,
6 beginning at 11:08 a.m. and ending at 6:22 p.m. on
7 Tuesday, November 19, 2019, before Michelle Bulkley,
8 Certified Shorthand Reporter Number 13658.
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1 APPEARANCES (Continued):
2
3 For Defendant:
4 KAPLAN HECKER & FINK LLP
5 BY: ROBERTA A. KAPLAN, ESQ.
6 BY: THOMAS A. RAWLINSON, ESQ.
7 BY: JOHN C. QUINN, ESQ.
8 350 Fifth Avenue, Suite 7110
9 New York, NY 10118
10 212.763.0883
11 rkaplan@kaplanhecker.com
12 trawlinson@kaplanhecker.com
13 jqunn@kaplanhecker.com
14
15 - and -
16
17 SUSMAN GODFREY LLP
18 BY: DAVIDA BROOK, ESQ.
19 1900 Avenue of the Stars, Suite 1400
20 Los Angeles, CA 90067-6029
21 310.789.3105
22 dbrook@susmangodfrey.com
23
24 Also Present:
25 JOSHUA YASKO, Videographer
MONA GOODARZI, Law Clerk
RANDY SMITH, Brown Rudnick

Page 4

1 APPEARANCES:
2
3 For Plaintiff:
4 BROWN RUDNICK LLP
5 BY: BENJAMIN G. CHEW, ESQ.
6 601 Thirteenth Street, NW Suite 600
7 Washington, DC 20005
8 202.536.1785
9 bchew@brownrudnick.com
10
11 - and -
12
13 BROWN RUDNICK LLP
14 BY: CAMILLE VASQUEZ, ESQ.
15 2211 Michelson Drive, 7th Floor
16 Irvine, CA 92612
17 949.752.7100
18 cvasquez@brownrudnick.com
19
20 - and -
21
22 THE ENDEAVOR GROUP
23 BY: ADAM R. WALDMAN, ESQ.
24 1775 Pennsylvania Ave. NW, Suite 350
25 Washington, DC 20006
202.715.0924
For the Witness:
HUANG YBARRA GELBERG & MAY LLP
BY: EMILY VIGLIETTA, ESQ.
550 South Hope Street, Suite 1850
Los Angeles, CA 90071
213.884.4900
emily.viglietta@hygmlaw.com

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1 Irvine, California
2 Tuesday, November 19, 2019; 11:08 a.m.
3
4 THE VIDEOGRAPHER: Good morning. We are
5 on the record. This is the recorded videotaped
6 deposition of Joshua Drew in the matter of John C.
7 Depp v. Amber Laura Heard.
8 This deposition is taking place at 2211
9 Michelson Drive, 7th floor, Irvine, California,
10 92612 on November 19th, 2019, at 11:08 a.m.
11 My name is Joshua Yasko. I'm the legal
12 videographer with Veritext. Video and audio
13 recording will be taking place unless all counsel
14 have agreed to go off the record.
15 Would everyone please introduce themselves
16 beginning with the witness.
17 THE WITNESS: Joshua Drew.
18 MS. VIGLIETTA: Emily Viglietta, attorney
19 for nonparty Joshua Drew.
20 MS. BROOK: Davida Brook of Susman Godfrey
21 on behalf of the Defendant Amber Heard.
22 MS. GOODARZI: Mona Goodarzi, associate at
23 Brown Rudnick.
24 MR. RAWLINSON: Tom Rawlinson, associate
25 at Kaplan Hecker & Fink.

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1 MR. QUINN: John Quinn of Kaplan Hecker &
2 Fink for Ms. Heard.
3 MS. KAPLAN: Robbie Kaplan, Roberta
4 Kaplan, Kaplan Hecker & Fink, for Ms. Heard.
5 MS. VASQUEZ: Camille Vasquez, Brown
6 Rudnick, on behalf of Mr. Depp.
7 MR. WALDMAN: Adam Waldman, Endeavor Law
8 Firm, on behalf of Mr. Depp.
9 MR. CHEW: Ben Chew of Brown Rudnick on
10 behalf of Mr. Depp.
11 THE VIDEOGRAPHER: Thank you.
12 The certified court reporter is Michelle
13 Bulkley. Would you please swear in the witness.
14 (Witness sworn.)
15 THE VIDEOGRAPHER: Please proceed.
16 JOSHUA DREW,
17 having been first duly sworn, was examined and
18 testified as follows:
19 EXAMINATION
20 BY MR. CHEW: 11:10
21 Q Good morning, Mr. Drew.
22 A Good morning.
23 Q Thank you very much for coming here today.
24 Since you're very ably represented by counsel, I
25 will dispense with the usual instructions, other 11:10

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<p>1 than to say that I plan to examine you for a period 11:10 2 of time, after which Ms. Heard's counsel will 3 examine you, and I may have some follow-ups. 4 So I'm going to reserve some of my time 5 for the end of your deposition, if necessary. We've 11:10 6 agreed to split the time between counsel. Mr. -- 7 MS. KAPLAN: I'm sorry. I'm going to 8 interrupt, because I'm not very good at math. So 9 how many hours -- what time -- how are we splitting 10 up the time? 11:10 11 MR. CHEW: Three and one-half hours each. 12 And I'll just note for the record, you-all have -- 13 you can have as many lawyers as you want here, but 14 only one can speak for Ms. Heard and one can speak 15 for the witness so we can keep on schedule. 11:10 16 BY MR. CHEW: 17 Q In what city do you live? 18 A Los Angeles. 19 Q What is your occupation? 20 A I run my own hospitality development 11:10 21 consulting firm. 22 Q Are you also a chef? 23 A Not anymore. 24 Q How old are you, Mr. Drew? 25 A 36. 11:11</p> <p style="text-align: right;">Page 10</p>	<p>1 A Correct. 11:11 2 Q When was that? 3 A That would have been in summer of 2015, I 4 believe. 5 Q Do you recall the exact date? 11:11 6 A The exact date? If I was still married to 7 her, yes. 8 Q So I take it you were divorced? 9 A I am, yes. 10 Q Do you recall when you were divorced from 11:12 11 Rocky? 12 A Officially September 24th of last year. 13 We separated officially October of the previous 14 year. 15 Q That was going to be my next question. 11:12 16 Who is iO Tillett Wright? 17 A A friend of Amber's. 18 Q When did you first meet Mr. Wright? 19 A Probably sometime in 2014. I couldn't 20 give you the exact time frame. 11:12 21 Q Putting aside the precise time frame, what 22 were the circumstances of your meeting Mr. Wright? 23 A I do not recall. 24 Q What profession does Mr. Wright have, if 25 any? 11:12</p> <p style="text-align: right;">Page 12</p>
<p>1 Q What, if any, education have you had since 11:11 2 high school? 3 A I have my associate's of science in 4 culinary arts. 5 Q And from what institution? 11:11 6 A Johnson & Wales University. 7 Q Did you receive a degree from there? 8 A I did. 9 Q In what year? 10 A That would have been 2003. 11:11 11 Q Who is Raquel Rose Pennington? 12 A My ex-wife. 13 Q Because I want to be respectful, how 14 should I refer to her, Ms. Pennington, Rocky, or 15 Raquel? 11:11 16 A Rocky or Raquel is perfectly fine. 17 Q Okay. You were married to Rocky, so there 18 came a time when you began to date Rocky; correct? 19 A Correct. 20 Q When did you start dating Rocky? 11:11 21 A That would have been June of 2014 -- 22 Q And did -- 23 A -- I believe. 24 Q And did there come a time when you became 25 engaged to Rocky? 11:11</p> <p style="text-align: right;">Page 11</p>	<p>1 A A public figure, pretty eclectic. Not 11:12 2 when I officially met her at the time. That 3 developed over our relationship. 4 Q When you say "her," to whom are you 5 referring? 11:12 6 A At that time when I met her, it was "her" 7 as opposed to being "him" now. I want to be 8 respectful of that. 9 Q I do too. 10 A Okay. 11:13 11 Q But I -- I want to be precise. 12 A Okay. 13 Q So Mr. Wright was born male? 14 A Born female. 15 Q And became male? 11:13 16 A Correct. 17 Q Was Mr. Wright ever violent with Rocky 18 Pennington? 19 A There was one incident on -- at Johnny -- 20 at the wedding on the island. I did not witness it 11:13 21 firsthand. It was told to me secondhand what had 22 transpired, and quite frankly, I did not get a clear 23 story of exactly what had happened. They were both 24 upset about something that had transpired and that 25 in some way iO had been physical towards her. 11:13</p> <p style="text-align: right;">Page 13</p>

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<p>1 Q And when you're referring to the wedding, 11:13 2 are you referring to the wedding between Mr. Depp 3 and Ms. Heard? 4 A Correct. 5 Q You were invited to the wedding? 11:13 6 A Correct. 7 Q Ms. -- Rocky had been invited as well? 8 A Correct. 9 Q Did you hear the story at the time, or did 10 you hear it later? 11:13 11 A I heard it fairly -- fairly recently -- 12 immediately following. I would say within a half an 13 hour of it occurring. 14 Q Who informed you of that? 15 A I don't recall exactly. Yeah, to be 11:14 16 honest with you, I don't recall exactly who informed 17 me. 18 Q Did you have any discuss- -- putting aside 19 who informed you, what, if any, discussions did you 20 have with Rocky about the alleged incident? 11:14 21 A I just made sure she was okay. To be very 22 honest with you, there had been quite a bit of 23 interpersonal drama over the preceding days that I 24 wanted to extricate myself from, so I kind of kept 25 myself out of it. 11:14</p> <p style="text-align: right;">Page 14</p>	<p>1 Q What, if anything, did you discuss with 11:15 2 your wife about that? Do you remember any of the 3 particulars? 4 A I just wanted to make sure that she was 5 okay and that she didn't need me to do anything. As 11:15 6 much as she is my wife, at the same time, she's 7 still a -- she was still a grown, adult woman, at 8 that time. She doesn't always need the man in her 9 life to take care of matters for her. 10 So I deferred to her as to whether she 11:15 11 wanted me to be involved or whether she wanted to 12 address it herself. And I was there to support her. 13 Q Did you ever speak with iO about the 14 alleged incident? 15 A I did not. 11:16 16 Q Was iO a man or woman at the time of the 17 alleged incident? 18 A I couldn't recall. 19 Q Have you ever heard iO having the nickname 20 "I slap Rocky"? 11:16 21 A This would be the first time. 22 Q To your knowledge, did iO have any 23 interactions -- well, strike that. 24 Who is Lily-Rose Depp? 25 A Johnny's daughter. 11:16</p> <p style="text-align: right;">Page 16</p>
<p>1 Q When you say "interpersonal drama," are 11:14 2 you referring to interpersonal drama between you and 3 Rocky, or other people? 4 A No. Other people in the group. It was a 5 pretty large group in pretty tight circumstances and 11:14 6 a very stressful time for everybody. Lots of 7 travel, big wedding, things of that nature. There 8 was, you know, the normal -- the normal 9 interpersonal issues that occur between very close 10 friends and family on a wedding weekend. 11:14 11 Q I know it was a certain -- it was a 12 substantial period of time ago, but if -- it's a 13 matter of some significance if you hear that 14 somebody has beat your wife; correct? 15 A I wouldn't characterize it that way. 11:15 16 Q Somebody has been violent with your wife; 17 correct? 18 A I wouldn't characterize it that way 19 either. 20 Q Well, how would you characterize it? 11:15 21 A I would characterize it as there was some 22 kind of physical contact, and, quite frankly, I -- 23 it didn't seem serious. They didn't portray it that 24 way, they portrayed it differently, and I trusted 25 them. 11:15</p> <p style="text-align: right;">Page 15</p>	<p>1 Q To your knowledge, did iO have any 11:16 2 interactions with Lily-Rose Depp? 3 A Probably. I can say that there were -- 4 more than likely, at some point, I was present for 5 them being in the same place at the same time, but, 11:16 6 definitively, I couldn't say. 7 Q Do you know whether iO put a photo of 8 Lily-Rose Depp on an Instagram account? 9 MS. VIGLIETTA: Objection. Lacks 10 foundation; calls for speculation. 11:16 11 MR. CHEW: That's why I'm asking whether 12 he knows. 13 BY MR. CHEW: 14 Q Do you know? 15 A I very -- I very vaguely recall an 11:16 16 incident pretty early on into my integration with 17 the group where iO had put -- she had this photo 18 series, the name of which escapes me, T-shirts 19 printed. 20 The whole marketing was about people 11:17 21 that -- people that identified as somewhere on the 22 spectrum of homosexuality or bisexuality or anything 23 in that vein. And there was a photo series of 24 people wearing these shirts that she would post to 25 Instagram and -- okay. Now that we're talking 11:17</p> <p style="text-align: right;">Page 17</p>

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<p>1 through it, actually, I do distinctly remember that 11:17 2 photo being posted and there being some issues 3 around it. 4 Q And Johnny wore one of those shirts out of 5 solidarity to iO; correct? 11:17 6 A I don't remember distinctly, but it's 7 certainly possible. They were pretty close. 8 Q Didn't he wear one on the Ellen show to 9 show his solidarity with iO's cause? 10 MS. VIGLIETTA: Hold on. I'm just going 11:17 11 to object. Calls for speculation; lacks foundation, 12 particularly as to asking the witness why Johnny 13 Depp might have worn a certain shirt or what his 14 intentions were. 15 BY MR. CHEW: 11:18 16 Q Well, let me reframe. 17 Do you know whether Mr. Depp, in fact, 18 wore one of iO's T-shirts supporting her cause on 19 the Ellen show? 20 A No. 11:18 21 Q You don't know one way or the other? 22 A I don't know one way or the other. 23 Q In addition to posting -- how old was 24 Lily-Rose at the time that iO posted her photo on 25 Instagram? 11:18</p>	<p>1 time; correct? 11:19 2 A Correct. 3 Q Wasn't that also upsetting to Mr. Depp? 4 MS. VIGLIETTA: Objection. Calls for 5 speculation; lacks foundation. 11:19 6 BY MR. CHEW: 7 Q You may answer. 8 Did you know that he was upset about that? 9 A Honestly, I really don't recall the 10 substance of what he was upset about really, outside 11:19 11 of the fact that iO had posted the photo without 12 getting his explicit permission. 13 Q Was that an unreason -- was it 14 unreasonable for Mr. Depp to have been upset about 15 that? 11:19 16 A Again, I -- I don't see the value of my 17 personal opinion in -- 18 (Simultaneous speakers.) 19 Q It doesn't matter whether you see the 20 value or not. Was it reasonable for Mr. Depp to be 11:19 21 upset about it? 22 A Certainly. 23 Q I sure would. 24 Who is Elizabeth Marz? 25 A Elizabeth Marz is a friend of my ex-wife. 11:20</p>
Page 18	Page 20
<p>1 A I couldn't say. 11:18 2 Q Wasn't she 15? 3 MS. VIGLIETTA: Objection. He said he 4 doesn't know. 5 BY MR. CHEW: 11:18 6 Q Would it be reasonable for a father to be 7 upset if someone placed a photograph of his daughter 8 on Instagram without parental permission? 9 MS. VIGLIETTA: Objection. It calls for 10 speculation and lacks foundation. 11:18 11 BY MR. CHEW: 12 Q You may answer. 13 A I have no idea. I wasn't present for -- I 14 wasn't present for any conversations prior to or 15 related to that fact, so I can't really speculate. 11:18 16 Q But you were aware that Mr. Depp was upset 17 about that. 18 A Correct. 19 Q And that's -- well, I don't want to get 20 ahead of myself, but you are aware, correct, that 11:19 21 Mr. Depp was upset with iO for posting a picture of 22 his young daughter on Instagram without the 23 permission of either parent; correct? 24 A Correct. 25 Q iO also discussed her sexuality at the 11:19</p>	<p>1 Q What is her profession? 11:20 2 A I don't know that she has one. 3 Q Does she make jewelry? 4 A Again, I don't know what she actually 5 does. We haven't spoken in years. 11:20 6 Q Who is Amanda de Cadenet? 7 A Friend of Amber's. 8 Q Do you know what profession, if any, she 9 has? 10 A I don't. 11:20 11 Q Do you know that she's a photographer? 12 A It's certainly possible. 13 Q I'm -- I'm not asking you to speculate. 14 I -- 15 A Yeah. 11:20 16 Q -- I -- I -- 17 (Simultaneous speakers.) 18 A I honestly don't know. 19 Q Who is Melanie Inglessis? 20 A Makeup artist who became a very close 11:20 21 friend of Amber and Raquel's. 22 Q Did she also do makeup for Amber? 23 A Correct. 24 Q Did she ever do makeup for Raquel? 25 A Maybe on a few rare occasions but not 11:20</p>
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<p>1 regularly. 11:20</p> <p>2 Q You mentioned Amber, and I apologize for</p> <p>3 being lawyerly, but we have to lay a foundation.</p> <p>4 Who -- who is Amber Heard?</p> <p>5 A Johnny's ex-wife. 11:21</p> <p>6 Q When did you first meet Amber Heard?</p> <p>7 A Probably about three or four weeks after</p> <p>8 Raquel and I had started dating very early on.</p> <p>9 Q Is it fair to say that Amber Heard and</p> <p>10 Rocky were friends? 11:21</p> <p>11 A They were, yes.</p> <p>12 Q In fact, isn't it fair to say they were</p> <p>13 best friends?</p> <p>14 A Yes.</p> <p>15 Q Do you understand that they met back in 11:21</p> <p>16 2003?</p> <p>17 A Yes.</p> <p>18 Q And you know that because Rocky told you</p> <p>19 that at some point, correct?</p> <p>20 A Correct. 11:21</p> <p>21 Q Who is Johnny Depp?</p> <p>22 A Amber's ex-husband.</p> <p>23 Q When did you first meet Johnny Depp?</p> <p>24 A Shortly after I met Amber. I want to say,</p> <p>25 if memory serves, about five or six weeks after 11:21</p> <p style="text-align: right;">Page 22</p>	<p>1 It's -- it's not that it was infrequent, so much as 11:22</p> <p>2 it was sporadic and, honestly, for a large portion</p> <p>3 of it, fairly casual. Not the kind of thing where</p> <p>4 you would just count the number of times. It was</p> <p>5 regular interactions over various periods of time. 11:22</p> <p>6 Q Well, your counsel is not going to let you</p> <p>7 speculate, but I'm going to ask you to get a range.</p> <p>8 Is it more than 10 times?</p> <p>9 A Yes.</p> <p>10 Q More than 50 times? 11:23</p> <p>11 A Yes.</p> <p>12 Q More than a hundred times?</p> <p>13 A That I might -- that might push the</p> <p>14 boundaries.</p> <p>15 Q From the time that you first met Mr. Depp 11:23</p> <p>16 on movie night until this very moment sitting here</p> <p>17 today, have you ever seen Mr. Depp strike Amber</p> <p>18 Heard?</p> <p>19 A No.</p> <p>20 Q Have you ever seen him throw a telephone 11:23</p> <p>21 at her?</p> <p>22 A No.</p> <p>23 Q Have you ever seen him hit her with a</p> <p>24 fist?</p> <p>25 A No. 11:23</p> <p style="text-align: right;">Page 24</p>
<p>1 Raquel and I started dating. 11:21</p> <p>2 Q Again, I understand it was a long time</p> <p>3 ago, but do you recall under what circumstances you</p> <p>4 met him?</p> <p>5 A Funny enough, I actually do very clearly. 11:21</p> <p>6 I had come over under the auspice of what was called</p> <p>7 family movie night, and it was Amber and Johnny and</p> <p>8 Jack. I honestly don't remember whether Lily-Rose</p> <p>9 was there. She might have come later at a certain</p> <p>10 point. And it was just us in their apartment eating 11:22</p> <p>11 burgers and watching movies.</p> <p>12 Q What movie did you watch?</p> <p>13 A I couldn't tell you.</p> <p>14 Q Is Jack the younger --</p> <p>15 A Correct. 11:22</p> <p>16 Q -- sibling of Lily-Rose?</p> <p>17 A Correct.</p> <p>18 Q Do you know approximately how many years</p> <p>19 younger Jack is than Lily-Rose?</p> <p>20 A I want to say three or four, but I don't 11:22</p> <p>21 know distinctly.</p> <p>22 Q Since that time, on how many occasions</p> <p>23 have you seen and interacted with Johnny Depp from</p> <p>24 that very first time on movie night?</p> <p>25 A I couldn't even speculate the number of. 11:22</p> <p style="text-align: right;">Page 23</p>	<p>1 Q You testified that you attended the 11:23</p> <p>2 wedding, and I apologize if you've already said the</p> <p>3 date, but do you know approximately when that was?</p> <p>4 A I want to say it was February of 2015, or</p> <p>5 February of 2016. 11:23</p> <p>6 Q Sitting here today, do you know when they</p> <p>7 got divorced?</p> <p>8 A Officially? I mean, I know when they</p> <p>9 separated, obviously. Couldn't tell you. I want to</p> <p>10 say it was between three and five months after that 11:24</p> <p>11 May 21st incident.</p> <p>12 Q Is it your understanding that Mr. Depp and</p> <p>13 Ms. Heard separated on or after May 21, 2016?</p> <p>14 A I'm aware of that, yes.</p> <p>15 Q Did Mr. Depp ever come -- well, I'm 11:24</p> <p>16 getting ahead of myself.</p> <p>17 Have you ever lived at a building located</p> <p>18 at 849 South Broadway in Los Angeles, known as the</p> <p>19 Eastern Columbia Building?</p> <p>20 A Correct. 11:24</p> <p>21 Q Did you live in the condo known as</p> <p>22 Penthouse 1?</p> <p>23 A Correct.</p> <p>24 Q With whom did you live in the Penthouse 1?</p> <p>25 A Raquel Pennington. 11:24</p> <p style="text-align: right;">Page 25</p>

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<p>1 Q From when to when did you live in 11:24 2 Penthouse 1 with Rocky Pennington? 3 A Again, my memory is a little bit foggy of 4 the exact dates. You'll have to bear with me a 5 minute here. 11:25 6 So while I was a frequent guest, I didn't 7 actually live there until, I want to say, about 8 October or November of 2015. 9 Q Was Rocky already living in Penthouse 1 10 when you started visiting and ultimately moved in 11:25 11 there? 12 A Yes. 13 Q Did Ms. Pennington move into Penthouse 1 14 in or about June of 2014? 15 A I couldn't tell you with any specificity, 11:25 16 but I believe it's around that time frame. 17 Q And you know that because she told you, 18 correct? 19 A Correct. 20 Q Who owned Penthouse 1 at the time? 11:25 21 A Johnny Depp. 22 Q Did -- to your knowledge, did iO Tillet 23 Wright live at any of Mr. Depp's properties? 24 A I had overheard or been told sort of 25 secondhand that at a certain point, she had lived, I 11:25 Page 26</p>	<p>1 Q Did you consider the refusal of your offer 11:27 2 to be a generous gesture by Mr. Depp? 3 A Exceedingly. 4 Q In your experience, is Mr. Depp generally 5 generous to his friends? 11:27 6 A Yes. 7 Q Is he generous to people generally? 8 A Yes. 9 Q While you lived at 849 South Broadway -- 10 oh, you've already answered this question. 11:27 11 Did Ms. Marz ever -- to your knowledge, 12 ever work in -- in Penthouse 5? 13 A Not to my knowledge, no. 14 Q Did Mr. Depp own Penthouse 5? 15 A Yes. 11:27 16 Q Would your key have opened Penthouse 5? 17 A Yes. 18 Q Mr. Drew, I am going to hand you a blank 19 piece of paper, and I was wondering whether you 20 would please draw for us a diagram showing the 11:28 21 locations of Penthouse 1, Penthouse 3, and 22 Penthouse 5. It doesn't have to be sophisticated, 23 but just something to give us some understanding of 24 where the relative penthouses were. 25 A You couldn't get leasing diagrams from -- 11:28 Page 28</p>
<p>1 believe, at one of the Sweetzer houses, but I could 11:26 2 be mistaken. 3 Q Do you know from when to when she lived 4 there? 5 A I couldn't tell you. 11:26 6 Q Do you know whether she paid any rent to 7 Mr. Depp? 8 A I couldn't tell you. 9 Q While you and Rocky lived together in 10 Penthouse 1, did -- did you or she have a key that 11:26 11 allowed you access to all of the penthouses on that 12 floor? 13 A Everything except PH 2, yes. 14 Q Did -- at the time, did Mr. Depp and 15 Ms. Heard live together in PH 3? 11:26 16 A Sporadically, yes. 17 Q The key that -- to which you and Rocky had 18 access allowed either of you to enter PH 3; correct? 19 A Correct. 20 Q Did it -- who was in PH 5 at the time? 11:26 21 A Nobody. Nobody lived in PH 5 for the 22 entirety of our time there. 23 Q Did you or Rocky ever pay Mr. Depp any 24 rent to live in PH 1? 25 A Offered and refused. 11:27 Page 27</p>	<p>1 MS. KAPLAN: Mr. Chew, we have one. It 11:28 2 may make sense to use the document that we have 3 which -- 4 (Simultaneous speakers.) 5 MR. CHEW: That's all right. I'm asking 11:28 6 him to do this. 7 THE WITNESS: Okay. 8 (The witness complied.) 9 BY MR. CHEW: 10 Q Great. Thank you very much. 11:29 11 MS. KAPLAN: Can we get copies made for 12 counsel, please? 13 MR. CHEW: We will at the next break. 14 MS. KAPLAN: No. I want it here during 15 the testimony. 11:29 16 MR. CHEW: Well, you're going to have to 17 wait. 18 MS. KAPLAN: Well, then I'm going to stand 19 over your head while you question the witness. 20 MR. CHEW: I would be honored if you did 11:29 21 that. 22 MS. KAPLAN: John, come over here. 23 BY MR. CHEW: 24 Q When you and Rocky were living here in 25 Penthouse 1, did you ever notice that there were 11:29 Page 29</p>

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<p>1 security personnel standing outside the door of 11:29 2 Penthouse 3 when Mr. Depp was in Penthouse 3? 3 A Not normally, no. 4 Q Did you ever see the security personnel 5 standing outside of his door? 11:29 6 A On very rare occasion. Normally they were 7 in a storage room off to the side of PH 5. 8 Q Would you show us where that is? 9 A It is somewhere over here near the 10 elevator. 11:29 11 Q Okay. All right. Have you ever had -- do 12 you know who Mr. Depp's security personnel were at 13 the time? 14 A The -- there were a number of people. The 15 ones that I do recall interacting with were Sean, 11:30 16 Jerry, Malcolm, intermittently, and I want to say I 17 interacted with anywhere between four and seven -- 18 oh, and Leonard specifically, who I know was 19 Lily-Rose's security. Anywhere from four -- four to 20 six other guys whose names I don't recall at the 11:30 21 time. 22 Q And when you refer to Sean, are you 23 referring to Sean Bett? 24 A Correct. 25 Q Do you know anything about Mr. Depp's 11:30</p>	<p>1 and I really appreciate you doing the diagram -- if 11:31 2 you could just -- if you could darken where you say 3 "PH 3" and just show a little bit more the outline 4 of PH 3. 5 A (The witness complied.) 11:31 6 Q And if you could mark -- I understand that 7 you said it was on rare occasions where you saw 8 Mr. Depp's security personnel standing guard, as it 9 were, outside of PH 3. On those rare occasions, can 10 you please mark with an "X" where they -- where they 11:31 11 were located? 12 A (The witness complied.) 13 Q Thank you very much. 14 A To answer your question, almost never were 15 they ever standing guard outside the door. They 11:31 16 were almost always in store -- in the storage room. 17 Q But you -- but where -- you said that you 18 had seen them outside. 19 A A handful of occasions. 20 Q Okay. Moving aside from Mr. Bett and 11:31 21 Mr. Judge, while you stayed at the East Columbia 22 Building, did you come to know any of the employees 23 of the building? 24 A Casually. 25 Q Who is Trinity Esparza? 11:32</p>
<p>1 [sic] background prior to becoming a security -- 11:30 2 A Mr. Bett's? 3 Q Mr. Bett's. 4 A Yes. He was an LAPD detective, is my 5 understanding. 11:30 6 Q And do you know for what period of time -- 7 A I do not. 8 Q -- he served in that capacity? 9 A I do not. 10 Q Do you know that he served in law 11:30 11 enforcement for 18 years? 12 A I -- I'm learning that now. 13 Q What about Jerry? Do you -- do you -- are 14 you referring to Jerry Judge? 15 A Correct. 11:30 16 Q Did you have any communications with 17 Mr. Judge over the -- your tenure? 18 A Quite a bit. 19 MS. KAPLAN: Mr. Chew, I -- I hate to 20 interrupt you, but I've already worked out this 11:31 21 morning, so when you go back to the exhibit, if you 22 could notify me and then I'll come back, so I won't 23 have to stand the whole time. 24 BY MR. CHEW: 25 Q All right. I -- I will just ask you -- 11:31</p>	<p>1 A She was one of the front desk people. 11:32 2 Q Did you have communications with her? 3 A In the course of living there, yes. 4 Q Did you find her to be pleasant? 5 A No. 11:32 6 Q What -- what -- how was she unpleasant? 7 A She was not particularly polite or 8 accommodating to me or Raquel or any of Amber's 9 friends. I wasn't there specifically, but I heard 10 similar things from Amber in her interactions with 11:32 11 her as well, throughout the course of our time 12 there. 13 Q Putting aside her unpleasantness, are -- 14 sitting here today, are you -- are you aware of any 15 instance in which she told an untruth to you? 11:32 16 A Not that I'm aware of. 17 Q Are -- is it -- are you aware of 18 Ms. Esparza telling an untruth to anybody else? 19 A Not that I'm aware of, but, again, I -- 20 I'm not privy to her conversations outside of -- 11:33 21 Q I'm just asking what you know. 22 Do you know -- did you ever have any 23 interactions with Brandon Patterson? 24 A Brandon Patterson, I couldn't tell you. 25 Q Have you ever met Alejandro Romero? 11:33</p>

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1 A Correct. 11:33
2 Q On how many occasions did you speak with
3 him?
4 A Again, in the course of spending -- of
5 being there pretty regularly and living there, 11:33
6 dozens.
7 Q Do you know what capacity he worked at the
8 building?
9 A Similar to Trinity.
10 Q Did -- was he unpleasant? 11:33
11 A No. He was actually quite -- very polite
12 and very helpful.
13 Q Are you aware of any instances in which
14 Mr. Romero was untruthful to you?
15 A Not that I'm aware of. 11:33
16 Q And without asking you to speculate, are
17 you specifically aware of any circumstances in which
18 he was untruthful to anybody else?
19 A Not that I'm aware of.
20 Q Have you ever met someone named Cornelius 11:33
21 Harrell?
22 A The name doesn't ring a bell.
23 Q So you don't know whether you've had any
24 communications with him?
25 A I couldn't tell you. There were -- there 11:34
Page 34

1 objection, but can you give us a ballpark? More 11:35
2 than five?
3 A I'm not going to speculate on that.
4 Q Fair enough. Did you have occasion to
5 observe her on the weekend of her wedding with 11:35
6 Mr. Depp in the Bahamas?
7 A I'm sorry. What's the question?
8 Q Let me improve the question.
9 Did you observe Amber Heard during her
10 wedding to Mr. Depp at the Bahamas? 11:35
11 A Yes.
12 Q Was she intoxicated at any time during the
13 wedding weekend?
14 A Yes, as were we all.
15 Q That wasn't my question, but that's -- 11:35
16 did -- was she intoxicate -- on how many times was
17 she intoxicated during the weekend?
18 MS. VIGLIETTA: I'm going to object.
19 Lacks foundation; calls for speculation.
20 You can answer what you observed, but you 11:35
21 obviously don't know.
22 THE WITNESS: Couldn't tell you.
23 MR. CHEW: Well, I mean, you shouldn't
24 coach him as to what he said. He testified that he
25 saw her intoxicated. 11:36
Page 36

1 were, I want to say over the course of time there, 11:34
2 three or four other people at the front desk that I
3 probably spoke to at any various times, but I -- I
4 don't recall their names. Alex and Trinity were the
5 only -- were mostly present and were there for most 11:34
6 of my interactions.
7 Q And because you don't recall ever speaking
8 with Cornelius Harrell, you can't testify one way or
9 the other as to his truthfulness; true?
10 A No. 11:34
11 Q While you lived in Penthouse 1, did you
12 have the opportunity to interact often with Amber
13 Heard?
14 A Yes.
15 Q Did you and Rocky see Ms. Heard 11:34
16 frequently?
17 A Yes.
18 Q Did you ever see her drinking alcohol?
19 A Yes.
20 Q Did you ever see her drink to excess? 11:34
21 A Yes.
22 Q On how many occasions did she drink to
23 excess?
24 A Honestly, I couldn't tell you.
25 Q Again, I'm going to get a speculation 11:35
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1 BY MR. CHEW: 11:36
2 Q So what I'm asking is: Did you see her
3 intoxicated during the weekend on one occasion or
4 more than one occasion?
5 A Honestly -- 11:36
6 MS. VIGLIETTA: Same objections.
7 THE WITNESS: -- I couldn't tell you.
8 BY MR. CHEW:
9 Q Don't know.
10 Was she taking drugs that weekend? 11:36
11 MS. VIGLIETTA: Same objections.
12 THE WITNESS: It's possible, but nothing
13 that I saw directly.
14 BY MR. CHEW:
15 Q Isn't it true that she ordered drugs for 11:36
16 the wedding?
17 A More --
18 MS. VIGLIETTA: Same objections.
19 MR. CHEW: Please don't interrupt the
20 witness. 11:36
21 MS. VIGLIETTA: No. I'm going to get my
22 objections on the record.
23 And I would remind you just to pause for a
24 minute so I can get objections on the record.
25 I'm going to object on the grounds that it 11:36
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<p>1 lacks foundation, and it calls for speculation. 11:36 2 MR. CHEW: I'm asking whether he knows. 3 THE WITNESS: Directly? No. Is it 4 possible? Yes. 5 BY MR. CHEW: 11:36 6 Q Why do you say it's possible? 7 A It's transpired before. 8 Q What drugs has she used, to your 9 knowledge? 10 MS. VIGLIETTA: Objection. Calls for 11:36 11 speculation; lacks foundation. 12 THE WITNESS: I'm not going to answer 13 that. 14 BY MR. CHEW: 15 Q You have to answer that, and you can't be 11:37 16 coached -- she's not instructing you not to answer. 17 And the foundation is not a proper objection. 18 You said that she's used drugs. I'm 19 asking you on -- how many times you have seen her or 20 were aware that she was using drugs. 11:37 21 A All due respect, I understand. I'll 22 remind you this is the first time I've been through 23 this process, so I would ask for a little bit of 24 patience. I would also ask for the benefit of the 25 doubt. 11:37</p> <p style="text-align: right;">Page 38</p>	<p>1 The question here: How many times have 11:38 2 you seen her or were aware that she was using drugs 3 is the question that's pending. 4 BY MR. CHEW: 5 Q And -- 11:38 6 A I couldn't tell you with any specificity. 7 Q Do you have any general knowledge of how 8 many times? 9 A Couldn't tell you with any specificity. 10 Q Which drugs did she use? 11:38 11 A Are we referring to that weekend 12 specifically, or are we talking -- 13 Q Well, let's start with the weekend, and 14 then we'll go general. 15 What drugs was she using that weekend? 11:38 16 A To my knowledge, mushrooms and wine. 17 Q Now let's broaden it out. Putting aside 18 the wedding, what drugs did she use? 19 MS. VIGLIETTA: Objection. Calls for 20 speculation; lacks foundation. 11:39 21 The question is: In general, what drugs 22 does Ms. Heard use? So to the extent that you know. 23 THE WITNESS: Mushrooms, LSD, cocaine, 24 Ecstasy. 25 BY MR. CHEW: 11:39</p> <p style="text-align: right;">Page 40</p>
<p>1 And I would also ask the respect that's 11:37 2 being shown from this side of the table would be 3 responded to from the other side, if you would be so 4 kind. 5 Q I will be so kind. 11:37 6 A Okay. Thank you. 7 Q And I -- and I will show respect to you, 8 and I appreciate you being here. I really do. But 9 your counsel has the right to object, but unless and 10 until she instructs you not to answer, you have to 11:37 11 answer the question. 12 And what I'm trying to get at -- 13 A All due respect, I'm going to follow my -- 14 my counsel's direction. 15 Q Right. And when she instructs you not to 11:37 16 answer, you don't answer no matter what I do. But 17 if she doesn't instruct you not to answer and she 18 file -- she lodges her objection, which she has 19 every right to do, you have to answer the question, 20 subject to her objection. 11:38 21 MS. VIGLIETTA: He knows that. There -- 22 you can also look right at the screen if you want to 23 see the question, because you changed the question, 24 and there is no objection to the question that's 25 pending. 11:38</p> <p style="text-align: right;">Page 39</p>	<p>1 Q On how many occasions were you aware of 11:39 2 that -- did she use Ecstasy? 3 A Again, I couldn't speculate on the number 4 of times, to be very honest with you. 5 Q Fair enough. 11:39 6 When she was under the influence, as far 7 as you knew, did her behavior change? 8 A Yes. 9 Q How did it change? 10 A I mean, it's not one generalized change. 11:39 11 It's different circumstances, different instances 12 each time. There were times where it was 13 happy-go-lucky, having a good time. There was times 14 where it was a little bit darker. There were times 15 it was the full range of emotions, to be very honest 11:39 16 with you. 17 Q How much, approximately, does Amber Heard 18 weigh? 19 MS. VIGLIETTA: Objection. Calls for 20 speculation. 11:40 21 BY MR. CHEW: 22 Q If you know. 23 A Man, I would say maybe a hundred to 24 110 pounds. 25 Q But not more than 120 pounds? 11:40</p> <p style="text-align: right;">Page 41</p>

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<p>1 A Certainly not. 11:40 2 Q Did Ms. Heard also take an amphetamine 3 called Provigil? 4 A I have no idea. 5 Q Did Rocky ever tell you that Ms. Heard 11:40 6 used Provigil? 7 A Directly, no. 8 Q She testified to that. Are you aware of 9 that? 10 A I'm not. 11:40 11 Q Do you have any reason to believe that 12 Rocky would make that up if that were in her 13 testimony? 14 A No. 15 Q Did you ever hear at any time Amber Heard 11:40 16 yell at Mr. Depp? 17 A Yes. 18 Q On how many occasions? 19 A I couldn't tell you the number of 20 occasions. 11:40 21 Q Did you ever see her strike Mr. Depp? 22 A No. 23 Q Did you -- were you present when she 24 kicked a bathroom door into his head? 25 A No. Or I should say not to my knowledge. 11:41 Page 42</p>	<p>1 Q Have you ever heard the term "borderline 11:42 2 personality"? 3 A Have I ever heard the term? 4 Q Yes. 5 A Out of context, yes. 11:42 6 Q Have -- did you and Rocky ever discuss the 7 relationship between Amber Heard and Johnny Depp? 8 A Yes. 9 Q On how many occasions? 10 A Honestly, probably hundreds, if not 11:42 11 thousands. 12 Q What, if anything, can you recall about 13 those conversations? 14 A I don't think we have enough time in this 15 deposition to probably parse all that. 11:42 16 Q That's fair enough, and I will be 17 respectful of that because we have a limited period 18 of time. 19 Are there any salient things that you can 20 remember off the top of your head? 11:42 21 A I mean, all relationships are tumultuous. 22 All relationships have their ups and downs. There 23 were periods within the relationship where things 24 were really, really good, and the conversations were 25 positive and supportive and everything within that 11:43 Page 44</p>
<p>1 Q Who was Tasya van Ree? 11:41 2 A Amber's ex-wife. 3 Q Did you ever meet her? 4 A Maybe once or twice in passing. 5 Q When did you meet her? 11:41 6 A Couldn't tell you. 7 Q Are you aware that Ms. Heard was arrested 8 for assault on Ms. van Ree on or about 9 September 14th, 2009? 10 A I am. 11:41 11 Q What, if any, conversations have you -- 12 did you have with Rocky about that incident? 13 A Very little, to be very honest with you. 14 Q Do you recall anything about it? 15 A Only -- to be honest, I only recall it 11:41 16 coming up specifically following the final incident 17 with Johnny, and that even in meeting her in passing 18 previously, it actually hadn't been brought up at 19 all. They were friendly. 20 Q And she didn't mention it to you? 11:42 21 A Correct. 22 Q Did Rocky ever tell you, in words or 23 substance, that Amber Heard has a personality 24 disorder? 25 A No. 11:42 Page 43</p>	<p>1 vein. 11:43 2 There were other times when things were 3 not good, and there were arguments, or there were 4 fights, and things were not going well. And the 5 context varied based on circumstances. 11:43 6 Q Mr. Drew, moving to April 21, 2016, do you 7 recall that there was to have been a birthday 8 celebration that night? 9 A Yes. 10 Q Was that Amber Heard's birthday? 11:43 11 A Yes. 12 Q Do you recall which birthday it was or how 13 old she was? 14 A It was her 30th. I catered it. 15 Q What do you recall about that evening? 11:43 16 A I recall it was held in PH 5. Johnny was 17 hours late, and Amber spent the better part of the 18 evening making excuses for him. And he came very 19 obviously intoxicated and put on a show for 20 everybody. 11:44 21 And when the party was over, everybody 22 left, cleaned up, and the next morning we heard 23 about what had transpired after the fact. 24 Q Thank you for that. And let's unpack it 25 piece by piece. 11:44 Page 45</p>

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<p>1 So Johnny was supposed to have attended 11:44 2 the dinner; correct? 3 A Correct. 4 Q And at what time did the dinner begin? 5 A I don't recall. 11:44 6 Q You and Rocky were guests at the dinner? 7 A Correct. 8 Q Who else was invited to the dinner? 9 A Again, you'll have to forgive me. It was 10 quite some time ago. I remember Amber's friend, 11:44 11 Brandon, being there; Amber's friend Iggy, a rabbi. 12 I want to say that Whitney was there as well. To be 13 very honest, I can't say with specificity whom else 14 was there. 15 Q When you say "Whitney," are you referring 11:44 16 to Whitney Heard? 17 A Correct. 18 Q Is Whitney Heard Amber's younger sister? 19 A Correct. 20 Q Do you know approximately how many years 11:45 21 younger she is than -- than Amber? 22 A I think it's less than two years. 23 Q And you said that Iggy was a rabbi. Do 24 you recall Brandon's last name? 25 A McCulloch. 11:45</p> <p style="text-align: right;">Page 46</p>	<p>1 A Couldn't tell you. 11:46 2 Q Did she seem intoxicated during -- at any 3 time during the evening? 4 A Yes. 5 Q At -- at approximately what time -- or -- 11:46 6 or strike that. 7 How much, prior to Mr. Depp's arriving 8 very late for the dinner, did you notice Ms. Heard 9 getting intoxicated? 10 A I can't speak to what was consumed before 11:46 11 the dinner started, but during dinner, it was -- 12 there were a couple bottles of wine. But, again, I 13 don't recall exactly what was consumed and how much 14 was consumed. 15 Q Did you see Mr. Depp hit Amber Heard that 11:47 16 night? 17 A No. 18 Q Did you see him shove Amber Heard onto the 19 floor? 20 A No. 11:47 21 Q Did you see Amber Heard have any marks on 22 her face or body that night, that you observed? 23 A I don't recall. 24 Q Did you see Mr. Depp throw a magnum-sized 25 champagne bottle at the wall? 11:47</p> <p style="text-align: right;">Page 48</p>
<p>1 Q Where did he fit into the picture? 11:45 2 A As I understand it, when Raquel and 3 Amber -- or when Raquel had first gotten to 4 Los Angeles some time ago, Brandon was a bartender 5 that Amber had befriended just in the course of 11:45 6 living her life. They became friends, and he came 7 into her orbit as a friend. 8 Q Putting aside the state or condition in 9 which Johnny arrived, do you recall, sitting here 10 today, approximately when Johnny arrived for dinner? 11:45 11 A I really couldn't tell you with any 12 specificity, but I can say it was quite a few hours 13 after the party had started. 14 Q Did he provide any excuse or explanation 15 to the group as to why he was late? 11:46 16 A No. 17 Q Did he say, in words or substance, that he 18 was meeting with Ed White, who was his new business 19 manager? 20 A No. 11:46 21 Q Putting aside Mr. Depp's intake of alcohol 22 that evening, had Ms. Heard been drinking before 23 Mr. Depp arrived? 24 A Yes. 25 Q Do you know how much? 11:46</p> <p style="text-align: right;">Page 47</p>	<p>1 A No. 11:47 2 Q Did you see Amber Heard the next morning, 3 April 22nd, 2016? 4 A I believe so, yes. 5 Q Did you notice any marks on her face or 11:47 6 elsewhere that morning? 7 A I don't recall. 8 Q That morning, April 22nd, did you and 9 Ms. Pennington and Amber Heard drive together to 10 Coachella? 11:47 11 A They did. I did not. 12 Q Did you -- strike that. 13 Are you still in contact with Amber Heard? 14 A Sporadically, yes. 15 Q And -- and just -- just to be clear -- and 11:48 16 I'm sorry to jump around -- when you say -- strike 17 that. 18 Are you -- you say "sporadically." How 19 frequently are you in contact with her? 20 A We didn't speak for about two years 11:48 21 following my divorce, and she reached out to me to 22 make amends about -- I want to say about two months 23 ago, if memory serves. 24 Q I'm going to come back to that. When you 25 said you don't recall seeing marks on the morning of 11:49</p> <p style="text-align: right;">Page 49</p>

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<p>1 April 22nd, is that because you didn't see any marks 11:49 2 on Ms. Heard, or you didn't see her at all that 3 morning? 4 A I -- I honestly don't recall the state of 5 her the next morning. If memory serves, it was -- I 11:49 6 was made aware that there had been an incident the 7 night prior but that the girls were hustling to get 8 everything together to go out to Coachella. So it 9 was a pretty frantic morning. 10 I -- I couldn't say with any specificity 11:49 11 whether I interacted with her that morning before 12 they departed. But I was aware that there had been 13 some kind of incident from the night prior. 14 Q And, Mr. Drew, you said that Ms. Heard 15 reached out to you. When was -- when did she reach 11:49 16 out to you? 17 A Sometime in the last two months. 18 Q What did she say when she reached out to 19 you? 20 A To paraphrase, it was something akin to 11:49 21 letting me know that, you know, her and Raquel 22 were -- hadn't spoken in some time and to tell me 23 that she loved me and that she missed me and she 24 just wanted to make amends and, you know, reconnect. 25 Q Did she mention anything about this 11:50 Page 50</p>	<p>1 did meet in person for a glass of wine. 11:51 2 Q Did you communicate by email as well or 3 just text? 4 A Just text. 5 Q And when you had a glass of wine -- again, 11:51 6 only lawyers remember these things, but do you 7 recall approximately when you had a glass of wine 8 with her? 9 A Probably about five or six weeks ago. Oh, 10 I'm sorry. It will be longer than that. Probably 11:51 11 about two months ago. 12 Q Do you recall where that took place? 13 A Bar Bandini in Echo Park. 14 Q How long did you meet with her at Bar 15 Bandini? 11:51 16 A Maybe two hours. 17 Q What transpired during that meeting? 18 A The sort of basics, how are you, so on and 19 so forth with somebody, you know, you spent most of 20 your life with for four years and then haven't seen 11:52 21 in two. 22 I'll be honest, we -- we did speak about 23 this case for maybe three minutes, but trivial and 24 petty, nothing of any specificity. 25 And the rest of the time was spent talking 11:52 Page 52</p>
<p>1 lawsuit? 11:50 2 A Not in the initial interaction. 3 Q How did you respond to her in this initial 4 interaction when she said she wanted to make amends? 5 A I didn't for some time. I think I waited 11:50 6 about a week and a half before I responded, and 7 before I could, I did get a -- a note from her 8 letting me know that she had tried to keep me out of 9 it, but more than likely, people were going to be 10 contacting me, either about being deposed or a 11:50 11 statement of some kind. 12 There was nothing explicit about whom it 13 would be coming from, whether it was from Johnny's 14 side or her side, only that somebody would more than 15 likely be reaching out to me. 11:50 16 Q Do you remember anything else about what 17 she said to you since she reconnected two months 18 ago? 19 A Honestly, it's sort of been just a 20 friendly interaction between two old friends who 11:50 21 have reconnected. Silly, petty things. We have not 22 discussed this at all. 23 Q Did -- were these communications oral, or 24 were they in writing? 25 A A large portion of it in text message. We 11:51 Page 51</p>	<p>1 about the things that had transpired between myself 11:52 2 and Raquel and her part in that and trying to find a 3 measure of closure. 4 Q Well, you know I have to ask about the 5 three minutes -- 11:52 6 A Certainly. 7 Q -- or you'd be disappointed. 8 A Certainly. 9 Q What do you recall about the three minutes 10 of conversation? 11:52 11 A It was nothing of any specificity. 12 Honestly, it was more -- I might regret using this 13 word, but it was sort of gallows humor in response 14 really towards the absurdity of it. 15 Q Do you recall anything specific? 11:52 16 A Anything specific, no. 17 Q Did you discuss -- strike that. 18 Did Amber explain to you, either when you 19 met at the Bar Bandini or anytime since you've been 20 reacquainted, why she and Rocky did not speak or 11:52 21 were no longer speaking? 22 A Yes. 23 Q What did she say about that? 24 A My understanding is that at the 25 dissolution of our relationship, she left the 11:53 Page 53</p>

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<p>1 apartment that we lived -- that we shared together 11:53 2 and moved in with Amber shortly thereafter. I can't 3 say specifically because Raquel and I were not in 4 regular contact. 5 And the story that I got from Amber 11:53 6 specifically was a long, drawn-out, dramatic 7 sequence of events where she was intermittently in 8 New York for jobs, and she was in Australia or 9 worldwide doing press for Aquaman, all sorts of 10 different things while Raquel and her new boyfriend 11:53 11 lived in Amber's apartment. 12 And over the course of that time, Raquel 13 had been given a debit card by Amber. Her boyfriend 14 at the time had also signed for a car that had been 15 sent for Amber that Amber refused repeatedly and 11:54 16 that, ostensibly, they were subsidizing their 17 lifestyle out of Amber's petty cash and that -- that 18 there were a variety of incidents, loud parties, 19 damage to the house, arguments with the landlord, 20 arguments with the neighbor of which -- and, again, 11:54 21 I wasn't present for any of this. 22 My understanding is that Amber was present 23 for some of it but not present for most of it. And 24 I don't know the specific incidents that predicated 25 it, but at a certain point towards the end of it, 11:54</p> <p style="text-align: right;">Page 54</p>	<p>1 morning or the afternoon -- rolled over into 11:55 2 excrement and believed that one of the group, 3 specifically iO, had -- I can't believe I'm going to 4 have to say this out loud. 5 Q I'm sorry, but I have to ask about it. 11:56 6 A Had specifically gone into a toilet to 7 remove one of their own turds and place it in the 8 bed as a practical joke. And this became a gigantic 9 argument between the whole group. Johnny blaming 10 iO, blaming -- blaming Amber for this. 11:56 11 At a certain point down the line, claiming 12 that he had had his house manager, Kevin, take 13 samples and send it off to a DNA lab to be tested, 14 and it came back as positive that it was human DNA, 15 even though they had two little Yorkshire terriers 11:56 16 that were never housebroken, and their homes were -- 17 pretty much, at some point during the day, had dog 18 piss or excrement on their couch, on the bed, on the 19 floor, anywhere the dogs could get to. 20 Q Regrettably, I'm going to have to break 11:56 21 this down. How are you sure that Mr. Depp -- that 22 Mr. Depp was there in bed at the time? 23 A What I know, I know secondhand from Raquel 24 and Amber and iO. 25 Q Did you ever see the scene of the 11:57</p> <p style="text-align: right;">Page 56</p>
<p>1 Amber kicked out Raquel's boyfriend and shortly 11:54 2 thereafter kicked her out and that they hadn't 3 spoken since. 4 Q What is the name of Rocky's boyfriend who 5 was kicked out? 11:54 6 A I know his first name. It's Kelly. 7 That's all I know. 8 Q Do you think that Ms. Heard was justified 9 in throwing Rocky and Kelly out? 10 A I mean, I'm obviously a little biased 11:54 11 here, but I'm going to say yes. 12 Q Are you still in contact with Rocky? 13 A I am not. 14 Q Mr. Drew, I want to turn your attention to 15 another incident in April 2016 after the birthday 11:55 16 party of which you may or may not be aware. And if 17 you are not aware, I'm not going to pursue it. 18 Do you recall an incident in which 19 Mr. Depp complained about excrement being put on his 20 bed in Penthouse 3? 11:55 21 A Yes. 22 Q What, if anything, do you know about that? 23 A My understanding is that following Amber 24 and the girls' departure for Coachella, Johnny had 25 woken up -- I couldn't tell you whether it was the 11:55</p> <p style="text-align: right;">Page 55</p>	<p>1 excrement on the bed? 11:57 2 A No. 3 Q What, if anything, did Rocky tell you 4 about the incident? 5 A What I just paraphrased for you. 11:57 6 Q Is Rocky a truthful person? 7 MS. VIGLIETTA: Objection. Calls for 8 speculation. 9 BY MR. CHEW: 10 Q You were married to her. Did you find her 11:57 11 to be a truthful person? 12 A I -- to be very honest with you, I -- I 13 don't know if I can answer that question without 14 being biased because of my own experience with her. 15 Q Well, putting -- putting aside that -- we 11:57 16 understand you're divorced -- did she ever lie to 17 you? 18 A Not that I'm aware of, but more than 19 likely, yes. 20 Q Did she have an affair? 11:57 21 A Yes. 22 Q Did she tell you about the affair while 23 she was having it? 24 A No. 25 Q Was it the affair with this creep called 11:57</p> <p style="text-align: right;">Page 57</p>

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1 Kelly? 11:57
2 A Correct.
3 Q What did -- if anything, did Amber Heard
4 tell you about the incident with the excrement?
5 A Again, what I just paraphrased for you 11:58
6 previously.
7 Q Did you ever discuss the incident with iO?
8 A Not that I recall, but it's certainly
9 possible in passing but not with any specificity.
10 Q Do you recall what -- I'm not being 11:58
11 disrespectful -- was "he" a "he" at the time or a
12 "she"?
13 A I believe a "he."
14 Q Do you recall what iO Tillet Wright -- he
15 said about the incident? 11:58
16 A I don't recall with any specificity, but I
17 can tell you, at that point, I wanted as little to
18 do with any of it as possible.
19 Q I don't blame you. Let me just ask you
20 one more question. Who -- when you mentioned Kevin, 11:58
21 are you referring to Kevin Murphy?
22 A Yes.
23 Q Did you have any interactions with Kevin
24 Murphy?
25 A Throughout our time there, yes. 11:58
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1 Q What -- what, again, was his role? 11:58
2 A I believe he was Johnny's house manager.
3 Q Did you have good interactions with him?
4 A Always.
5 Q Was he a pleasant person? 11:59
6 A Yes.
7 Q To your knowledge, was he an honest
8 person?
9 A To me, yes. I know there had been some
10 friction with -- with a variety of people in 11:59
11 Johnny's life, but I was never present or privy to
12 it. I always had pleasant interactions with him.
13 Q Understanding that you weren't with him
14 all the time, did you ever know Mr. Murphy to lie to
15 anyone? 11:59
16 A I don't want to answer that. That's going
17 to force me to speculate.
18 Q Okay. Well, your -- your lawyer is not
19 going to allow you to speculate.
20 Without speculating, can you cite any 11:59
21 example of him lying to someone?
22 A No.
23 Q Mr. Drew, let's please change subjects and
24 move to the evening of May 21, 2016, which you had
25 referenced previously. 11:59
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1 Was Mr. Depp at the condo at the East 11:59
2 Columbia Building that day prior to the evening?
3 A Not to my knowledge.
4 Q Did you see him arriving at the condo that
5 night? 12:00
6 A No.
7 Q Did you see Mr. Bett and Mr. Judge that
8 evening?
9 A Yes.
10 Q When did you first see them? 12:00
11 A I saw them when he ordered them to open
12 the door to PH 5 following the incident.
13 Q When you say "he," to whom are you
14 referring?
15 A Johnny. 12:00
16 Q Did you ever see them that night somewhere
17 outside the door of PH 3?
18 A No.
19 Q Did Rocky ever testify about the events of
20 that evening? 12:00
21 MS. VIGLIETTA: Objection. Calls for
22 speculation.
23 Testi- -- what do you mean by "testify"?
24 BY MR. CHEW:
25 Q Do you know whether she gave a deposition 12:00
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1 in -- relating to the events of that night? 12:00
2 A If memory serves, I don't believe so, but
3 I could be mistaken.
4 Q Putting aside whether she testified, do
5 you know whether she received a text from Amber 12:01
6 Heard at 8:06 p.m. asking that she come over to
7 Penthouse 3?
8 A I can't certify the time, but the text
9 message itself and the receipt, yes.
10 Q Were you with Rocky when she received that 12:01
11 text?
12 A Yes.
13 Q Wasn't she already in Penthouse 3 as of
14 8:06 p.m.?
15 A When she received the text, she was not in 12:01
16 Penthouse 3. She was in Penthouse 5 with me. But,
17 again, I can't -- I -- I can't recall with
18 specificity the exact time of these events.
19 Q How do you explain why Mr. Bett and
20 Mr. Judge never saw Ms. Pennington enter PH 3 that 12:01
21 evening?
22 MS. VIGLIETTA: Objection. Lacks
23 foundation; calls for speculation; assumes facts not
24 in evidence.
25 THE WITNESS: I'm not going to speculate. 12:02
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<p>1 BY MR. CHEW: 12:02 2 Q You don't know. You don't know one way or 3 the other? 4 A I'm not going to speculate on that. 5 Q At any time, including that night, did you 12:02 6 ever see Mr. Depp strike Rocky Pennington? 7 A No. 8 Q If he had, you would have decked him, 9 wouldn't you? 10 A I would have given it an effort. In all 12:02 11 likelihood, probably not, considering who Johnny had 12 next to him. 13 Q That evening, did you see Mr. Depp smash 14 bottles of wine? 15 A No. 12:02 16 Q Did you see him break furniture? 17 A No. 18 Q Did you see him kick a hole through a 19 solid door? 20 A No. 12:02 21 Q Do you recall when Mr. Depp, Mr. Bett, and 22 Mr. Judge left the building that night? 23 A If we're starting -- if -- if we're 24 presuming that that text was received from Raquel at 25 8:06, they had left the building within 30 minutes, 12:03 Page 62</p>	<p>1 after everything had transpired, I wanted to know 12:04 2 what had -- what had happened. And to be very 3 honest with you, I can't recall specifically whether 4 I was told at that time or whether it was relayed to 5 me at some point later in the evening, that iO had 12:04 6 been on the phone specifically to explain to Johnny 7 in regards to the excrement incident, and that at 8 some point while iO was on the phone, Johnny had hit 9 her in the face with the iPhone while Raquel was 10 there. 12:04 11 And I don't know whether somebody yelled 12 to call the police, but she was the one who called 13 the police, is what it was relayed to me. 14 Q But all that was relayed to you; nothing 15 you observed? 12:05 16 A I was not witness to it, no. 17 Q Going back to the Latina officer, was 18 there another officer with her? 19 A Yes. There was a bald gentleman, white. 20 Q Was his name -- do you recall that his 12:05 21 name was Tyler Hadden? 22 A I know that now from reading the 23 proceedings, but I couldn't recall directly. 24 Q Did you know -- did one of the two 25 identify herself as the senior officer? 12:05 Page 64</p>
<p>1 to my recollection. 12:03 2 Q So it would be approximately sometime 3 around 8:30, 8:29? 4 A Thereabouts, but I don't recall 5 specifically. 12:03 6 Q What else do you remember about the events 7 of the evening of May 21? 8 A I mean, I can -- I can tell you 9 contemporaneously from the start, if there's 10 something specific you'd like me to expound on. 12:03 11 Q Who is Officer Melissa Saenz? 12 A My understanding, it was the name of the 13 Latina officer that first responded with her 14 partner. 15 Q When did she arrive at the scene, if you 12:03 16 recall? 17 A Vaguely I remember them arriving about 18 45 minutes to an hour after Johnny had left, but, 19 again, exact times I'm a little foggy. 20 Q Do you know why -- strike that. 12:04 21 Do you know who, if anyone, called it in? 22 A My understanding is that iO called 23 remotely. 24 Q What is the basis of that understanding? 25 A Well, when I encountered Amber and Rocky 12:04 Page 63</p>	<p>1 A No, not to my knowledge. 12:05 2 Q With which officer, if -- if any, did you 3 speak that night? 4 A Both. 5 Q What did you say them -- to them, if you 12:05 6 recall? 7 A When they arrived, I greeted them at the 8 door. I walked them through PH 3 to show them the 9 damage, show them the broken glass. They had 10 already walked through the hallway, over the 12:05 11 gigantic wine stain throughout the entire hallway. 12 I took them through PH 3, like I said, to 13 show them the damage. I took them back out into the 14 hallway. Showed them the dent in the door shaped 15 like the bottom of a wine bottle in PH 1. 12:06 16 Took them into PH 5 to see broken picture 17 frames, smashed glass, Raquel's jewelry and things 18 like that strewn about the apartment. And then I 19 brought them back to PH 3, at which point they 20 separated. 12:06 21 The Latina officer pulled Amber aside 22 specifically to speak to her one-on-one. The door 23 was closed. I was outside with the other officer. 24 So I can't say with any specificity what happened 25 inside. I don't know whether anybody was in 12:06 Page 65</p>

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<p>1 earshot. I don't know whether anybody else was 12:06 2 around. They told me specifically it was 3 one-on-one. 4 And I was outside the door with the male 5 officer, and specifically my communication with him 12:06 6 was asking what, if anything, could be done, because 7 we were obviously upset. 8 And his comment to me specifically was 9 there's damage in these apartments. Her face is 10 red. If she wants to file a report, we have enough 12:06 11 here to go pick him up. 12 Q Do you recall telling one or both of the 13 officers that everything is fine? 14 A No. 15 Q Do you have any reason, sitting here 12:07 16 today, to believe that Officer Saenz would commit 17 perjury? 18 A No. 19 Q Do you have any reason, sitting here 20 today, to know why Officer Hadden would commit 12:07 21 perjury? 22 A I'm really not comfortable speculating on 23 the behavior of LAPD officers. I know what I saw. 24 I know what I heard. I know what my interactions 25 were. And I know what I've read in the 12:07</p> <p style="text-align: right;">Page 66</p>	<p>1 you aware of anyone in the world who has accuse -- 12:08 2 any woman in the world who has accused Johnny of 3 hitting her? 4 A Again, I'm not going to -- I'm not going 5 to go back to tabloid fodder throughout the history 12:08 6 of it. If memory serves, there were one or two 7 other pieces of public record that had stated 8 something akin to that without saying it directly, 9 ex-girlfriends. 10 Q Did Vanessa Paradis ever commit -- accuse 12:09 11 him of hitting her? 12 A I couldn't tell you. 13 Q Did Wynona Ryder ever accuse her of -- 14 A I couldn't tell you. 15 Q -- him of hitting her? 12:09 16 (Reporter clarification.) 17 Q Did Kate Moss ever accuse him of hitting 18 her? 19 A I couldn't tell you, but if memory serves, 20 she was one of the declarat- -- or one of the public 12:09 21 figures that had alluded to it, but, again, I -- I 22 don't recall with any specificity. 23 Q Do you recall having a conversation with 24 Rocky and Amber after Mr. Depp and his security 25 personnel left the building but before Officer Saenz 12:09</p> <p style="text-align: right;">Page 68</p>
<p>1 declarations. 12:07 2 Q What declarations have you read? 3 A I received the declaration specifically 4 that was filed in court that's public record on 5 Amber's side, as well as Johnny's side. 12:07 6 Q Which declarations did you read? 7 A Specifically for -- for this case. I 8 couldn't tell you which it is. Whatever is public 9 record. 10 Q Did you read Rocky's declaration? 12:08 11 A I didn't even know there was one. 12 Q Did you read Amber's declaration? 13 A Yes. 14 Q Did you assume it to be true? 15 A I don't assume anything when it comes down 12:08 16 to all of this. I know what I saw, I know what I've 17 been told, and I take that as it is. 18 Q But you've never seen Johnny hit Amber? 19 A That's correct. And I've affirmed it to 20 everybody that I've spoken to. I've been explicit 12:08 21 about that. 22 Q And you've never seen Johnny hit any 23 woman? 24 A Correct. 25 Q And other than Rocky and Amber Heard, are 12:08</p> <p style="text-align: right;">Page 67</p>	<p>1 and Officer Hadden arrived? 12:09 2 A Yes. 3 Q Tell us about that. 4 A You'll have to forgive me again. My -- my 5 memory of these acts, circums of events -- sequence 12:10 6 of events -- I'm sorry -- that transpired after all 7 this is -- is a little foggy. 8 If memory serves, Amber was damn near 9 catatonic after all of this. We had gotten her into 10 PH I so we could deadbolt the door and keep her safe 12:10 11 until he left. 12 A few minutes thereafter, I had gotten a 13 little bit of a rundown from Raquel over what had 14 transpired. Raquel got her to call her lawyer, 15 Samantha Spector, to find out what to do. 12:10 16 And if memory serves, Samantha's 17 recommendation was that we immediately put together 18 a contemporaneous, matter-of-fact statement together 19 of what had transpired that night and that 20 ultimately it was up to Amber as to what she wanted 12:10 21 to do with the police or whatever it may be. 22 Q Is Samantha Spector a criminal lawyer? 23 A I couldn't tell you what she specializes 24 in. 25 Q She's a divorce lawyer; right? 12:11</p> <p style="text-align: right;">Page 69</p>

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<p>1 MS. VIGLIETTA: Objection. Calls for 12:11 2 speculation; lack of foundation. 3 He just said he doesn't know. 4 BY MR. CHEW: 5 Q Didn't Amber also text her makeup artist 12:11 6 Ms. Inglessis? 7 A I can't say. 8 Q Didn't she also call her publicist Jodi 9 Gottlieb? 10 A Yes. 12:11 11 Q Is that an ordinary thing for a woman to 12 do who's allegedly been beaten? 13 A I'm not -- 14 MS. VIGLIETTA: Objection. Sorry. Calls 15 for speculation; lacks foundation. 12:11 16 THE WITNESS: Do I need to answer this? 17 MS. VIGLIETTA: Sure, if you know. 18 THE WITNESS: I'm not going to speculate 19 on any motives, but I can tell you specifically, 20 Melanie and Jodi were not just employees of Amber. 12:11 21 They served a function, and they served a purpose. 22 They were close, dear friends. 23 So I can't speculate on the motive for 24 calling a publicist per se, but I can speculate on 25 the motive for calling a dear friend who had been 12:12 Page 70</p>	<p>1 Q You may answer the question. 12:13 2 A To -- to what my attorney said 3 specifically, it was not about getting stories 4 straight. Like I said, it was a contemporaneous, 5 matter-of-fact statement of what had transpired 12:13 6 throughout the night. Individual, not one general. 7 One for me, one for Raquel, one for Liz, one for 8 Amber, to be sent separately. 9 Q Was there a conversation among the four of 10 you about what happened so you would have a unified 12:13 11 story? 12 A I mean, me personally, I wanted to know 13 what the hell had happened in that room. It wasn't 14 specifically to do that. And I didn't speculate 15 specifically on what I hadn't seen. My account was 12:13 16 only what I had actually witnessed, not what I had 17 been told. I can't speak to -- I can't speak to 18 their accounts. I didn't read them. I only went 19 through mine. 20 Q You referred, Mr. Drew, to iO Tillet. Do 12:14 21 you recall that? 22 A Correct. 23 Q And you said that she may have called the 24 incident in -- the incident in remotely. Do you 25 recall that? 12:14 Page 72</p>
<p>1 with Amber for years and had been there throughout 12:12 2 this whole thing. And quite frankly, they're both 3 public figures. 4 So me personally, I would fully understand 5 why somebody would want to speak to their team about 12:12 6 what had transpired. It's not just something that 7 she can maintain private. 8 BY MR. CHEW: 9 Q Was Ms. Spector -- strike that. 10 Were Ms. Heard and Ms. Spector on a 12:12 11 speakerphone? Could you hear the conversation? 12 A No. 13 Q So you -- and, again, just tell me whether 14 I'm right or wrong. Is it fair to say that you only 15 heard Amber's side of the conversation? 12:12 16 A I gave her privacy. So I didn't hear any 17 of it directly. 18 Q Did Amber explain to you or Rocky why 19 Ms. Spector said it was necessary for you all to get 20 your stories straight? 12:12 21 MS. VIGLIETTA: Objection. 22 Mischaracterizes the testimony. 23 I don't think you ever said anything about 24 getting your stories straight. 25 BY MR. CHEW: 12:13 Page 71</p>	<p>1 A That's my understanding, yes. 12:14 2 Q Where was iO Tillet at the time of the 3 incident? 4 A I couldn't tell you. 5 Q Why would she have called -- why would she 12:14 6 have called it in remotely? 7 A Oh. I mean, she wasn't present, and she 8 was scared for her friend. 9 Q How do you know that she was scared for 10 her friend? 12:14 11 A Basic human nature. 12 Q Did you ever hear Amber Heard -- strike 13 that. 14 Are you aware that Amber Heard spoke to 15 Officer Saenz and Officer Hadden that evening? 12:15 16 A Yes. 17 Q Were you present when she was speaking to 18 them? 19 A No. 20 Q Do you recall her saying to anyone that 12:15 21 night, in words or substance, that -- that "I 22 decline to give a statement on advice of counsel"? 23 A I did not hear that directly. All I was 24 told by the officers as they left, that she's 25 declining to file a complaint. 12:15 Page 73</p>

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<p>1 Q Did Amber file the complaint that night? 12:15</p> <p>2 A No.</p> <p>3 Q Did the police arrest Mr. Depp?</p> <p>4 A No.</p> <p>5 Q Did they issue a warrant for his arrest? 12:15</p> <p>6 A Not that I'm aware of.</p> <p>7 Q Mr. Drew, let's turn for the moment to</p> <p>8 May 22nd, 2016. Did you see Ms. Heard at all that</p> <p>9 day?</p> <p>10 A Yes. 12:15</p> <p>11 Q When did you see her?</p> <p>12 A At various points throughout the day. If</p> <p>13 memory serves, Raquel had committed to a jewelry</p> <p>14 show somewhere -- I want to say it was downtown. I</p> <p>15 might be mistaken. It might have been on Venice. 12:16</p> <p>16 Somewhere in Los Angeles. So she was out most of</p> <p>17 the day.</p> <p>18 So I cleared my schedule to be able to be</p> <p>19 there should Amber need anything. If memory serves,</p> <p>20 either her attorney or somebody in her -- in her 12:16</p> <p>21 group hired a -- had a friend come over with a</p> <p>22 locksmith to change the locks just to be safe, and I</p> <p>23 was there to make sure that that happened and, like</p> <p>24 I said, be there for Amber should she need anything,</p> <p>25 just so she wasn't alone. 12:16</p> <p style="text-align: right;">Page 74</p>	<p>1 see marks anywhere else, other than the ones you've 12:17</p> <p>2 described?</p> <p>3 A No.</p> <p>4 Q Did you have any discussion with Ms. Heard</p> <p>5 today about her appearance? 12:17</p> <p>6 A I'm sorry. Could you repeat the question?</p> <p>7 Q Did you have any discussion, did you talk</p> <p>8 with Ms. Heard about the prior evening's events?</p> <p>9 A Not a second.</p> <p>10 MS. VIGLIETTA: Sorry. I just want to 12:17</p> <p>11 make sure that the testimony is clear. You said</p> <p>12 today. You're asking whether he had that</p> <p>13 conversation with Ms. Heard today?</p> <p>14 MR. CHEW: Let me -- let me clarify.</p> <p>15 BY MR. CHEW: 12:18</p> <p>16 Q Did -- on -- at any time on May 22nd, did</p> <p>17 you discuss with Ms. Heard the events of the prior</p> <p>18 evening?</p> <p>19 A It's certainly possible, but I distinctly</p> <p>20 remember not doing that to try and give her a break 12:18</p> <p>21 from what I knew was going to be a pretty arduous</p> <p>22 process.</p> <p>23 Q Do you know whether Ms. Heard ever went to</p> <p>24 an emergency room for treatment?</p> <p>25 A My understanding is no. 12:18</p> <p style="text-align: right;">Page 76</p>
<p>1 Q And do you recall the name of the person 12:16</p> <p>2 who came over to --</p> <p>3 A I don't.</p> <p>4 Q -- help?</p> <p>5 A It was an older gentleman. I want to say 12:16</p> <p>6 late 50s, early 60s.</p> <p>7 Q When you saw Amber on May 22nd, you don't</p> <p>8 know whether it was the morning or the afternoon; is</p> <p>9 that right?</p> <p>10 A It was sporadic throughout the day. I 12:17</p> <p>11 think it was some point late morning and throughout</p> <p>12 the afternoon.</p> <p>13 Q When you first saw her, did you notice any</p> <p>14 marks on her face?</p> <p>15 A Yes. 12:17</p> <p>16 Q Describe the marks, please.</p> <p>17 A To be very honest with you, I don't</p> <p>18 actually remember which side of her face it was, but</p> <p>19 I do distinctly remember there being a red mark and</p> <p>20 a small bruise on her cheekbone and red marks just 12:17</p> <p>21 above her eyebrow and to the right side -- or to the</p> <p>22 side of her eyebrow.</p> <p>23 Q Did you see any swelling?</p> <p>24 A A little bit.</p> <p>25 Q Can you remember anything else -- did you 12:17</p> <p style="text-align: right;">Page 75</p>	<p>1 Q Do you know whether Ms. Heard ever went to 12:18</p> <p>2 a medical doctor for treatment?</p> <p>3 MS. VIGLIETTA: Objection. Lacks</p> <p>4 foundation; calls for speculation.</p> <p>5 MR. CHEW: Not really, but let me -- let 12:18</p> <p>6 me make it a better question anyway.</p> <p>7 BY MR. CHEW:</p> <p>8 Q Do you know one way or the other whether</p> <p>9 Ms. Heard went to a medical doctor for alleged</p> <p>10 injuries arising from the night of May 21st? 12:18</p> <p>11 A Not to my knowledge, no.</p> <p>12 Q Do you know whether Ms. Heard ever sought</p> <p>13 any psychological counseling relating to alleged</p> <p>14 abuse by Mr. Depp at any time?</p> <p>15 MS. VIGLIETTA: Same objections. 12:19</p> <p>16 BY MR. CHEW:</p> <p>17 Q You may answer.</p> <p>18 MS. VIGLIETTA: Lacks foundation; calls</p> <p>19 for speculation.</p> <p>20 Go ahead. 12:19</p> <p>21 BY MR. CHEW:</p> <p>22 Q But you may answer.</p> <p>23 A That's -- I know, invariably, she had</p> <p>24 therapists that she spoke to. I can't say whether</p> <p>25 it was one, whether it was a number of that she 12:19</p> <p style="text-align: right;">Page 77</p>

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1 utilized throughout my friendship with her. I can't 12:19
2 say with any specificity the reasons for why she was
3 going to do that, but I can understand why somebody
4 would want and need a therapist in general, so...
5 Q I do too, but I -- just to be clear, 12:19
6 you're not aware, sitting here today, that she ever
7 sought the help of a therapist relating to the
8 events of May 21; correct?
9 A No. That's correct.
10 Q And you're not aware, sitting here today, 12:19
11 whether she ever thought -- sought therapy relating
12 to her allegations of abuse by Mr. Depp?
13 A In that instance, no.
14 Q Are you aware of -- of any instance in
15 which she sought therapy relating to alleged abuse? 12:20
16 A I'm aware of her going to a therapist to
17 deal with any variety of personal issues, as well as
18 relationship-related issues.
19 In regards to abuse, emotional or
20 physical, I can't say specifically. I wasn't privy 12:20
21 to those conversations.
22 Q So you don't -- you don't know for sure
23 why she went to seek therapy; correct?
24 A Correct.
25 Q I mean, there are a million reasons why 12:20
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1 people righteously [sic] should seek therapy; true? 12:20
2 A Certainly.
3 (Reporter clarification.)
4 THE WITNESS: Certainly.
5 BY MR. CHEW: 12:20
6 Q Do you recall any conversations you had
7 with Rocky that day, May 22nd, about the events of
8 May 21?
9 A Again, I think, if memory serves, it was
10 very much similar in regards to my answer to Amber. 12:20
11 They had been through something that I believe --
12 that was very, very traumatic to both of them, and
13 kind of beating that drum seemed to me to be not the
14 best course of action; that it might be prudent for
15 somebody to just treat them like regular human 12:21
16 beings, business as usual, and try and maintain some
17 measure of normalcy.
18 So if memory serves, to be very candid, I
19 do believe we kept it very light for that day at
20 least. 12:21
21 Q Going back to the evening of May 21, did
22 you hear Amber Heard scream that night?
23 A No.
24 Q Sorry to jump around. It's just the
25 nature of the beast, and I'll try to be specific as 12:21
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1 to what I'm asking about, but on May 22nd, the day 12:21
2 after the alleged event, did you or Rocky attend a
3 party hosted by Amanda de Cadenet?
4 A I did not. I honestly don't recall. I
5 don't think Raquel went. 12:21
6 Q Do you know whether Ms. Heard went?
7 A I believe so, yes.
8 Q Did -- are you aware that Mr. Harrell has
9 testified about Mr. Heard's appearance that day?
10 A I don't know who that is. 12:22
11 Q He's one of the employees at the -- at the
12 building.
13 A Sure. I -- I don't -- I don't recall who
14 this person is, and I can't say who testified to
15 what. 12:22
16 MR. CHEW: All right. Well, I think we've
17 been going for about an hour and 20 minutes, and we
18 do have some -- I think it's probably a good time
19 for a lunch break. I think we're on schedule.
20 THE WITNESS: Okay. 12:22
21 MR. CHEW: So why don't we go off the
22 record.
23 THE VIDEOGRAPHER: We're now going off the
24 record --
25 MS. KAPLAN: While we're still on the 12:22
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1 record, for a matter of housekeeping, can we mark 12:22
2 the drawing that Mr. Chew made as Drew 1, please?
3 MR. CHEW: That's an excellent idea.
4 That's -- if we can mark that, and we can make
5 copies for everybody during the lunch break. 12:23
6 THE VIDEOGRAPHER: We're now going off the
7 record. The time on the video monitor is 12:23 p.m.
8 (Luncheon recess.)
9 THE VIDEOGRAPHER: We are now going back
10 on the record. The time on the video monitor is 01:12
11 1:12 p.m. This is the beginning of Media 2 in the
12 videotaped deposition of Joshua Drew.
13 BY MR. CHEW:
14 Q Good afternoon, Mr. Drew.
15 You testified before the breaks [sic] that 01:12
16 you saw certain marks on Ms. Heard's face on May 22;
17 correct?
18 A Correct.
19 Q You have no firsthand knowledge of how
20 they got there; correct? 01:12
21 A Correct.
22 Q Are you aware that Cornelius Harrell
23 testified that there were no marks -- that he
24 observed no marks on Ms. Heard that day?
25 A I'm not aware of that, no. 01:12
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<p>1 Q Are you aware that he testified under oath 01:12 2 that she looked beautiful, radiant, and refreshed 3 that day? 4 A I am not aware of that. 5 Q Are you aware -- are you aware that 01:12 6 Alejandro Romero testified that either on May 23rd 7 or May 24th, that he saw no swelling or marks on 8 Ms. Heard? 9 A I'm aware very loosely of the varieties of 10 testimonies of the concierge staff at other stages 01:13 11 of what they have, but with any specificity, I can't 12 say for any of them. 13 Q How did you become aware of the 14 testimonies of the concierge staff? 15 A Through the -- the public record 01:13 16 statement -- or not -- not statement. I -- I 17 don't -- you'll have to forgive me. I don't know 18 the exact word for what it was. Whatever -- the 19 complaint maybe. 20 Q Who showed you the complaint? 01:13 21 A I was provided it by my attorney. 22 Q Did you ever discuss that during your 23 brief conversation with Amber about the case? 24 A No. 25 Q Are you aware that Trinity Esparza also 01:13 Page 82</p>	<p>1 MS. VIGLIETTA: Objection. Lacks 01:14 2 foundation; calls for speculation. 3 He said he doesn't know. 4 THE WITNESS: Yeah. I don't know. I have 5 no idea. 01:14 6 BY MR. CHEW: 7 Q He didn't have an opportunity to be heard; 8 correct? 9 MS. VIGLIETTA: Objection. 10 BY MR. CHEW: 01:15 11 Q Do you know if he had an opportunity to be 12 heard? 13 MS. VIGLIETTA: Objection. It lacks 14 foundation. It calls for speculation. It's vague, 15 ambiguous. I don't even know what you mean by 01:15 16 "opportunity to be heard." 17 BY MR. CHEW: 18 Q Do you know whether he submitted any 19 papers to the Court? 20 A I have no idea what occurred with the 01:15 21 proceedings outside of her filing for that. 22 Q Do you know what role, if any, Rocky had 23 with respect to the filing of the TRO? 24 A I don't. Outside of confidante. 25 Q Outside of what? 01:15 Page 84</p>
<p>1 testified that on May 23rd or May 24th, she saw no 01:13 2 swelling or other marks on Ms. Heard's face? 3 A No. 4 Q Are you aware that on May 27th, 5 Ms. Esparza testified that she suddenly saw red 01:13 6 marks under Ms. Heard's right eye? 7 A I'm aware secondhand that something like 8 that had transpired. 9 Q How did you become aware of that 10 secondhand? 01:14 11 A I honestly can't recall. 12 Q Did you see Mr. Depp on May 27th? 13 A No. 14 Q He -- he never returned to the penthouses; 15 correct? 01:14 16 A I have not seen him since the incident 17 that evening. 18 Q Were you aware that Ms. Heard was seeking 19 an ex parte temporary restraining order? 20 A Yes. 01:14 21 Q Do you know where Mr. Depp was when 22 Ms. Heard obtained her ex parte temporary 23 restraining order? 24 A No. 25 Q He was out of the country, wasn't he? 01:14 Page 83</p>	<p>1 A Confidante, just being her friend. 01:15 2 Q You don't -- 3 (Simultaneous speakers.) 4 A I don't -- I don't know if she played any 5 official role. I don't know what her participation 01:15 6 was in any way. 7 Q While you were married to Rocky, was it 8 common for them to email each other? 9 A I can't say. 10 Q Was it common for them to text each other? 01:15 11 A Yes. 12 Q Do you know whether Rocky ever deleted any 13 texts from Amber? 14 A I have no idea. 15 Q Do you know whether Amber ever deleted any 01:15 16 texts from Rocky? 17 A I have no idea. 18 Q Mr. Drew, let's move back to the time 19 period when you lived with Rocky in Penthouse 3 -- 20 or strike that -- in Penthouse 1. 01:16 21 Did you ever notice anyone visiting Amber 22 Heard at night while Mr. Depp was away? 23 A During the time that I was living there? 24 Q Yes. 25 A Yes. 01:16 Page 85</p>

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<p>1 Q On how many occasions? 01:16</p> <p>2 A I wouldn't even be able to estimate.</p> <p>3 Q Was it more than 10?</p> <p>4 A Yes.</p> <p>5 Q Was it more than 20? 01:16</p> <p>6 A Yes.</p> <p>7 Q Was it more than 30?</p> <p>8 A Yes.</p> <p>9 Q Was it more than 50?</p> <p>10 A Again, I -- I can't really speculate. I 01:16</p> <p>11 was there for quite some time.</p> <p>12 Q When did that first occur?</p> <p>13 A I mean, I'm not -- again, I'm not privy to</p> <p>14 her comings and goings, and she had other friends</p> <p>15 than us that were coming to see her, so... 01:16</p> <p>16 Q And, again, to be specific, I'm just</p> <p>17 talking about visitors at night when Mr. Depp was</p> <p>18 away.</p> <p>19 A Again, I can't say with any specificity.</p> <p>20 Q When did that first happen that you are 01:17</p> <p>21 aware of?</p> <p>22 A I mean, I would say pretty early on, but,</p> <p>23 again, I -- there's no context to it.</p> <p>24 The other consideration that I would say</p> <p>25 is that the hallway between all of these penthouses 01:17</p> <p style="text-align: right;">Page 86</p>	<p>1 recognize Elon Musk? 01:18</p> <p>2 A Yes.</p> <p>3 Q When did you first see Elon Musk at</p> <p>4 Penthouse 3?</p> <p>5 A I'm a little -- again, I'm -- I'm not 01:18</p> <p>6 quite clear exactly, but I want to say it was about</p> <p>7 three to four weeks after the restraining order was</p> <p>8 filed.</p> <p>9 Q But while Mr. Depp and Ms. Heard were</p> <p>10 still married; correct? 01:18</p> <p>11 A Yes.</p> <p>12 Q Did you ever see Mr. Musk there in the</p> <p>13 early morning?</p> <p>14 A No.</p> <p>15 Q Are you aware that Mr. Romero testified 01:18</p> <p>16 that Mr. Musk was spending the night as of March of</p> <p>17 2015, well prior to the restraining order?</p> <p>18 A I'm not.</p> <p>19 Q How often -- or strike that.</p> <p>20 How many times did you see Mr. Musk at 01:19</p> <p>21 Ms. Heard's condo -- or strike that -- at Mr. Depp's</p> <p>22 condo?</p> <p>23 A A -- again, it's tough to speculate. A</p> <p>24 handful of times. Maybe four or five, if memory</p> <p>25 serves. 01:19</p> <p style="text-align: right;">Page 88</p>
<p>1 was a public right-of-way going to the pool. So my 01:17</p> <p>2 understanding of people coming and going, it might</p> <p>3 have been the public. It might have been</p> <p>4 residents -- or I'm sorry. Not public. It might</p> <p>5 have been residents in the building. I can't really 01:17</p> <p>6 say with any specificity.</p> <p>7 Q But you had a pretty good view of</p> <p>8 Penthouse 3; correct?</p> <p>9 A Well, no. I mean, walls and doors.</p> <p>10 They're -- it's not translucent. 01:17</p> <p>11 Q But once you're outside of your apartment,</p> <p>12 you could see the doorway to Penthouse 3; correct?</p> <p>13 A How much time does anybody spend outside</p> <p>14 of their apartment standing in a hallway?</p> <p>15 Q I don't know. I'm asking you. 01:17</p> <p>16 A Not at all.</p> <p>17 Q Well --</p> <p>18 A I wasn't standing --</p> <p>19 Q -- you said you saw guests coming --</p> <p>20 A No. I can hear guests. I can hear people 01:17</p> <p>21 walking by. I'm not standing at the keyhole.</p> <p>22 Q Who is Elon Musk?</p> <p>23 A Elon Musk was a gentleman that Amber dated</p> <p>24 intermittently following the restraining order.</p> <p>25 Q When did you -- can you -- can you 01:18</p> <p style="text-align: right;">Page 87</p>	<p>1 Q Do you recall seeing Mr. Musk at 01:19</p> <p>2 Penthouse 3 in or about June of 2016?</p> <p>3 A I can't recall specifically, but it's</p> <p>4 certainly possible.</p> <p>5 Q Do you recall seeing Ms. Heard with marks 01:19</p> <p>6 on her face, throat, and arm in or about mid June of</p> <p>7 2016?</p> <p>8 A I don't recall, no.</p> <p>9 Q After May 22nd, 2016, did you ever see any</p> <p>10 marks on Ms. Heard? 01:20</p> <p>11 A Not to my knowledge, no.</p> <p>12 Q Did you ever discuss the relationship</p> <p>13 between Mr. Musk and Amber Heard with Rocky?</p> <p>14 A Yes.</p> <p>15 Q What did you-all discuss? 01:20</p> <p>16 A My answer is going to be similar to when</p> <p>17 you asked this of Amber and Johnny's relationship.</p> <p>18 Like anything else, it had its ups and downs and</p> <p>19 tumultuous elements to it. So it really depended on</p> <p>20 what the local circumstance was, whether things were 01:20</p> <p>21 good, whether things were not good, and so on and so</p> <p>22 forth.</p> <p>23 Q Did Rocky tell you that Mr. Musk and Amber</p> <p>24 Heard were having an affair?</p> <p>25 A No. 01:20</p> <p style="text-align: right;">Page 89</p>

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<p>1 Q Did she tell you that Mr. Musk was 01:20 2 spending the night with Amber Heard while she was 3 still married to Mr. Depp? 4 A That's a tricky question, again, because 5 the only knowledge I have of Mr. Musk coming to the 01:21 6 penthouse specifically, the only time I ever 7 observed it was after the restraining order had been 8 filed. 9 So technically to your question, yes, but 10 not prior to the restraining order, to my knowledge. 01:21 11 Q So Rocky had told you that at some point 12 prior -- or strike that. 13 Rocky told you, at some point after the 14 restraining order but while Amber and Johnny were 15 still married, that Amber and Elon Musk were having 01:21 16 an affair; correct? 17 A Correct. 18 Q Do you know -- did she tell you how long 19 that affair lasted? 20 A No. 01:21 21 Q Did she tell you that Amber was having 22 affairs with people other than Elon Musk while she 23 was still married to Johnny Depp? 24 A Not to my knowledge, no. 25 Q Who is Ms. Cara Delevingne? I'm 01:21</p> <p style="text-align: right;">Page 90</p>	<p>1 Q So other than these multiple affairs, can 01:22 2 you speak to any other affairs that Ms. Heard was 3 having while living in Johnny's apartment? 4 A You'll have to bear with me for a second 5 just to sort of go through. 01:22 6 Honestly, no, I don't recall. Just those 7 two. 8 Q Who is James Franco? 9 A A costar and friend of Amber's. 10 Q Did you ever see Mr. Franco at 01:23 11 Penthouse 3? 12 A No. 13 Q Did you ever discuss Amber's relationship, 14 if any, with James Franco with Rocky? 15 A Yes, but not an intimate relationship. 01:23 16 Q What -- how did Rocky describe Amber's 17 relationship with James Franco? 18 A The way it had been described to me 19 specifically was that they had been costars at a 20 certain point very early in Johnny and Amber's 01:23 21 relationship, and it made Johnny very, very jealous, 22 because I guess they had some intimate scenes that 23 they were filming, which he was not fond of her 24 doing, and it -- it was a lingering point of 25 contention in their relationship. 01:24</p> <p style="text-align: right;">Page 92</p>
<p>1 mispronouncing her name. 01:21 2 A I don't know if anybody can pronounce her 3 last name, to be honest. 4 Q Who is she? 5 A A friend of Amber's. 01:21 6 Q Did she also spend the night with Amber 7 Heard? 8 A It's possible, but I don't recall 9 specifically. 10 Q Did Rocky tell you that Amber Heard was 01:22 11 having an affair with Cara Delevingne while she was 12 still married to Johnny Depp? 13 A Yes. 14 Q Did she ever tell you that the three of 15 them, Elon Musk, Cara Delevingne spent the night 01:22 16 with Amber in November of 2016? 17 A To a specific date, I can't say. 18 Q Did she ever tell you, in words or 19 substance, while Amber was still married to Johnny 20 Depp, that the three of them, Amber Heard, Elon 01:22 21 Musk, and Cara Delevingne spent the night together? 22 A Yes. 23 Q So they were having, what, a three-way 24 affair; correct? 25 A My understanding, yes. 01:22</p> <p style="text-align: right;">Page 91</p>	<p>1 Just the mention of his name would cause 01:24 2 issues between the two of them. And I believe at 3 one point she was doing a project with him, and 4 Johnny was not happy about it, and they were arguing 5 about it pretty regularly. 01:24 6 Q Do you remember the time frame of when 7 Amber was doing the project with Mr. Franco? 8 A I want to say it would have been sometime 9 in 2015 or 2016, but, again, I'm not -- I'm not 10 fully clear on it. 01:24 11 Q Do you know -- or strike that. 12 Did Rocky tell you that Amber had any kind 13 of a physical relationship with James Franco, short 14 of an affair? 15 A What was communicated to me by Raquel was 01:24 16 the exact opposite, that they hadn't had any type of 17 physical relationship, and that just exacerbated 18 Johnny's jealousy and frustration with it. 19 Q And the source of Rocky's information 20 was -- was Amber Heard; correct? 01:25 21 A That's my understanding, yes. 22 Q Have you ever known Amber Heard to say 23 something that was not truthful? 24 A Yes. 25 Q On how -- on what occasions did Ms. Heard 01:25</p> <p style="text-align: right;">Page 93</p>

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<p>1 say something that was not truthful? 01:25</p> <p>2 A Well, specifically my -- my firsthand</p> <p>3 knowledge is -- again, most of it is really sort of</p> <p>4 secondhand. There was -- there were some -- there</p> <p>5 was an incident specifically around the -- what 01:25</p> <p>6 predicated my divorce from Raquel, for which I</p> <p>7 didn't actually hear anything from her, but</p> <p>8 secondhand there were things that were said and</p> <p>9 things that I saw that I knew not to be true.</p> <p>10 Q Can you remember anything sitting here 01:26</p> <p>11 today?</p> <p>12 A Not specifically, to be very honest with</p> <p>13 you.</p> <p>14 Q Was she aware that your wife was having an</p> <p>15 affair? 01:26</p> <p>16 A Yes.</p> <p>17 Q Was this some -- and she did not disclose</p> <p>18 that to you; correct?</p> <p>19 A No.</p> <p>20 Q Isn't this something a friend should 01:26</p> <p>21 disclose to another friend?</p> <p>22 A Yes.</p> <p>23 Q Did -- and I'm not asking you to</p> <p>24 speculate. I'm just asking you one way or the</p> <p>25 other. 01:26</p> <p style="text-align: right;">Page 94</p>	<p>1 Penthouse 1; correct? 01:27</p> <p>2 A I believe so. To be very honest,</p> <p>3 everything that really transpired at a certain point</p> <p>4 legally between the two of them, I extricated myself</p> <p>5 from a lot of it. 01:27</p> <p>6 So I can't say with any specificity when</p> <p>7 specific things happened, like the divorce was</p> <p>8 finalized or the settlement was signed. It's -- I</p> <p>9 want to say was settled, like, within six months of</p> <p>10 the -- of the restraining order. 01:27</p> <p>11 Q Do -- did you recall seeing Ms. Heard</p> <p>12 remove any items from Penthouse 3?</p> <p>13 A Yes.</p> <p>14 Q What do you recall her removing?</p> <p>15 A I don't remember anything specifically. 01:28</p> <p>16 Q Did she remove art?</p> <p>17 A Again, I don't remember anything specific.</p> <p>18 Q Did she remove furniture?</p> <p>19 A It's possible, but, again, I don't</p> <p>20 remember anything specific. 01:28</p> <p>21 Q Isn't it true she would -- she removed</p> <p>22 everything of value from Penthouse 3?</p> <p>23 A I have no knowledge of that.</p> <p>24 Q Do you recall whether there were yellow</p> <p>25 stickers adorning the belongings? 01:28</p> <p style="text-align: right;">Page 96</p>
<p>1 Do you know that Ms. Heard disclosed to 01:26</p> <p>2 Mr. Depp that she was having an extramarital affair</p> <p>3 with Elon Musk?</p> <p>4 A I have no knowledge of that.</p> <p>5 Q And do you know whether Ms. Heard informed 01:26</p> <p>6 her husband that she was having an affair with Cara</p> <p>7 Delevingne?</p> <p>8 A I have no knowledge.</p> <p>9 Q Is this something that a spouse should be</p> <p>10 entitled to know? 01:26</p> <p>11 MS. VIGLIETTA: Objection. Calls for --</p> <p>12 BY MR. CHEW:</p> <p>13 Q You take vows; right?</p> <p>14 A Yeah.</p> <p>15 Q And one of them is fidelity; correct? 01:27</p> <p>16 A Correct.</p> <p>17 Q So wouldn't that -- something you would</p> <p>18 reasonably expect your -- your husband or wife to</p> <p>19 tell you?</p> <p>20 A One would hope. 01:27</p> <p>21 Q I would hope so too.</p> <p>22 Did there come a time when Mr. Depp and</p> <p>23 Ms. Heard divorced?</p> <p>24 A Yes.</p> <p>25 Q And were -- you were still living at -- in 01:27</p> <p style="text-align: right;">Page 95</p>	<p>1 A That, I don't recall. 01:28</p> <p>2 Q Okay. Now I'm going to show you a few</p> <p>3 exhibits. This will be marked Drew No. 2 for</p> <p>4 identification.</p> <p>5 (Exhibit 2 marked.) 01:29</p> <p>6 Q I'll represent to you, in the interest of</p> <p>7 time, that this is the testimony of Officer Melissa</p> <p>8 Saenz that she gave in the context of the divorce.</p> <p>9 And you're certainly free to read as much</p> <p>10 or as little as you want. I'm just going to ask you 01:29</p> <p>11 about some entries. So I want you want to read</p> <p>12 that, and then if you need context, read as much as</p> <p>13 you wish.</p> <p>14 A Okay.</p> <p>15 Q I will first direct your -- well, first of 01:29</p> <p>16 all, was -- to your knowledge, was Officer Melissa</p> <p>17 Saenz one of the officers to whom you spoke on the</p> <p>18 evening of May 21, 2005?</p> <p>19 A I learned after the fact, yes.</p> <p>20 Q And was she the Latina officer to whom you 01:29</p> <p>21 referred?</p> <p>22 A That is my understanding, yes.</p> <p>23 Q Okay. If I could ask you please to move</p> <p>24 ahead in the transcript to page 14. And in the</p> <p>25 interest of time, the context here is that she met a 01:30</p> <p style="text-align: right;">Page 97</p>

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<p>1 gentleman, a white male. I don't think she's being 01:30 2 disparaging, but she described him as a generic 3 white male. 4 A A spades a spade. 5 Q Is -- to your understanding, was she 01:30 6 referring to you? 7 A Yeah. 8 MS. VIGLIETTA: Objection. Lacks 9 foundation; it calls for speculation. 10 He's asking you what she meant in this 01:30 11 single sentence that you just looked at. 12 BY MR. CHEW: 13 Q Well, you did come out to greet Officer 14 Saenz that night; correct? 15 A That's correct. 01:30 16 Q And moving down to para- -- to line 21, 17 she's quoting you as saying, quote: 18 "Everything is okay. It's fine. And she 19 is in my apartment with my girlfriend." 20 Did you say that, in words or substance, 01:30 21 to Officer Saenz? 22 A It's possible, yes. 23 Q And when you said, "She's in my 24 apartment," were you referring to Ms. Heard? 25 A Yes. 01:31</p> <p style="text-align: right;">Page 98</p>	<p>1 independently investigating indeed -- 01:32 2 indicia that a crime had been committed." 3 She says she is looking to see whether a 4 crime had been committed. 5 Do you have any reason to believe that 01:32 6 Officer Saenz was not dutifully investigating 7 whether a crime had been committed? 8 A I would like to read some of the preceding 9 lines just to -- 10 (Simultaneous speakers.) 01:32 11 Q You -- please. 12 A -- go over the context. 13 Q Absolutely. Take your time. 14 A (Reviewing document.) 15 Okay. Can you repeat your question? 01:32 16 Q Do you have any reason to believe that 17 Officer Saenz was not making a good-faith 18 investigation to determine whether a crime had been 19 committed that night? 20 A No. 01:33 21 MS. VIGLIETTA: Objection. Lacks 22 foundation; calls for speculation. 23 BY MR. CHEW: 24 Q Do you have any reason to believe that she 25 wasn't acting in good faith? 01:33</p> <p style="text-align: right;">Page 100</p>
<p>1 Q Did you identify her by name? 01:31 2 A I don't recall. 3 Q And when you said that Ms. -- when you 4 said that "She's in the apartment with my 5 girlfriend," "my girlfriend" refers to Rocky 01:31 6 Pennington; correct? 7 A Correct. 8 Q All right. And then moving ahead to 9 page 15, she's asked about what you told her, and 10 she said that you said, "Everything is fine." Does 01:31 11 that sound right to you? 12 A Yes. 13 Q Then she -- and perhaps she's speculating, 14 but, if I direct your attention to line 18, Officer 15 Saenz testifies: 01:31 16 "You know what? My perception was that 17 he" -- meaning you -- "just wanted us to 18 go, that he -- that he'd gotten it -- he 19 had it under control." 20 Was her perception correct? 01:31 21 A Yes. 22 Q Let's move ahead, please, to page 21, 23 line 14 through line 18. The questioner asks: 24 "I'm assuming that whatever Ms. Heard was 25 telling you, you were independent -- 01:32</p> <p style="text-align: right;">Page 99</p>	<p>1 A No. 01:33 2 Q Moving on to the next page, Officer Saenz 3 is describing what she saw on Amber's face, and she 4 says she does not see any marks, swelling, or 5 bruises. 01:33 6 Do you have any reason, sitting here 7 today, to disbelieve Officer Saenz's sworn 8 testimony? 9 MS. VIGLIETTA: Objection. It lacks 10 foundation. It calls for speculation. 01:33 11 BY MR. CHEW: 12 Q Do you have any reason or knowledge that 13 she was not telling the truth? 14 MS. VIGLIETTA: Same objections. 15 Go ahead. 01:33 16 THE WITNESS: I have stated what I 17 observed. I'm not going to speculate on her 18 motivations. 19 BY MR. CHEW: 20 Q But you're not alleging that she is 01:33 21 somehow corrupt; right? 22 A I am not going to allege or speculate on 23 anything related to the LAPD. 24 Q But sitting here today, you -- you cannot 25 point us to anything specific that says she was 01:34</p> <p style="text-align: right;">Page 101</p>

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<p>1 lying under oath, which is a crime. 01:34</p> <p>2 A I know what I saw. I know what I</p> <p>3 observed. I have sworn to be truthful under threat</p> <p>4 of perjury, sitting here with everybody in this</p> <p>5 room, and I've stated counter to that. So you can 01:34</p> <p>6 take that as you will.</p> <p>7 Q All right. Let's move on to page 24. She</p> <p>8 testified that you assisted her in doing a security</p> <p>9 sweep of the floor; is that correct?</p> <p>10 A That's correct. 01:34</p> <p>11 Q And you showed her, meaning Officer Saenz,</p> <p>12 through Penthouse 3 where the alleged incident</p> <p>13 occurred; correct?</p> <p>14 A Correct.</p> <p>15 MS. VIGLIETTA: Can I just pause for a 01:35</p> <p>16 minute? I want to make sure I understand. You're</p> <p>17 asking about what actually happened, not asking him</p> <p>18 what she testified to; right?</p> <p>19 BY MR. CHEW:</p> <p>20 Q I think we're understanding each other. 01:35</p> <p>21 Did you also take her into Penthouse 1?</p> <p>22 A No.</p> <p>23 Q Did you take her into Penthouse 5?</p> <p>24 A Yes.</p> <p>25 Q So let's move ahead, please, to 01:35</p> <p style="text-align: right;">Page 102</p>	<p>1 no wine bottles on the floor or broken in any 01:36</p> <p>2 manner?</p> <p>3 A Yes.</p> <p>4 Q Do you see where she testified there was</p> <p>5 no -- there were no signs of spilled wine or any 01:36</p> <p>6 spilled liquids of any kind?</p> <p>7 A Yes.</p> <p>8 Q Do you have any reason to believe that was</p> <p>9 false?</p> <p>10 Don't -- don't look to her. I know -- I 01:36</p> <p>11 know you're telling -- I know you're doing your best</p> <p>12 to tell the truth, but you have to --</p> <p>13 A You're going to get the same response that</p> <p>14 I gave you about 90 seconds ago, which is I am not</p> <p>15 going to speculate about the motivations of LAPD 01:36</p> <p>16 officers. I'm under oath.</p> <p>17 Q Fair enough.</p> <p>18 A I've told you what I observed, what I saw,</p> <p>19 which is counter to what is being presented here.</p> <p>20 Q Understood. And I'm not trying to be 01:37</p> <p>21 provocative.</p> <p>22 Is it your testimony that there was any</p> <p>23 cleanup of Penthouse 3 done between the call and the</p> <p>24 time that Officer Saenz and Officer Hadden arrived?</p> <p>25 A I honestly can't recall. The directions 01:37</p> <p style="text-align: right;">Page 104</p>
<p>1 paragraph 24 of her testimony. 01:35</p> <p>2 MS. KAPLAN: You mean page 24?</p> <p>3 MR. CHEW: Thank you. It's page 24.</p> <p>4 BY MR. CHEW:</p> <p>5 Q And here she is testifying about 01:35</p> <p>6 Penthouse 3. And I would just ask you to read to</p> <p>7 yourself lines 6 through 17.</p> <p>8 MS. VIGLIETTA: Where does she say --</p> <p>9 where does she say that she's testifying about</p> <p>10 Penthouse 3 here? 01:35</p> <p>11 BY MR. CHEW:</p> <p>12 Q Well, she -- she goes back on 23. There</p> <p>13 is a sofa located inside of the penthouse. Is there</p> <p>14 a sofa in Penthouse 3?</p> <p>15 MS. VIGLIETTA: Okay. So long as you 01:36</p> <p>16 understand.</p> <p>17 BY MR. CHEW:</p> <p>18 Q So now we're on page 24, and she's talking</p> <p>19 about Penthouse 3. Do you see where she testifies</p> <p>20 that she didn't see any broken glass? 01:36</p> <p>21 A Yes.</p> <p>22 Q Do you see where she testified there were</p> <p>23 no broken picture frames?</p> <p>24 A Yes.</p> <p>25 Q Do you see where she testified there were 01:36</p> <p style="text-align: right;">Page 103</p>	<p>1 specifically, or what we did specifically, was to 01:37</p> <p>2 take photos of everything, and -- so we had some</p> <p>3 kind of documentary record of what had transpired.</p> <p>4 Q I appreciate that, but was there any -- is</p> <p>5 it your testimony that there was cleanup done 01:37</p> <p>6 between the time of the alleged incident and the</p> <p>7 time that Officer Saenz arrived?</p> <p>8 A I honestly don't recall. We were not</p> <p>9 expecting police officers, so we weren't looking to</p> <p>10 preserve -- to preserve anything. 01:37</p> <p>11 Q So you don't know if there was any cleanup</p> <p>12 done?</p> <p>13 A I don't recall.</p> <p>14 Q Do you know what prompted Officer Saenz</p> <p>15 and Officer Hadden to arrive at the scene? 01:38</p> <p>16 A Again, my understanding is that somebody</p> <p>17 had called the police. I was told it had been iO</p> <p>18 remotely, which is what they were responding to.</p> <p>19 Q Well, we'll show you that. That's</p> <p>20 actually two hours later. 01:38</p> <p>21 So I'm asking whether anybody else called</p> <p>22 it in, to your knowledge.</p> <p>23 A Not to my knowledge.</p> <p>24 Q Okay.</p> <p>25 MS. KAPLAN: Objection. Foundation. 01:38</p> <p style="text-align: right;">Page 105</p>

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<p>1 MR. CHEW: That's okay. We'll lay the 01:38 2 foundation. And this is a deposition. 3 MS. KAPLAN: Actually, it's trial 4 testimony. I think he -- 5 MR. CHEW: It's both. You're right. It 01:38 6 is -- it's both. That's -- that's a good point. 7 BY MR. CHEW: 8 Q Move ahead, please, to page 26. Officer 9 Saenz, referring to Amber, says, she asked her: 10 "Are you hurt? Do you need an ambulance?" 01:38 11 And Ms. Heard shook her head again no. 12 Do you have any reason, sitting -- sitting 13 here today, to doubt Officer Saenz's testimony? 14 A I'm -- I'm sorry. If you can give me a 15 second, if you can point me -- 01:39 16 Q Sure. 17 A -- to where you want -- 18 Q Oh, yeah. Sorry. 19 A -- the reference, give me an opportunity 20 to go through it and then ask the question, it will 01:39 21 probably be easier on everybody, if you'd be so 22 kind. 23 Q I will be so kind, and it's a reasonable 24 request. 25 If you would move ahead, please, to 01:39 Page 106</p>	<p>1 A My recollection of events is the 01:40 2 sequencing is a little bit different. I personally 3 walked with both officers through PH 3, ground 4 floor -- or not ground floor -- the -- the lower 5 level, upper level, and I took them myself, both, 01:40 6 through PH 5. 7 Q So you would agree that Officer Saenz did 8 see the entirety of Penthouse 3; correct? 9 A Correct. 10 Q And she saw the entirety of Penthouse 5? 01:40 11 A Correct. 12 Q Putting aside whether you agree with her 13 conclusions. 14 A Correct. 15 Q If you move on to the next page -- and I'm 01:41 16 just going to paraphrase -- she testifies that she 17 did not see any signs of a struggle, no broken 18 bottles, no broken glass. Do you see that? 19 A Yes. 20 MS. VIGLIETTA: I don't see -- I don't see 01:41 21 the word "struggle" or "signs of struggle" on this 22 page, so I'm just going to object that it seems to 23 mischaracterize the document, your question. 24 BY MR. CHEW: 25 Q Actually, the question is at the top on 01:41 Page 108</p>
<p>1 page 26 -- 01:39 2 A Okay. 3 Q -- line 16 through line 18. 4 A Okay. 5 Q Officer Saenz asked Amber: 01:39 6 "Are you hurt? Do you need an ambulance?" 7 And Amber shakes her head and says no. 8 Do you have any reason to believe that 9 that did not occur? 10 MS. VIGLIETTA: Objection. Foundation; 01:39 11 speculation. 12 THE WITNESS: I wasn't present for it, so 13 I can't say. 14 BY MR. CHEW: 15 Q And if you could move ahead into the last 01:39 16 two lines on page 28, lines 24 and 25. Officer 17 Saenz testifies that she went into all the rooms. 18 It's your understanding that she went into 19 Penthouse 3 and Penthouse 5; correct? 20 MS. VIGLIETTA: Just take your time. Make 01:40 21 sure you read where he's pointing. 22 THE WITNESS: You said lines 24 and 25 on 23 page 28? 24 BY MR. CHEW: 25 Q Yes, the last two lines. 01:40 Page 107</p>	<p>1 line 1: 01:41 2 "Did you see at the time any signs of a 3 struggle or vandalism in the penthouse 4 apartment?" 5 "The Witness: No, I did not." 01:41 6 Am I reading that correctly? 7 A On the transcript, yes. 8 Q Okay. And let's move ahead -- we're 9 almost mercifully through this exhibit, but let's 10 move ahead, please, to page 31. 01:41 11 And I believe she's testifying here about 12 Penthouse 5, and she's answering the same questions. 13 And, again, she sees no sign of a struggle, no wine 14 bottles on the floor, no spills. 15 Do you see that? 01:42 16 MS. VIGLIETTA: Counsel, where does it say 17 "Penthouse 5"? We need to slow down a little. I -- 18 I couldn't read the pages as fast as you were just 19 talking. 20 BY MR. CHEW: 01:42 21 Q Well, did you -- was there any -- or 22 strike that. 23 Do you -- do you know which penthouse 24 she's referring to here? 25 A You'd have to reference specifically where 01:42 Page 109</p>

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<p>1 you want to start in the transcript for me to be 01:42 2 able to answer. 3 Q Well, why don't we start at the bottom of 4 page 30 -- oh, no, strike that. Let's move -- let's 5 move to page 30, line 15. Okay. 01:42 6 "In your entry to the place where they had 7 described making jewelry and clothing, did 8 you see any other people as you and 9 Officer Hadden went in?" 10 Isn't it true that there was jewelry 01:43 11 making and clothing in Penthouse 5? 12 A I'm sorry. What's your question? 13 Q My question is: Was someone making 14 jewelry and had racks of clothing in Penthouse 5? 15 A Yes. 01:43 16 Q Okay. Does that -- does that context help 17 you understand that -- that Officer Saenz was 18 testifying about Penthouse 5 in this passage? 19 A Affirmative. 20 Q And do you see her testimony that she 01:43 21 found no broken glass or wine bottles or wine 22 spilled in Penthouse 5? 23 MS. VIGLIETTA: So now you're moving from 24 page 30 on to page -- 25 MR. CHEW: Yeah. 01:43 Page 110</p>	<p>1 verbal argument only, and that it was between a 01:45 2 husband and a wife? 3 Do you see that? 4 MS. VIGLIETTA: What lines are you on? 5 MR. CHEW: I'm on lines 12 through 16, 01:45 6 page 15. 7 THE WITNESS: I do see that, yes. 8 BY MR. CHEW: 9 Q And I believe you testified -- and correct 10 me -- that iO had called it in at some point that 01:45 11 night because he believed Ms. Heard was in danger; 12 correct? 13 A That's my understanding as I was told 14 secondhand. 15 Q So does this suggest to you that there was 01:45 16 another call by somebody else? 17 A I really don't want to speculate on that 18 because I wasn't present for it. 19 Q Fair enough. 20 If you could move ahead, please, to 01:45 21 page 27 -- or, actually, start, for context, on -- 22 on page 26, line 23. The questioner says to Officer 23 Hadden: 24 "You had an opportunity to observe her and 25 described just now she was crying and 01:46 Page 112</p>
<p>1 MS. VIGLIETTA: -- 31? 01:43 2 MR. CHEW: Directly to the next part. 3 BY MR. CHEW: 4 Q Do you see that? 5 A Starting on page 30 through 31? 01:44 6 Q Yes. 7 A Okay. 8 Q So she -- you understand that, right or 9 wrong, she's referring to Penthouse 5; true? 10 A Correct. 01:44 11 Q Okay. Let's now move to the next 12 officer's testimony, which we'll mark as Number 3. 13 (Exhibit 3 marked.) 14 MS. VIGLIETTA: Counsel, do you have a 15 copy? 01:44 16 MR. CHEW: I do. Sorry about that. Brain 17 freeze, intermittent fast casualty. 18 MS. VIGLIETTA: Thank you. 19 BY MR. CHEW: 20 Q And, again, same thing. Read as much as 01:44 21 you need for context. I'm just going to ask you a 22 couple of questions about this. 23 First, on page 15 -- and, again, your 24 counsel counseled you not to speculate, but do you 25 see where he's describing the call-in, that it's a 01:45 Page 111</p>	<p>1 red-faced." 01:46 2 And then moving on to the next page, do 3 you see his sworn testimony that he saw no swelling 4 of any kind on Ms. Heard's face? 5 A I do see that, yes. 01:46 6 Q And do you see that he also testified that 7 there was no indication of bruising or other injury 8 to her face? 9 A Yes, I see that. 10 Q And then moving ahead, please, to page 35, 01:46 11 lines 16 through line 20, do you see his testimony 12 that he saw no signs of vandalism or spilled wine in 13 the kitchen? 14 A Yes, I do. 15 Q And let's move ahead, please, sir, to 01:47 16 page 46, lines 20 through 25: 17 "Question: Officer Hadden, I understand a 18 second patrol vehicle responded to the location 19 subsequent to you and Officer Saenz. Are you aware 20 of that?" 01:47 21 Let me just ask you, are you aware that 22 there was a second set of officers who were 23 dispatched to the location later? 24 A Yes. They responded, I want to say, like, 25 about two hours after these two -- these two primary 01:47 Page 113</p>

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1 officers. 01:47 2 Q And what -- would you please describe your 3 interaction, if any, with them. 4 A It was very, very brief. We let them know 5 that there had been two officers there earlier. She 01:47 6 had declined to file a report. Amber had asked me 7 to greet both sets of officers because she didn't 8 want to speak to the police, so she had hoped that I 9 would be able to speak to them and they would leave, 10 which, of course, they couldn't. 01:48 11 So the second officers came. I greeted 12 them. We let them know that two officers had 13 already been. We showed them the business card of 14 one of them that had arrived. They said, "We 15 appreciate you letting me know. We still have to do 01:48 16 a check-through, and we still have to speak to her." 17 So if memory serves, I walked them through 18 in a similar fashion to the primary two officers, 19 and then they spoke to Amber -- or one or both spoke 20 to Amber in private and they departed. 01:48 21 Q Did they do a full tour of Penthouse 3 and 22 Penthouse 5? 23 A If memory serves, I walked them through in 24 the same fashion as the primary responding officers. 25 Q Do you know whether they reached any 01:48 Page 114	1 undertaken before the primary officers. The only 01:49 2 cleanup efforts taken were between the responding 3 officer -- between the sets of responding officers. 4 Q Would you please describe, as -- as far as 5 you can remember, what cleanup efforts were 01:49 6 undertaken and by whom? 7 A Well, myself. In Penthouse 3, there was a 8 number of pieces of broken glass and items strewn 9 about the counters and the floor in the kitchen. 10 Only in the kitchen. It was sort of around the 01:50 11 kitchen island. 12 In the hallway, outside of the penthouses, 13 was quite a bit of spilled wine. I don't believe we 14 dealt with that at all. 15 And then in PH 5, all of Raquel's things 01:50 16 had been strewn about pretty dramatically, so we did 17 our best to sort of put that back together and pack 18 everything back up. 19 And there were, you know, things like 20 piles of books and picture frames were broken and -- 01:50 21 or piles of books were strewn about and picture 22 frames were broken and things like that. We just 23 picked the glass up off the floor so the dogs didn't 24 get hurt, and I think we left everything else for 25 the time being. 01:50 Page 116
1 different conclusions than Officer Saenz and Officer 01:48 2 Hadden? 3 MS. VIGLIETTA: Objection. Lacks 4 foundation; calls for speculation. 5 And slow down a little bit so the court 01:48 6 reporter can get everything you're saying. 7 THE WITNESS: Apologies. 8 I'm sorry. Would you mind asking the 9 question again? 10 BY MR. CHEW: 01:49 11 Q Did -- did they issue an arrest warrant 12 for Mr. Depp after they made their tour? 13 A They did not. 14 Q Did you show them the entirety of 15 Penthouse 3 where all the alleged destruction 01:49 16 occurred? 17 A If memory serves, yes, but after the first 18 officers came, we did clean up the broken glass off 19 the floor just -- the dogs were there and just for 20 safety's sake. 01:49 21 Q But the cleanup -- just to be very, very 22 clear for the record because it's important, there 23 was no cleanup, to your knowledge, before Officer 24 Saenz and Officer Hadden made their observations? 25 A I have no recollection of any cleanup 01:49 Page 115	1 Q Did you actually see who strewn about -- 01:50 2 that's not the right verb, but did you actually see 3 the person who threw her clothes around? 4 A I didn't witness firsthand any destruction 5 of any kind. 01:50 6 Q Officer Hadden testifies here at the 7 bottom of page 46: 8 "I was unaware until I was told that -- 9 when we found out about the case and it 10 being actually Johnny Depp and Amber 01:51 11 Heard." 12 Do you have any reason to believe that 13 Officer Hadden was not telling the truth at the 14 time? 15 MS. VIGLIETTA: Calls for speculation; 01:51 16 lacks foundation. 17 BY MR. CHEW: 18 Q Do you know of any reason that he was not 19 telling the truth? 20 A No. 01:51 21 Q Okay. 22 MR. CHEW: Let's now mark this as Drew 4, 23 please, for identification. 24 (Exhibit 4 marked.) 25 BY MR. CHEW: 01:51 Page 117

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<p>1 Q I ask you whether you've ever seen this 01:51</p> <p>2 document before.</p> <p>3 A No.</p> <p>4 Q Directing your attention to the upper</p> <p>5 right-hand corner, do you see iO Tillett Wright's 01:52</p> <p>6 name referenced anywhere here?</p> <p>7 A The last name?</p> <p>8 Q Yes. Do you see that?</p> <p>9 A Yes.</p> <p>10 Q And directing your attention to the date 01:52</p> <p>11 on the left-hand side, there are a series of entries</p> <p>12 which are highlighted. The first eight entries</p> <p>13 are -- are highlighted. Do you see a time</p> <p>14 associated with the calls?</p> <p>15 A The ones that are highlighted you're 01:52</p> <p>16 referring to?</p> <p>17 Q Yes, please.</p> <p>18 A Yes.</p> <p>19 Q And what time does that refer to?</p> <p>20 A 10:09 p.m. 01:52</p> <p>21 Q Does this suggest to you that</p> <p>22 Mr. Tillett's call -- remote call to the police,</p> <p>23 wasn't made until 10:09 p.m. that evening?</p> <p>24 MS. KAPLAN: Objection. Foundation.</p> <p>25 BY MR. CHEW: 01:53</p> <p style="text-align: right;">Page 118</p>	<p>1 second set of officers who came to the scene after 01:53</p> <p>2 Officer Saenz and her junior partner?</p> <p>3 MS. VIGLIETTA: Objection. Foundation;</p> <p>4 calls for speculation.</p> <p>5 THE WITNESS: It's a reasonable 01:54</p> <p>6 assumption.</p> <p>7 MR. CHEW: Let's mark this, please, Drew</p> <p>8 Exhibit 5.</p> <p>9 (Exhibit 5 marked.)</p> <p>10 BY MR. CHEW: 01:54</p> <p>11 Q Mercifully, I think I'm only going to ask</p> <p>12 you one question, but this, I will represent to you,</p> <p>13 is a declaration that your former wife submitted --</p> <p>14 or, actually, let me ask you, looking at the -- at</p> <p>15 page 3 of her declaration -- 01:54</p> <p>16 A May I ask you first and foremost what the</p> <p>17 date of this declaration is?</p> <p>18 Q Well, let -- let's go -- oh, it -- it</p> <p>19 purports to be May 27th, 2016, which was the date, I</p> <p>20 think all counsel will agree, that she made the 01:55</p> <p>21 ex parte TRO application.</p> <p>22 A Okay.</p> <p>23 Q But what I was going to ask you -- and</p> <p>24 that was a fair question -- was: Do you see on the</p> <p>25 second version of page 3, there purports to be a 01:55</p> <p style="text-align: right;">Page 120</p>
<p>1 Q You may answer. 01:53</p> <p>2 A Based on what I'm seeing here, this is</p> <p>3 what it says, so I have no knowledge otherwise.</p> <p>4 Q And 646 is a New York area code; correct?</p> <p>5 A I have no idea. 01:53</p> <p>6 Q Mr. Wright was in New York at the time;</p> <p>7 correct?</p> <p>8 MS. VIGLIETTA: Objection. Foundation.</p> <p>9 I think he already testified that he</p> <p>10 doesn't know where Mr. Wright was at the time. 01:53</p> <p>11 MS. KAPLAN: I assume we're following the</p> <p>12 protocol that one objection made by one counsel</p> <p>13 applies to all?</p> <p>14 MR. CHEW: Yes.</p> <p>15 MS. VIGLIETTA: Yes. 01:53</p> <p>16 BY MR. CHEW:</p> <p>17 Q Do you have, sitting here today, any</p> <p>18 reason to believe that this is not an authentic</p> <p>19 record?</p> <p>20 MS. KAPLAN: Objection. Foundation. 01:53</p> <p>21 BY MR. CHEW:</p> <p>22 Q I'm just asking whether you know.</p> <p>23 A I have no reason to believe or think</p> <p>24 otherwise.</p> <p>25 Q And wouldn't this explain why there was a 01:53</p> <p style="text-align: right;">Page 119</p>	<p>1 signature over the signature line saying in all caps 01:55</p> <p>2 Raquel Rose Pennington?</p> <p>3 Do you see that?</p> <p>4 A Yes.</p> <p>5 Q Is that your former wife's signature? 01:55</p> <p>6 A Honestly, I have no idea.</p> <p>7 Q Does it -- does it look like it?</p> <p>8 A I'm really not sure I want to answer that,</p> <p>9 to be honest with you. I have no idea.</p> <p>10 Q Okay. Okay. Sit -- sitting here today, 01:55</p> <p>11 do you have any reason to believe that this is not</p> <p>12 her signature?</p> <p>13 MS. VIGLIETTA: Objection. Foundation;</p> <p>14 speculation.</p> <p>15 BY MR. CHEW: 01:56</p> <p>16 Q All right. Well, let's -- let's go to the</p> <p>17 one question I -- I really have about this document,</p> <p>18 which is paragraph 4. She testifies --</p> <p>19 A On which page?</p> <p>20 Q On page 1. 01:56</p> <p>21 Ms. Pennington testifies:</p> <p>22 "On May 21, 2016, I was in my condominium</p> <p>23 with Joshua when I received a text message</p> <p>24 from Amber at approximately 8:06 p.m.,</p> <p>25 asking me to come over to her condominium 01:56</p> <p style="text-align: right;">Page 121</p>

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<p>1 unit." 01:56</p> <p>2 Now, I know you've already testified about</p> <p>3 that. I'm not going to ask you about that again.</p> <p>4 I'm going to ask a very specific question.</p> <p>5 Have you ever told anyone that Rocky was 01:56</p> <p>6 already in Penthouse 3 at the time she received</p> <p>7 Amber's text -- text at 8:06 p.m.?</p> <p>8 A I'm sorry. Could you repeat the question?</p> <p>9 MR. CHEW: Would you please read it back?</p> <p>10 (Whereupon the record was read as follows: 01:56</p> <p>11 "Have you ever told anyone that Rocky was</p> <p>12 already in Penthouse 3 at the time she</p> <p>13 received Amber's text at 8:06 p.m.?"</p> <p>14 MS. VIGLIETTA: I'm just going to object</p> <p>15 for the record that it mischaracterizes testimony 01:57</p> <p>16 and lacks foundation and calls for speculation</p> <p>17 and -- because I believe the witness already</p> <p>18 testified that he doesn't know the exact time that</p> <p>19 any text came in, and I think the only evidence of</p> <p>20 the timing of any text was from counsel, not your 01:57</p> <p>21 own testimony.</p> <p>22 But go ahead.</p> <p>23 THE WITNESS: At the time the text was</p> <p>24 received, I was present. I can't tell you exactly</p> <p>25 at what time that text was received. All I can say 01:57</p> <p style="text-align: right;">Page 122</p>	<p>1 Q What, if anything, do you know about that 01:59</p> <p>2 incident?</p> <p>3 A So my recollection of that is Raquel and I</p> <p>4 had come back to the penthouses. From where, I</p> <p>5 don't recall specifically. Sometime, I want to say, 01:59</p> <p>6 late afternoon, early evening.</p> <p>7 And Raquel was supposed to meet with Amber</p> <p>8 as soon as they came back. Amber had not been</p> <p>9 responding to her text messages for some time. So</p> <p>10 we let ourselves in to PH 3 together to go check on 01:59</p> <p>11 her and make sure everything was okay.</p> <p>12 When we came in, the kitchen was</p> <p>13 completely -- I wouldn't say it's trashed, but it</p> <p>14 was out of order enough for something to be off.</p> <p>15 And then when we turned the corner, on the section 01:59</p> <p>16 of counter next to the kitchen sink, there was</p> <p>17 something written on the counter.</p> <p>18 And I don't know -- I can't remember what</p> <p>19 material it was. And to be honest, I can't actually</p> <p>20 recall exactly what was written. It was something 01:59</p> <p>21 very, very weird, like, "All is such a fraud" or</p> <p>22 something akin to that.</p> <p>23 And Raquel took one look at that, and she</p> <p>24 goes, "Something is not right." And she's, like,</p> <p>25 "Go back to our place" and booked it upstairs to 02:00</p> <p style="text-align: right;">Page 124</p>
<p>1 is I was with her when it happened, and we were in 01:57</p> <p>2 PH 5 together with Liz.</p> <p>3 BY MR. CHEW:</p> <p>4 Q Right. And I get that. And the</p> <p>5 objections may have muddled the question. 01:57</p> <p>6 A Well, the -- I think the issue that I took</p> <p>7 and the reason I asked for it to be repeated is the</p> <p>8 premise of the question was confusing to me,</p> <p>9 specifically because it's completely counter to what</p> <p>10 I've testified. 01:57</p> <p>11 Q I know, and I understand your testimony.</p> <p>12 I'm not going to ask you -- I'm just asking whether</p> <p>13 you ever told anybody ever that Rocky was already in</p> <p>14 Penthouse 3 at the time she received the text.</p> <p>15 A No. 01:58</p> <p>16 MR. CHEW: Okay. Let's go for Drew 6, I</p> <p>17 believe.</p> <p>18 While you're making copies, which I</p> <p>19 appreciate, let me ask about something else so I</p> <p>20 don't waste time. If we can have three copies of 01:58</p> <p>21 that. Thank you.</p> <p>22 BY MR. CHEW:</p> <p>23 Q Are you aware that Ms. Heard alleged that</p> <p>24 Mr. Depp hit her on or about December 15?</p> <p>25 A Yes. 01:59</p> <p style="text-align: right;">Page 123</p>	<p>1 Amber. 02:00</p> <p>2 I didn't get a response probably for about</p> <p>3 10, 15 minutes, after which, if memory serves, I got</p> <p>4 a text from her saying something akin to, "He beat</p> <p>5 the shit out of her again." 02:00</p> <p>6 Q That's something that -- that Rocky told</p> <p>7 you?</p> <p>8 A Via text message, yes.</p> <p>9 Q You never saw Mr. Depp strike Amber Heard</p> <p>10 on or about December 15 -- 02:00</p> <p>11 A No.</p> <p>12 Q -- 2016; correct?</p> <p>13 A Correct.</p> <p>14 Q Did you see her -- did you see Ms. Heard</p> <p>15 that night? 02:00</p> <p>16 A Yes.</p> <p>17 Q Did you notice any bruising or other signs</p> <p>18 of injury?</p> <p>19 A Yes. Pretty significant.</p> <p>20 Q What did you observe? 02:00</p> <p>21 A I noticed specifically she had -- she had</p> <p>22 pretty significant bruising on the inside of both --</p> <p>23 of both eye sockets kind of extending down the</p> <p>24 bridge of her nose, and her forehead was red.</p> <p>25 Q But you have no firsthand knowledge of how 02:01</p> <p style="text-align: right;">Page 125</p>

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<p>1 that injury occurred; correct? 02:01</p> <p>2 A That's correct.</p> <p>3 Q Are you aware that she made a -- Amber</p> <p>4 Heard made a television appearance the next day?</p> <p>5 A Yes. 02:01</p> <p>6 Q And how did she look on -- did you watch</p> <p>7 it?</p> <p>8 A I think so. I honestly don't recall, to</p> <p>9 be honest with you. I know that she spent the</p> <p>10 preceding day and the day before that absolutely 02:01</p> <p>11 terrified. If memory serves, I think it was Jimmy</p> <p>12 Kimmel Live she was on. Maybe I'm mistaken. Yeah.</p> <p>13 She was terrified because of how she looked.</p> <p>14 Q How did she look on Jimmy Kimmel?</p> <p>15 A Couldn't tell. 02:01</p> <p>16 Q Couldn't tell what?</p> <p>17 A Couldn't tell that she had any injuries.</p> <p>18 Q Did she report that alleged incident to</p> <p>19 the police?</p> <p>20 A No, or not to my knowledge. 02:01</p> <p>21 Q Do you know whether Ms. Heard sought</p> <p>22 medical treatment?</p> <p>23 MS. VIGLIETTA: Objection. Foundation;</p> <p>24 speculation.</p> <p>25 BY MR. CHEW: 02:02</p> <p style="text-align: right;">Page 126</p>	<p>1 Q And you're not aware of her testimony one 02:03</p> <p>2 way or the other?</p> <p>3 A Well, let me rephrase that. I might have</p> <p>4 met her in passing, but I can't say that I've ever</p> <p>5 had any interaction with her. 02:03</p> <p>6 Q So you don't know whether she's a truthful</p> <p>7 person or not?</p> <p>8 A Exactly.</p> <p>9 Q Okay.</p> <p>10 (Exhibit 6 marked.) 02:03</p> <p>11 Q Showing you, Mr. Drew -- I'm just going to</p> <p>12 ask you about the first page of this.</p> <p>13 A Can you give me a moment --</p> <p>14 Q Oh, please.</p> <p>15 A -- read through it? 02:03</p> <p>16 Q Yeah, yeah, yeah.</p> <p>17 A (Reviewing document.)</p> <p>18 Okay. Your question?</p> <p>19 Q Do you -- have you ever seen this before?</p> <p>20 A I mean, my number is on here. It's true. 02:04</p> <p>21 If you're filing into the record, I'm assuming it's</p> <p>22 correct, so I wrote it, apparently.</p> <p>23 Q Well, this particular one -- are you</p> <p>24 looking at ALH 443?</p> <p>25 A No. 02:04</p> <p style="text-align: right;">Page 128</p>
<p>1 Q I'm just asking whether you know. Did she 02:02</p> <p>2 seek medical treatment?</p> <p>3 A Again, I vaguely remember her reaching out</p> <p>4 to a nurse so they could conduct a concussion test</p> <p>5 over the phone, because she claimed that he had 02:02</p> <p>6 headbutted her.</p> <p>7 Q Did she go to a doctor or a nurse?</p> <p>8 MS. VIGLIETTA: Objection. Foundation;</p> <p>9 speculation.</p> <p>10 THE WITNESS: Not to my knowledge. 02:02</p> <p>11 BY MR. CHEW:</p> <p>12 Q Were you present during the alleged</p> <p>13 conversation with the alleged nurse?</p> <p>14 A No.</p> <p>15 Q So the -- the source of your information 02:02</p> <p>16 was Rocky?</p> <p>17 A And Amber.</p> <p>18 Q And Amber.</p> <p>19 Are you aware that Samantha McMillen,</p> <p>20 Ms. Heard's stylist, testified that she was 02:02</p> <p>21 uninjured at that time?</p> <p>22 MS. VIGLIETTA: Objection. Foundation.</p> <p>23 THE WITNESS: I've never met Samantha</p> <p>24 McMillen, so...</p> <p>25 BY MR. CHEW: 02:03</p> <p style="text-align: right;">Page 127</p>	<p>1 (Simultaneous speakers.) 02:04</p> <p>2 A I'm looking at ALH 441 and 442.</p> <p>3 Q I'm -- do you see the text where she's</p> <p>4 saying:</p> <p>5 "Hey, Josh, I hope you and Rocky got some 02:04</p> <p>6 sleep last night?"</p> <p>7 A Yeah. That's 441, though.</p> <p>8 Q Gotcha. Well, that's the one I'm asking</p> <p>9 you about.</p> <p>10 A Okay. 02:04</p> <p>11 MS. KAPLAN: Are we marking -- Counsel,</p> <p>12 are we marking this as Drew 6?</p> <p>13 MR. CHEW: 6, Drew 6.</p> <p>14 BY MR. CHEW:</p> <p>15 Q Was that from Amber to you? 02:04</p> <p>16 MS. VIGLIETTA: Objection. Foundation.</p> <p>17 MR. CHEW: I'm asking him.</p> <p>18 BY MR. CHEW:</p> <p>19 Q Was that -- did you receive this from</p> <p>20 Amber on or about May 22, at 10:58? 02:05</p> <p>21 A I don't specifically recall, but that is</p> <p>22 my number, and it rings a bell.</p> <p>23 Q She says:</p> <p>24 "I don't want to bother her on her big</p> <p>25 day." 02:05</p> <p style="text-align: right;">Page 129</p>

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<p>1 Is "her" Rocky? 02:05</p> <p>2 MS. VIGLIETTA: Objection. Lacks</p> <p>3 foundation; calls for speculation.</p> <p>4 THE WITNESS: Yes.</p> <p>5 BY MR. CHEW: 02:05</p> <p>6 Q Okay. What -- if you know, what was Amber</p> <p>7 referring to about Rocky's "big day"?</p> <p>8 MS. VIGLIETTA: Objection. Lacks</p> <p>9 foundation and calls for speculation.</p> <p>10 THE WITNESS: It was her first jewelry 02:05</p> <p>11 show to the public for her new company.</p> <p>12 BY MR. CHEW:</p> <p>13 Q She -- she says to you:</p> <p>14 "The lawyers are asking for brief</p> <p>15 statements from you guys as witnesses so 02:05</p> <p>16 that they can file the appropriate way for</p> <p>17 a restraining order."</p> <p>18 Does this refresh your recollection about</p> <p>19 when the lawyers asked you for your statements?</p> <p>20 A Candidly, I'm going to stick with my 02:06</p> <p>21 earlier testimony, which was that we were asked to</p> <p>22 do it the night before, and what I'll add to that</p> <p>23 specifically is that she had just been through quite</p> <p>24 a bit of trauma and was trying to keep it together.</p> <p>25 So I'm going to suppose here that 02:06</p> <p style="text-align: right;">Page 130</p>	<p>1 to let you know, trial in this matter begins on 02:07</p> <p>2 February 3 in Fairfax, Virginia. Do you currently</p> <p>3 have any plans to be in Fairfax, Virginia, on</p> <p>4 February 3?</p> <p>5 A No. 02:07</p> <p>6 Q Where will you be, if you know?</p> <p>7 A Anywhere but there.</p> <p>8 MR. CHEW: Fair enough.</p> <p>9 Until later this afternoon, thank you very</p> <p>10 much, Mr. Drew. 02:08</p> <p>11 MS. VIGLIETTA: Can we do a brief break?</p> <p>12 MR. CHEW: Of course.</p> <p>13 MS. VIGLIETTA: I've got to use the</p> <p>14 restroom.</p> <p>15 THE VIDEOGRAPHER: We are now going off 02:08</p> <p>16 the record. The time on the video monitor is</p> <p>17 2:08 p.m.</p> <p>18 (Recess.)</p> <p>19 THE VIDEOGRAPHER: We're now going back on</p> <p>20 the record. The time on the video monitor is 02:32</p> <p>21 2:32 p.m. This is the beginning of Media 3 in the</p> <p>22 videotaped deposition of Joshua Drew.</p> <p>23 EXAMINATION</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q Mr. Drew, let me say two things. My name 02:32</p> <p style="text-align: right;">Page 132</p>
<p>1 her recoll- -- or not even her recollection, but her 02:06</p> <p>2 self-organization at that time was lacking. We had</p> <p>3 been asked to do it the night before, and this was a</p> <p>4 follow-up.</p> <p>5 Q She's asking you to write a brief 02:06</p> <p>6 statement. Did you ever write a brief statement?</p> <p>7 A I did.</p> <p>8 MR. CHEW: I think that's something that</p> <p>9 we had requested. We would request, again, a copy</p> <p>10 of that statement. 02:06</p> <p>11 MS. VIGLIETTA: He did --</p> <p>12 (Simultaneous speakers.)</p> <p>13 MS. KAPLAN: We did produce it to you,</p> <p>14 Counselor, in our production, unlike your</p> <p>15 production, which produced nothing. 02:06</p> <p>16 MS. VIGLIETTA: The witness searched his</p> <p>17 files for that statement and anything else</p> <p>18 responsive to your subpoena.</p> <p>19 MR. CHEW: Okay. I think we've got</p> <p>20 probably about an hour and a half left, so I'm going 02:07</p> <p>21 to reserve my time and allow Ms. Heard's counsel to</p> <p>22 proceed.</p> <p>23 BY MR. CHEW:</p> <p>24 Q Oh, let me -- let me ask two questions</p> <p>25 first before I temporarily yield, and that is, just 02:07</p> <p style="text-align: right;">Page 131</p>	<p>1 is Robbie Kaplan. Well, Roberta Kaplan, but 02:32</p> <p>2 everybody calls me Robbie.</p> <p>3 Let me say two things at the beginning.</p> <p>4 As you know, I represent Amber Heard in this case.</p> <p>5 I'm actually originally from Ohio, but 02:32</p> <p>6 I've lived all of my adult life in New York. And I</p> <p>7 know there was some complaint about you speaking</p> <p>8 quickly. I'm probably much, much guiltier of that</p> <p>9 than you are. I have a tendency to speak like a</p> <p>10 New Yorker. 02:33</p> <p>11 So I will try very hard to modulate my</p> <p>12 speaking velocity, but if I ever say something --</p> <p>13 I'm going too fast, or you don't understand me for</p> <p>14 any reason, please feel free to stop me, and I'll</p> <p>15 rephrase it. 02:33</p> <p>16 The second thing, which you probably don't</p> <p>17 believe me about, but this is not intended to be an</p> <p>18 endurance contest or torture. So if you need to</p> <p>19 take a break at any time, for bathroom, whatever,</p> <p>20 please just let us know, and we'll be happy to 02:33</p> <p>21 accommodate you.</p> <p>22 A Thank you.</p> <p>23 Q During the course of your questioning by</p> <p>24 Mr. Chew, there were a number of times where your</p> <p>25 voice was raised a little bit or you spoke a little 02:33</p> <p style="text-align: right;">Page 133</p>

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1 quickly. It -- it seemed to me that you were upset 02:33
2 during several portions of -- of the questioning.
3 Is it -- was I perceiving that correctly?
4 MR. CHEW: Objection to the
5 characterization of the witness's testimony. 02:34
6 BY MS. KAPLAN:
7 Q You can answer.
8 A I wouldn't say I was upset. I think at
9 times that I might have raised my voice or I'll say
10 maybe gotten a little bit passionate or innocuous or 02:34
11 related to specific events that maybe -- I guess
12 it's hard to speculate, to be honest with you.
13 Q Okay. And I think you just said that
14 maybe you got a little passionate about specific
15 events. Were there certain events that you 02:34
16 testified about this morning that you find to be
17 upsetting?
18 A I mean, honestly, all of it, to be honest.
19 If I'm really being honest about it, all of it.
20 It's -- yeah. I -- I could go on about it. This is 02:34
21 a horror show, and I'm stuck in the middle of it.
22 Q Obviously, Mr. Drew, I would take it you
23 find -- or anyone would find your divorce from Rocky
24 upsetting; fair to say?
25 A Yes. 02:35

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1 Q Obviously, having to sit here and be 02:35
2 questioned about things like your divorce is
3 upsetting; fair to say?
4 A Yes.
5 Q What other events that you testified about 02:35
6 this morning do you find upsetting?
7 A I think the one that's foremost in my mind
8 is specifically the conversation that was had around
9 the tran- -- the LAPD transcripts as it relates to
10 my own testimony. 02:35
11 This has been a point of contention both
12 personally, as well as within the group at large
13 when there was a group at large, specifically
14 because of -- of the -- what was put out publicly
15 and what we knew to have transpired. 02:35
16 Q Now, do you remember this morning Mr. Chew
17 asking you a question about Amber Heard's weight?
18 A Yes.
19 Q Do you recall that testimony?
20 And I think -- correct me if I'm wrong, 02:36
21 but my recollection of what you said is you didn't
22 know exactly how much she weighs.
23 A Correct.
24 Q Do you have any sense -- and I assume the
25 answer is going to be the same, but any reason -- at 02:36
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1 the time you knew him, did you know how much 02:36
2 Mr. Depp weighed?
3 A To be very honest, his -- his weight
4 fluctuated pretty rapidly throughout the time I knew
5 him, depending on what he was using and how much he 02:36
6 was using, or whether he was sober and whether he
7 was filming.
8 So, I mean, I can speculate. Probably
9 somewhere between 140 and 180 pounds.
10 Q Would it be -- 02:36
11 MR. CHEW: Move to strike as speculation.
12 BY MS. KAPLAN:
13 Q Would it be fair to say, Mr. Drew, that
14 during the time that you knew and socialized with
15 both Mr. Depp and Ms. Heard, that Mr. Depp weighed 02:36
16 more than Ms. Heard did?
17 A Yes.
18 Q Would it be fair to say that he was
19 generally bigger, taller than Ms. Heard --
20 A Yes. 02:36
21 Q -- was?
22 Same question for Mr. Depp's bodyguards
23 whose names were mentioned today. Is it fair to say
24 that Mr. Depp's bodyguards weighed more than
25 Ms. Heard did? 02:37

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1 A They're bigger than me. 02:37
2 Q And that would be true for all the
3 bodyguards who you mentioned -- who you discussed
4 earlier with Mr. Chew this morning?
5 A If you're asking the question that all of 02:37
6 the bodyguards are larger than Ms. Heard, yes.
7 Q Okay. Now, you just mentioned that -- you
8 said that Mr. Depp's weight would fluctuate
9 depending on a variety of factors, and the first
10 factor that you mentioned was whether -- whether he 02:37
11 was using or not. What -- what do you mean by that?
12 A Narcotics and drinking.
13 Q Okay. Let's start with narcotics. When
14 you knew -- when you -- again, I'm going to try to
15 ask all my questions, and the reference should be, 02:37
16 just so you know, during the time that you knew and
17 socialized with Mr. Depp and Ms. Heard.
18 During that period, what was your
19 understanding -- I take it your understanding was
20 that Mr. Depp was using drugs? 02:37
21 A Yes.
22 Q And do you know which kinds of drugs
23 Mr. Depp was using?
24 A Some type of opioids -- I don't know which
25 ones specifically -- and Ecstasy. 02:38

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<p>1 Q Anything else? 02:38</p> <p>2 A I'm vaguely aware that there were other</p> <p>3 pills and other substances, but I can't say with any</p> <p>4 specificity.</p> <p>5 Q And were you -- following up on that 02:38</p> <p>6 question, were you aware that, in addition to drugs</p> <p>7 that may have not been by prescription, that he was</p> <p>8 taking other drugs that were by prescription?</p> <p>9 A Yes.</p> <p>10 Q And were you aware, without saying what 02:38</p> <p>11 they were, that there was a fairly long list of</p> <p>12 prescription drugs that he was taking --</p> <p>13 MR. CHEW: Objection. Leading.</p> <p>14 MS. KAPLAN: Can you please not interrupt</p> <p>15 my questioning? 02:38</p> <p>16 MR. CHEW: I can object. You're leading</p> <p>17 the --</p> <p>18 (Simultaneous speakers.)</p> <p>19 MS. KAPLAN: Not -- during the</p> <p>20 questioning. 02:38</p> <p>21 MR. CHEW: You can stop leading him. I</p> <p>22 know this is a very friendly --</p> <p>23 MS. KAPLAN: You led him all morning long.</p> <p>24 MR. CHEW: -- conspiratorial --</p> <p>25 MS. KAPLAN: You led him all morning long. 02:38</p> <p style="text-align: right;">Page 138</p>	<p>1 list of prescription drugs that he was taking daily. 02:39</p> <p>2 A Yes.</p> <p>3 Q Did you ever see Mr. Depp take drugs,</p> <p>4 either prescription drugs or drugs that were not by</p> <p>5 prescription? 02:39</p> <p>6 A Yes.</p> <p>7 Q How many times?</p> <p>8 A I can't speculate on the number of times,</p> <p>9 to be honest.</p> <p>10 Q There was some questioning before where 02:39</p> <p>11 people were asking you about emphasizing how many</p> <p>12 times. Is it fair to say more than 10 times?</p> <p>13 A Yes.</p> <p>14 Q Fair to say more than 20 times?</p> <p>15 A Yes. 02:39</p> <p>16 MR. CHEW: And not to interrupt, but we</p> <p>17 are going to designate certain portions of this</p> <p>18 transcript as protected under the very limited</p> <p>19 protective order we have.</p> <p>20 MS. KAPLAN: Yeah. I don't think those 02:40</p> <p>21 questions under the protective order we have are</p> <p>22 legitimately designated as protected.</p> <p>23 MR. CHEW: Well, we have the -- we have</p> <p>24 the right to designate, and you have the right to</p> <p>25 challenge. 02:40</p> <p style="text-align: right;">Page 140</p>
<p>1 MR. CHEW: This is -- this is a hostile 02:38</p> <p>2 witness for me, not for you.</p> <p>3 MS. KAPLAN: You can -- you didn't know</p> <p>4 that when you started.</p> <p>5 MR. CHEW: Well, I know it now. 02:38</p> <p>6 MS. KAPLAN: You can raise that with the</p> <p>7 judge. I'm going to finish answering [sic] my</p> <p>8 question.</p> <p>9 MR. CHEW: Try not to lead.</p> <p>10 MS. KAPLAN: Try to stop interrupting. 02:38</p> <p>11 We'll call the judge if you keep interrupting me.</p> <p>12 MR. CHEW: Please.</p> <p>13 MS. KAPLAN: You can make your objection</p> <p>14 after the question.</p> <p>15 BY MS. KAPLAN: 02:39</p> <p>16 Q The question, Mr. Drew, is: Were you</p> <p>17 aware, during the time that you socialized with</p> <p>18 Mr. Heard and Ms. Depp, that Mr. [sic] Heard had a</p> <p>19 relatively long list of prescription medications</p> <p>20 that he was taking daily? 02:39</p> <p>21 A You mean -- the names are misplaced. I</p> <p>22 just want to make sure that everything is on the</p> <p>23 level. You said "Mr. Heard" and --</p> <p>24 Q Ah, withdrawn. Thank you. Thank you for</p> <p>25 pointing -- that Mr. Depp was taking -- had a long 02:39</p> <p style="text-align: right;">Page 139</p>	<p>1 MS. KAPLAN: Well, we're -- then we 02:40</p> <p>2 designate everything this morning, and you can</p> <p>3 challenge that. I hope you haven't already leaked</p> <p>4 it to anyone because we're now designating the</p> <p>5 entire morning testimony confidential. 02:40</p> <p>6 MR. CHEW: That's fine. If you want to --</p> <p>7 MS. KAPLAN: So that's designated --</p> <p>8 (Simultaneous speakers.)</p> <p>9 MR. CHEW: If you want to make frivolous</p> <p>10 motions -- you've already made several. 02:40</p> <p>11 MS. KAPLAN: Well, we're now talking about</p> <p>12 designation. If you are designating testimony that</p> <p>13 the judge has not said has --</p> <p>14 MR. CHEW: I'm just -- I'm just --</p> <p>15 (Simultaneous speakers.) 02:40</p> <p>16 MS. KAPLAN: I don't want to waste my time</p> <p>17 arguing with you.</p> <p>18 MR. CHEW: Okay. I'm just putting you on</p> <p>19 notice that we're going to put -- that it's very</p> <p>20 limited what's protected under the protective order. 02:40</p> <p>21 I'm just letting you know that -- that that which</p> <p>22 relates to the medical records, there's a certain</p> <p>23 carve-out, as you know.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q Did you see Mr. Depp take drugs that were 02:40</p> <p style="text-align: right;">Page 141</p>

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<p>1 not prescribed by doctors? 02:40</p> <p>2 MS. VIGLIETTA: Objection. Lacks</p> <p>3 foundation.</p> <p>4 THE WITNESS: Yes, but I can't say what.</p> <p>5 BY MS. KAPLAN: 02:40</p> <p>6 Q Did you see that more than 10 times?</p> <p>7 MS. VIGLIETTA: Same objections. Calls</p> <p>8 for speculation.</p> <p>9 THE WITNESS: Honestly, I don't know. I</p> <p>10 don't recall. 02:41</p> <p>11 BY MS. KAPLAN:</p> <p>12 Q Okay. Now, you also said, Mr. Drew, that</p> <p>13 Mr. Depp's weight would fluctuate depending upon</p> <p>14 what he -- whether he was sober. Do you recall that</p> <p>15 testimony? 02:41</p> <p>16 A Correct.</p> <p>17 Q What did you mean by that?</p> <p>18 A That -- that for the time that I knew</p> <p>19 Johnny, he struggled immensely with substance abuse</p> <p>20 and addiction, and at various times and the time 02:41</p> <p>21 that I knew him, he was undergoing specific</p> <p>22 treatment to try and regain and maintain his</p> <p>23 sobriety, and it would ebb and flow.</p> <p>24 There would be times when he was using</p> <p>25 heavily. There would be times when he was sober and 02:41</p> <p style="text-align: right;">Page 142</p>	<p>1 Ms. Heard? 02:43</p> <p>2 A Yes.</p> <p>3 Q Can you tell me which -- when you recall</p> <p>4 that and what happened?</p> <p>5 A I can't tell -- I can't say with any 02:43</p> <p>6 specificity the number of times. There is one</p> <p>7 incident specifically that I do recall.</p> <p>8 Myself and Raquel were vacationing in</p> <p>9 France with the two of them, and they were -- we</p> <p>10 were staying separately, separate houses, and the 02:43</p> <p>11 two of them were having a very, very loud argument</p> <p>12 with one another, screaming at each other, that we</p> <p>13 could hear through the walls.</p> <p>14 Q And I -- I appreciate it was some number</p> <p>15 of years ago, Mr. Drew, but what do you recall 02:43</p> <p>16 Mr. Depp saying, and what do you recall Ms. Heard</p> <p>17 saying?</p> <p>18 A I couldn't hear anything specific as to</p> <p>19 what they were yelling at each other about, but I</p> <p>20 did know what had predicated the argument. 02:43</p> <p>21 Q And what had predicated the argument?</p> <p>22 A I don't know what project it was for</p> <p>23 specifically. It was something that Amber was</p> <p>24 doing, and it had something to do with a nudity</p> <p>25 rider that had been slipped into her contract that 02:44</p> <p style="text-align: right;">Page 144</p>
<p>1 doing private treatment to remain sober, and other 02:41</p> <p>2 times when he was using different measure of things.</p> <p>3 Sometimes just drinking and smoking cigarettes, so</p> <p>4 on and so forth.</p> <p>5 Q And during those -- that period when you 02:42</p> <p>6 knew him, were there -- I take it from your answer,</p> <p>7 there were occasions where you knew him to be using</p> <p>8 either prescription or nonprescription medication,</p> <p>9 or alcohol, to excess?</p> <p>10 A Yes. 02:42</p> <p>11 Q And when you observed Mr. Depp in that</p> <p>12 condition, how did he behave?</p> <p>13 A Again, really the full spectrum. There</p> <p>14 would be times when he would just be really sweet</p> <p>15 and really kind and fun-loving and pleasant to be 02:42</p> <p>16 around, and there would be other instances where he</p> <p>17 would be ornery and so on and so forth.</p> <p>18 But to be very honest with you, he was</p> <p>19 also a very private person, and a lot of that</p> <p>20 behavior was done in private. I didn't witness a 02:42</p> <p>21 lot of it.</p> <p>22 Q Did you ever hear Mr. Heard -- I keep</p> <p>23 doing that. I apologize. I've got my genders all</p> <p>24 mixed up.</p> <p>25 Did you ever hear Mr. Depp yell at 02:43</p> <p style="text-align: right;">Page 143</p>	<p>1 she claimed was fraudulent, and he accused her of 02:44</p> <p>2 knowing about it and going against his wishes to</p> <p>3 include it.</p> <p>4 Q Just so I understand because I'm not at</p> <p>5 all in involved in the entertainment industry -- 02:44</p> <p>6 A I mean, me neither.</p> <p>7 Q Let me see if I understand what that</p> <p>8 means.</p> <p>9 I take it from what you said that there</p> <p>10 had been some rider put into a contract that there 02:44</p> <p>11 was going to be some nudity as part of some kind of</p> <p>12 a movie or other project?</p> <p>13 A Yes.</p> <p>14 Q Is that what they were fighting about?</p> <p>15 A Yes. 02:44</p> <p>16 Q How long do you recall, approximately,</p> <p>17 that yelling lasted for?</p> <p>18 A I want to say, that I witnessed</p> <p>19 personally, maybe 30 minutes.</p> <p>20 Q And what was your understanding of why 02:45</p> <p>21 Mr. Depp was angry that there was a supposed</p> <p>22 fraudulent nudity clause in Ms. Heard's contract?</p> <p>23 MR. CHEW: Objection. Lack of foundation;</p> <p>24 calls for speculation.</p> <p>25 BY MS. KAPLAN: 02:45</p> <p style="text-align: right;">Page 145</p>

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1 Q You can answer. 02:45
2 A So the -- what was -- what was -- what was
3 told to me was specifically that -- and I knew this
4 from previous instances, was that when the two of
5 them got together, Johnny demanded of her that she 02:45
6 cut down on intimate scenes with costars and that
7 she not do nudity anymore, and that there was a
8 project -- and she didn't argue the point with him,
9 to my knowledge, in my experience.
10 And in this instance, for one of these 02:45
11 projects, these directors had required her to do it.
12 She refused. It wasn't in the contract. It had
13 then been inserted to it.
14 And she claimed that she knew nothing
15 about it. She had had it removed, and they had put 02:45
16 it in fraudulently, and he was accusing her of the
17 opposite.
18 Q During the time that you knew and, again,
19 socialized with Mr. Depp and Ms. Heard, was it
20 your -- were you aware that Mr. Depp was frequently 02:46
21 jealous of Ms. Heard in connection with her costars?
22 MS. VIGLIETTA: Objection.
23 MR. CHEW: Objection. Lack of foundation;
24 lack of --
25 MS. VIGLIETTA: Lacks foundation; calls 02:46
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1 for speculation. 02:46
2 MR. CHEW: Thank you.
3 BY MS. KAPLAN:
4 Q You can answer.
5 MS. VIGLIETTA: That works both ways. 02:46
6 THE WITNESS: Yes.
7 BY MS. KAPLAN:
8 Q And how were you aware of that?
9 A Secondhand.
10 Q Well, how? How was it secondhand? 02:46
11 A In the course of just communication with
12 Raquel about sort of past history and understanding
13 events that were ongoing, arguments, so on and so
14 forth, to better understand why things are happening
15 or what's going on or what's actually going on, it's 02:46
16 colored.
17 I didn't really witness any of these
18 things specifically, so I'm hearing it from friends
19 and family and things of that nature.
20 But, again, very similar, jealous of -- or 02:46
21 what I was told was predicated on jealousy related
22 to her costars.
23 MR. CHEW: Move to strike. Lack of
24 foundation; hearsay.
25 BY MS. KAPLAN: 02:47
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1 Q When you say "friends and family," was 02:47
2 Rocky the only person who told you these things?
3 A No.
4 Q Who else told you?
5 A I can't say with any specificity, and 02:47
6 Raquel is the one who's foremost in my mind. I
7 don't know if I want to speculate on this. There
8 were other people in that circle, but I can't say
9 with any specificity.
10 Q Did you have any conversations with Amber 02:47
11 about these issues?
12 A Honestly, I can't recall.
13 Q Did Amber ever tell you that Johnny would
14 frequently yell and scream at her?
15 A Her directly, no. 02:47
16 Q Did Rocky tell you that?
17 A Yes.
18 Q Did Rocky or anyone else -- that's -- I'm
19 going to object to my own question. It's compound.
20 Did Rocky ever tell you that Amber and 02:48
21 Johnny called this part of his personality, when he
22 would get angry and yell, "the monster"?
23 MR. CHEW: Objection. Hearsay.
24 BY MS. KAPLAN:
25 Q You can answer. 02:48
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1 A Yes. 02:48
2 Q Did you have conversations with Rocky
3 about the fact that Johnny and Amber called him "the
4 monster" when he acted this way?
5 A Yes. 02:48
6 Q More than once?
7 A Yes.
8 Q What do you recall about those
9 conversations?
10 A Specifically -- well, I'm sorry. I'm 02:48
11 being too generous to myself. I vaguely remember
12 the conversations. There were a few of them over
13 the course of time.
14 Specifically -- and I think it was part
15 of -- there was this really extreme empathy with 02:48
16 everybody specifically because there was a genuine
17 belief that the substance abuse sort of predicated
18 this.
19 And he was so apologetic and so contrite
20 after all of this, but there was a genuine belief 02:49
21 that he, at some point, would lose -- really
22 genuinely lose control. And it wasn't just -- I
23 wasn't just told that it was discussed between us;
24 it was also that he was made aware of it and in that
25 context. 02:49
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<p>1 MR. CHEW: Move to strike. Hearsay; lack 02:49 2 of foundation; lack of personal knowledge. 3 BY MS. KAPLAN: 4 Q Did anyone -- did Rocky ever tell you that 5 Mr. Depp had been diagnosed with manic depression? 02:49 6 A No. 7 MR. CHEW: Objection. Hearsay. 8 BY MS. KAPLAN: 9 Q Were you aware that -- if he had any 10 psychiatric diagnoses other than substance abuse? 02:49 11 A Vaguely. 12 Q Did you ever hear borderline personality 13 disorder -- that was the phrase that was used this 14 morning -- in connection with Mr. Depp? 15 A Not specifically, no. 02:49 16 Q What about bipolar? 17 A Not specifically, no. 18 Q You were asked some questions this morning 19 about your opinion about various things. Should a 20 woman be faithful to her husband? Should a -- a 02:50 21 friend of a woman tell another friend when they -- 22 they were having an affair, things like that. 23 Do you remember those questions? 24 A Yes. 25 Q I want to ask you some similar questions 02:50 Page 150</p>	<p>1 A No. 02:51 2 Q Kick her? 3 A No. 4 Q If a wife had, quote, visitors at night 5 while her husband was away, would that justify, in 02:51 6 your mind, Mr. Drew, the husband hitting her? 7 A No. 8 Q Your wife had an affair on you -- with -- 9 that you didn't know about; is that correct? 10 A Correct. 02:51 11 Q Did you ever hit your wife? 12 A No. 13 Q Would the fact that the wife had visitors 14 at night while her husband was away -- would that 15 justify any of the forms of physical abuse that I 02:51 16 have specified -- 17 A No. 18 Q -- previously? 19 If a woman actually -- let's go past 20 visitors -- actually had an affair, either with a 02:52 21 man or a woman while she was married to a man, would 22 that justify the man taking any physical action 23 whatsoever with respect to his wife? 24 A No. 25 Q Now, I think you testified earlier that 02:52 Page 152</p>
<p>1 like that today. 02:50 2 So if a woman yells at her boyfriend or 3 husband, in your personal opinion, is it okay for 4 the husband to punch her? 5 A No. 02:50 6 Q Is it okay for him to punch her wearing 7 heavy metal rings on his fingers? 8 A No. 9 Q Is it okay for him to kick her? 10 A No. 02:50 11 Q Is it okay for him to headbutt her? 12 A No. 13 Q Is it okay for him to choke her? 14 A No. 15 Q Is it okay for him to slap her? 02:50 16 A No. 17 Q If the -- if -- if the man at the time is 18 either intensely inebriated or high on drugs, would 19 any of your answers change? 20 A No. 02:51 21 Q If a woman dating a guy or married to a 22 guy had taken mushrooms, would it be okay for the 23 guy or husband to smack her? 24 A No. 25 Q Hit her? 02:51 Page 151</p>	<p>1 you looked at two documents, as I recall -- I'm 02:52 2 going to try and get it right -- prior to this 3 deposition today. 4 A Three documents. 5 Q Okay. What were those three? 02:52 6 A One was the subpoena that I received in 7 person, one was the public declaration by Amber, and 8 the other one -- again, I'm not sure on the 9 verbiage -- was the public record complaint filed by 10 Johnny's team. 02:53 11 Q Okay. And I don't want to -- 12 (Reporter clarification.) 13 Q I don't want to delve into privilege in 14 any way, Mr. Drew, but did I provide -- other than 15 the subpoena, did I provide those documents to 02:53 16 you -- 17 A No. 18 Q -- or anyone from Ms. Heard? 19 MS. KAPLAN: Okay. I'm going to mark as 20 Drew 7 the declaration of Amber Heard. 02:53 21 BY MS. KAPLAN: 22 Q By the way, while we're waiting, did 23 Mr. Depp often wear heavy rings that you noticed on 24 his fingers? 25 A Yes. 02:53 Page 153</p>

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<p>1 Q More than one? 02:53</p> <p>2 A Yes.</p> <p>3 Q And they were large. Is that fair to say?</p> <p>4 A If memory serves, yes.</p> <p>5 Q Thank you. 02:53</p> <p>6 MS. KAPLAN: Can we mark this as Drew 7?</p> <p>7 (Exhibit 7 marked.)</p> <p>8 BY MS. KAPLAN:</p> <p>9 Q Mr. Drew, I've put a document in front of</p> <p>10 you. I'm going to do this the old-fashioned, 02:54</p> <p>11 corporate law way somewhat. It's -- it's entitled</p> <p>12 the "Declaration of Amber Laura Heard."</p> <p>13 And if you turn to page 14, right at the</p> <p>14 bottom, it says: "Executed this 10 day of April,</p> <p>15 2019 at Los Angeles, California." There's a perjury 02:54</p> <p>16 line, and then it's got a -- purports to have the</p> <p>17 signature of Amber Heard.</p> <p>18 Do you see that there, sir?</p> <p>19 A Yes.</p> <p>20 Q Okay. Have -- is this the document that 02:54</p> <p>21 you read in preparation for this deposition here</p> <p>22 today that you were just talking about?</p> <p>23 A I mean, based on the information provided,</p> <p>24 I can't say definitively. I'd have to read through</p> <p>25 it. 02:54</p> <p style="text-align: right;">Page 154</p>	<p>1 Q I think you also testified -- and please 02:57</p> <p>2 correct me if I'm wrong -- that you were aware,</p> <p>3 however, of incidents of abuse -- physical abuse of</p> <p>4 Ms. Heard by Mr. Depp; is that also correct?</p> <p>5 MR. CHEW: Objection. Assumes facts not 02:57</p> <p>6 in evidence; mischaracterizes his testimony; and</p> <p>7 there's an utter lack of foundation. He says he has</p> <p>8 no firsthand knowledge.</p> <p>9 BY MS. KAPLAN:</p> <p>10 Q You can answer. 02:57</p> <p>11 A Yes, I've been made aware of incidents.</p> <p>12 Q Okay. Now, I think your testimony was --</p> <p>13 I want to get it right -- that you met -- let me go</p> <p>14 back to my notes -- that you started dating your</p> <p>15 former wife, Rocky, in June 2014. 02:57</p> <p>16 A To my recollection, yes.</p> <p>17 Q So if you look at this affidavit, on</p> <p>18 pages 1 and 2, "Describe events that occurred" -- if</p> <p>19 I'm doing my calendar correctly, and I think I am --</p> <p>20 "before you met and started dating Rocky"; is 02:58</p> <p>21 that -- is that correct?</p> <p>22 A That would be correct.</p> <p>23 Q And so for any of those incidents -- and</p> <p>24 I'll just read it into the record.</p> <p>25 There's one that says, "Late 2012, early 02:58</p> <p style="text-align: right;">Page 156</p>
<p>1 Q Take your time. 02:54</p> <p>2 A Okay.</p> <p>3 (Reviewing document.)</p> <p>4 It appears to be, yes.</p> <p>5 Q Okay. Now, you testified this morning 02:56</p> <p>6 that you never saw Mr. Depp hit or physically abuse</p> <p>7 Ms. Heard, although you were aware of such events.</p> <p>8 Is that a fair --</p> <p>9 MR. CHEW: No. That's a complete</p> <p>10 mischaracterization. 02:56</p> <p>11 MS. KAPLAN: Can you not interrupt my</p> <p>12 questioning, sir.</p> <p>13 (Simultaneous speakers.)</p> <p>14 MR. CHEW: You're -- well, you're --</p> <p>15 MS. KAPLAN: You can object when I'm done 02:56</p> <p>16 asking the question. That's the way the rules work.</p> <p>17 MR. CHEW: Be honest about his testimony.</p> <p>18 BY MS. KAPLAN:</p> <p>19 Q Mr. Drew, let me have you answer the</p> <p>20 question. Did you testify -- let's start over. 02:56</p> <p>21 Did you testify this morning that you</p> <p>22 never saw Mr. Depp hit or strike or physically abuse</p> <p>23 Ms. Heard in your presence; correct?</p> <p>24 A I have never witnessed firsthand any</p> <p>25 physical abuse between either party. 02:57</p> <p style="text-align: right;">Page 155</p>	<p>1 2013, Los Angeles, California." 02:58</p> <p>2 Then on page 2, it says, "March 8, 2013,</p> <p>3 Los Angeles, California."</p> <p>4 Later on that same page, page 2, "May 24,</p> <p>5 2014, flight from Boston, Massachusetts, to 02:58</p> <p>6 Los Angeles, California."</p> <p>7 Were you later, once you had started to</p> <p>8 date Rocky, made aware of any of those incidents?</p> <p>9 A The only one would be the -- the flight</p> <p>10 from Boston. 02:58</p> <p>11 Q Okay. And how did you become aware of</p> <p>12 that?</p> <p>13 A I honestly couldn't tell you the exact</p> <p>14 circumstance that predicated it, and honestly, I</p> <p>15 couldn't tell you whether it was early on in the 02:58</p> <p>16 relationship or whether it came up following that</p> <p>17 final May 21st incident.</p> <p>18 I'm -- I'm trying to take myself out of</p> <p>19 it, because, obviously, reading the context adds</p> <p>20 information to it. The only thing that I really was 02:59</p> <p>21 told at that time was that they had had an argument.</p> <p>22 It was related to one of her projects and that at a</p> <p>23 certain point, he kicked her.</p> <p>24 And it was in -- one of the few incidents</p> <p>25 that actually happened in front of people that 02:59</p> <p style="text-align: right;">Page 157</p>

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<p>1 weren't bodyguards, and that either she locked 02:59 2 herself in a room or he locked himself in a room and 3 that there had been communication with one of 4 Johnny's assistants, Stephen Deuters, after the 5 fact. 02:59 6 And he didn't -- he had blacked out. He 7 didn't remember the incident. And when Stephen told 8 him, he got very, very upset. And, again, that's 9 what I recall about being told about the incident. 10 MR. CHEW: Move to -- 02:59 11 THE WITNESS: And I'm trying not to parse 12 it into what's written. 13 MR. CHEW: Move to strike. Multiple 14 hearsay; lacks personal knowledge. 15 BY MS. KAPLAN: 03:00 16 Q Who told you that? 17 A If memory serves, it was Raquel. 18 Q And -- 19 MR. CHEW: Move to strike. Hearsay. 20 BY MS. KAPLAN: 03:00 21 Q And you say you don't recall exactly when 22 you became aware of -- let's call it the -- the 23 plane incident. Are you -- and then you said it 24 could even have been as late as May 21. 25 A Somewhere afterwards, yes. 03:00 Page 158</p>	<p>1 remember a time period where he was on the island 03:01 2 doing a very hard-core detox with one to two of his 3 private nurses and Amber. 4 I don't know whether it was this specific 5 incident, to be very honest with you, because what I 03:02 6 do actually remember is one of the -- during this 7 incident, I was actually communicating with him via 8 text message just to check in on him. But I don't 9 think it would have been this new to having just met 10 him. 03:02 11 Q So there was an incident that you recall 12 where he was on his island in the Bahamas 13 detoxing -- 14 A Yes. 15 Q -- with a nurse -- 03:02 16 A Yes. 17 Q -- and you were concerned about him, so 18 you would text him to check in? 19 A Yes. 20 Q Do you recall anything else about your 03:02 21 text -- what he said -- what you said to him in 22 those texts or what he said back to you? 23 A My best friend is a -- is a heroin addict 24 who's been sober for 15 years, so I reached out to 25 my friend to ask him sort of what he -- what he had 03:02 Page 160</p>
<p>1 Q Sitting here today, are you confident that 03:00 2 you weren't told that within the last year? 3 A Correct. 4 Q You mentioned Stephen Deuters. Who is 5 that? 03:00 6 A I don't remember his exact title. I think 7 it was Johnny's, like, road manager or something, in 8 his production company. It was -- it was -- he had 9 three guys that really worked for him, Nathan, Kevin 10 and Stephen, in varying capacities. 03:00 11 Q Did you personally ever meet or know 12 Mr. Deuters? 13 A Yes. 14 Q When you had this conversation -- and you 15 may not remember, Mr. Drew, but when you had this 03:01 16 conversation with -- with Rocky when she told you 17 about this incident, were you alone with Rocky, or 18 was Amber there? 19 A I honestly don't recall. 20 Q Okay. The -- the next incident is on 03:01 21 page 3 of the affidavit. It's right above 22 paragraph 9. It says, "August 2014, Bahamas." 23 Sitting here today, were you aware of this incident 24 prior to attending your deposition? 25 A I'm a little foggy on this one. I do 03:01 Page 159</p>	<p>1 gone through and what had helped when he was going 03:02 2 through his rehab and his detox so that I could 3 maybe offer some words of encouragement, and offer 4 something to Johnny that might have helped somebody 5 who had been through something similar because I 03:03 6 knew he was trying to kick opioids. 7 Q And do you recall ever learning that at 8 least one of these incidents where he was on the 9 island detoxing with a nurse and with Amber, that he 10 had been abusive -- physically abusive to Amber? 03:03 11 MR. CHEW: Objection. Lack of personal 12 knowledge; assumes facts not in evidence; and 13 hearsay; utter lack of foundation. 14 BY MS. KAPLAN: 15 Q You can answer. 03:03 16 A No. I was not made aware of any -- any 17 physical violence. The only information I really 18 knew about it was that it was just -- he was loud 19 and upset, and they couldn't handle him on their 20 own. 03:03 21 Q Let's go to the next incident on -- in 22 this affidavit on page 3. It says, "December 17, 23 2014, Los Angeles." 24 A I -- I couldn't tell you. 25 Q Do you ever recall Johnny calling himself 03:04 Page 161</p>

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<p>1 in any conversation "a fucking savage"? 03:04</p> <p>2 A Yes.</p> <p>3 Q That's something you heard him say?</p> <p>4 A Personally, no.</p> <p>5 Q But you heard someone else tell -- someone 03:04</p> <p>6 else told you that he called himself a --</p> <p>7 A In recount --</p> <p>8 (Simultaneous speakers.)</p> <p>9 MR. CHEW: Hearsay.</p> <p>10 BY MS. KAPLAN: 03:04</p> <p>11 Q Go ahead. You can answer.</p> <p>12 A In recounting the story, yes.</p> <p>13 MR. CHEW: Move to strike. Hearsay.</p> <p>14 THE WITNESS: I can't say specifically</p> <p>15 whether it was for this incident. I actually don't 03:04</p> <p>16 really know what incident this is referring to.</p> <p>17 MR. CHEW: Move to strike. Lack of</p> <p>18 personal knowledge.</p> <p>19 BY MS. KAPLAN:</p> <p>20 Q Someone told you about an incident in 03:04</p> <p>21 which Mr. Depp called himself "a fucking savage"?</p> <p>22 MR. CHEW: Objection. Hearsay.</p> <p>23 THE WITNESS: Yes.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q You can answer. 03:04</p> <p style="text-align: right;">Page 162</p>	<p>1 something that I might have misremembered. 03:05</p> <p>2 Q No. I don't want you to. I only want you</p> <p>3 to tell me what you knew prior to reading this --</p> <p>4 A The very --</p> <p>5 (Simultaneous speakers.) 03:06</p> <p>6 MR. CHEW: He didn't know anything. I</p> <p>7 move to strike as double hearsay. One liar to</p> <p>8 another liar to him does not constitute testimony or</p> <p>9 knowledge.</p> <p>10 MS. KAPLAN: You know -- 03:06</p> <p>11 THE WITNESS: I'm going to say this flat</p> <p>12 out: If you guys want to argue across the table, by</p> <p>13 all means, we will sit here, but I won't be spoken</p> <p>14 to that way, and I won't be spoken about that way.</p> <p>15 MR. CHEW: I'm not speaking about you, 03:06</p> <p>16 sir. I was -- I was -- I would move to strike --</p> <p>17 let me just move to strike on the grounds of double</p> <p>18 hearsay. I was not referring to you, sir. I was</p> <p>19 not.</p> <p>20 BY MS. KAPLAN: 03:06</p> <p>21 Q You can answer, Mr. Drew.</p> <p>22 A Can you repeat the question, please?</p> <p>23 Q Yeah. I was saying to you that I -- I</p> <p>24 don't want -- what I don't want today -- and I</p> <p>25 understand that memory is a tricky thing and that, 03:06</p> <p style="text-align: right;">Page 164</p>
<p>1 And who told you that? 03:04</p> <p>2 A If memory serves, it was Raquel.</p> <p>3 Q Let's go to the next page, page 4.</p> <p>4 There's an incident described in Tokyo, Japan. Do</p> <p>5 you know -- sitting here today, do you know anything 03:04</p> <p>6 about that incident?</p> <p>7 A Reading this document was the first I</p> <p>8 learned of this incident.</p> <p>9 Q Okay. "March 2015, Australia." Sitting</p> <p>10 here today, do you have knowledge about that 03:05</p> <p>11 incident, about "March 2015, Australia"?</p> <p>12 A Yes.</p> <p>13 Q Can you tell me what you know?</p> <p>14 A What I was told firstly, specifically, was</p> <p>15 that there had been some giant fight, and in the 03:05</p> <p>16 course of it, Johnny had cut his finger off, and bit</p> <p>17 by bit after the fact, more information was shared</p> <p>18 with me via Raquel. Never directly via Amber, but</p> <p>19 through Amber specifically. But I really don't</p> <p>20 recall a lot of specific details. 03:05</p> <p>21 And to be very honest with you, I'm</p> <p>22 probably going to be more conservative in my</p> <p>23 response here because, reading this account, I</p> <p>24 learned exponentially more than I had been made</p> <p>25 aware of previously, and I don't want to speak about 03:05</p> <p style="text-align: right;">Page 163</p>	<p>1 you know, thinking is complicated. I -- I do not 03:06</p> <p>2 want any information, you to tell me anything that</p> <p>3 you learned from this affidavit.</p> <p>4 A The only thing I --</p> <p>5 (Simultaneous speakers.) 03:06</p> <p>6 Q I'm only trying to test what you knew</p> <p>7 prior to this affidavit about the events described</p> <p>8 in this affidavit.</p> <p>9 A The only thing I'm comfortable stating</p> <p>10 about this incident was that I was made aware 03:06</p> <p>11 secondhand that something had happened. They had</p> <p>12 had a major fight in Australia; big knockdown,</p> <p>13 drag-out.</p> <p>14 Johnny cut off his finger at some point.</p> <p>15 It was a whole mess. He refused to get medical 03:07</p> <p>16 treatment. And even when they flew him back, it was</p> <p>17 still with his hand wrapped in duct tape that he had</p> <p>18 done himself, and his team couldn't get him to go</p> <p>19 see a doctor. And honestly that was really it.</p> <p>20 MR. CHEW: Move to strike. Hearsay. 03:07</p> <p>21 MS. KAPLAN: I'm going to mark as</p> <p>22 Drew 7 --</p> <p>23 MS. VIGLIETTA: 8.</p> <p>24 MS. KAPLAN: I'm really bad, as you can</p> <p>25 tell, since I became a lawyer -- Drew 8, a series -- 03:07</p> <p style="text-align: right;">Page 165</p>

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<p>1 it's a document bearing the Bates stamp ALH -- what? 03:07 2 Oh, it doesn't have a Bates number. A document -- a 3 series of texts. I'm sorry. 4 (Exhibit 8 marked.) 5 BY MS. KAPLAN: 03:08 6 Q So I've shown you a document that's been 7 parked -- marked as Drew 8, and I'm going to ask 8 you, Mr. Drew, if you can identify it for me. 9 A I'm sorry. Could you repeat the question? 10 Q Yeah. Can you tell me what the document 03:08 11 in front of you is. 12 A If you can give me a second -- 13 Q Sure. 14 A -- to get through it. 15 Q Please take your time. 03:08 16 A (Reviewing document.) 17 It appears to be a text conversa- -- or 18 snippet of a text conversation between myself and 19 Amber. 20 Q Okay. And it's dated March 12, 2015; 03:08 21 correct? 22 A Correct, per this document. 23 Q Right. And do you have any reason to 24 believe that this isn't an accurate copy of the text 25 that you and -- and Ms. Heard exchanged on this -- 03:08 Page 166</p>	<p>1 Rocky spending more time with Amber upon her return 03:09 2 from Australia with Mr. Depp? 3 A Yes. 4 Q And in your reply where it begins: 5 "Think nothing of it, sweetie. I know how 03:10 6 important the two of you are to each other 7 and I'd never stand in the way of that, 8 especially when one of you needed the 9 other, as I'm sure you do right now." 10 The "two of you" referenced in that text 03:10 11 were Amber and Rocky; is that correct? 12 A Correct. 13 Q When Ms. Heard sent this text to you, what 14 do you remember knowing about the really rough time 15 she was having? Unbearably rough time. Excuse me. 03:11 16 A I think, candidly, it's going to go back 17 to my previous statement about what I'm comfortable 18 recalling, and I'm going to stick to that. 19 Q Okay. 20 MS. KAPLAN: We'll mark the document as 03:11 21 No. 9. 22 (Exhibit 9 marked.) 23 BY MS. KAPLAN: 24 Q I'm trying to do this story 25 chronologically, Mr. Drew, so I apologize for this. 03:12 Page 168</p>
<p>1 on this day, March 12, 2015? 03:08 2 A No. 3 Q Okay. In the top text, Ms. Heard says to 4 you: 5 "Hey, there" -- and I'm just reading from 03:08 6 the text -- "I just wanted to say thank 7 you for sharing Rocky with me so much the 8 past few days. I have been going through 9 a really tough time, unbearably rough at 10 times, and wouldn't be able to get through 03:09 11 it without her. 12 "And I know it has been taking time from 13 you. I'm so sorry for that. I want you 14 to know how much that means to me and how 15 much I appreciate you being so fucking 03:09 16 generous and supportive and sweet. It's 17 not lost on me. Thank you so much from 18 the bottom of my heart." 19 Sitting here today, does anything about 20 this text refresh your recollections -- your 03:09 21 recollection of texts that you -- or communications 22 you had with Ms. Heard after they returned from 23 Australia? 24 A Not particularly. 25 Q Okay. Do you, sitting here today, recall 03:09 Page 167</p>	<p>1 I'm going to go back a little bit to January 2015, 03:12 2 and I'm going to tell me if you can -- I'm going to 3 ask you if you can identify the document in front of 4 you. 5 A It purports to be a text message 03:12 6 conversation between myself and Amber. 7 Q And am I correct that in this exchange 8 between you and Amber, you make the suggestion of 9 making dinner for her and Johnny? 10 A If you can give me a minute to read 03:12 11 through. 12 Q Sure, please. I apologize. 13 A (Reviewing document.) 14 MR. CHEW: Can I ask why there's no Bates 15 stamps on this? 03:12 16 MS. KAPLAN: I don't think they've been 17 produced yet. 18 MR. CHEW: Why not? 19 MS. KAPLAN: Because you will be getting 20 production from this week, and you haven't produced 03:12 21 any documents about any of the witnesses who we -- 22 testified this morning either, and we are working as 23 fast as we can to get ready for the dates that you 24 insisted on going forward with this week. 25 MR. CHEW: So it's a deliberate hide the 03:13 Page 169</p>

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<p>1 ball. 03:13</p> <p>2 (Reporter clarification.)</p> <p>3 MS. KAPLAN: No, it's not, and as Mr. Drew</p> <p>4 said, I think we should refrain from having these</p> <p>5 arguments while I'm trying to depose the witness. 03:13</p> <p>6 MR. CHEW: Just asking a question about</p> <p>7 the providence of the document.</p> <p>8 THE WITNESS: (Reviewing document.)</p> <p>9 Okay.</p> <p>10 BY MS. KAPLAN: 03:13</p> <p>11 Q So was I correct in -- in reading this to</p> <p>12 be an offer by you to make dinner for Ms. Heard and</p> <p>13 Mr. Depp?</p> <p>14 A Correct.</p> <p>15 Q In this text exchange, Ms. Heard talks 03:13</p> <p>16 about having -- needing time to talk with Mr. Heard.</p> <p>17 A Mr. Depp.</p> <p>18 Q I mean -- excuse me -- Mr. Depp. Do you</p> <p>19 recall -- sitting here today, do you recall what she</p> <p>20 was referring to? 03:14</p> <p>21 A I don't.</p> <p>22 Q Do you -- sitting here today, do you have</p> <p>23 any reason to believe that this dinner that you were</p> <p>24 discussing having and inviting -- making for them,</p> <p>25 didn't happen? 03:14</p> <p style="text-align: right;">Page 170</p>	<p>1 chef's knives? 03:15</p> <p>2 A Those are -- they're Japanese knives.</p> <p>3 They are mine.</p> <p>4 Q And am I -- is it -- am I correct that for</p> <p>5 a chef, like, your knives are kind of a big deal? 03:15</p> <p>6 A Yes.</p> <p>7 Q Let's go back to Drew 7.</p> <p>8 A Is that the declaration?</p> <p>9 Q Yeah. I apologize.</p> <p>10 A Okay. 03:16</p> <p>11 Q The declaration.</p> <p>12 The next incident that's described is on</p> <p>13 page 6. It says, at the top, "March 2015,</p> <p>14 Los Angeles."</p> <p>15 And, again, keeping in mind the same 03:16</p> <p>16 instruction I gave you earlier, Mr. Drew, separate</p> <p>17 and apart from whatever you may have learned from</p> <p>18 reading this document, did you know about this event</p> <p>19 prior to the deposition?</p> <p>20 A I don't have any recollection of this 03:16</p> <p>21 event.</p> <p>22 Q Okay. Same thing for the next one, which</p> <p>23 is just a small paragraph where it says, "August</p> <p>24 2015, Thailand and Malaysia."</p> <p>25 A Only thing I know is that they did take 03:17</p> <p style="text-align: right;">Page 172</p>
<p>1 A No. I actually do remember it 03:14</p> <p>2 specifically because of the reference to the tattoo.</p> <p>3 Q And what -- tell me what you remember</p> <p>4 about that night.</p> <p>5 A I remember that night, we did have dinner 03:14</p> <p>6 a little bit later, and Johnny was having an old</p> <p>7 buddy, a famous tattoo artist in Los Angeles, a</p> <p>8 gentleman named Mark Mahoney come over to do like</p> <p>9 a -- he was going to come and do like a -- sort of</p> <p>10 a -- an old-school sort of cabaret-type tattoo of 03:14</p> <p>11 Amber on Johnny's arm at the house.</p> <p>12 Q And were you there when the -- when he did</p> <p>13 that?</p> <p>14 A Yes.</p> <p>15 Q Do you recall anything else unusual -- I 03:15</p> <p>16 mean, obviously, having a tattoo, that was</p> <p>17 relatively unusual. Anything else unusual about</p> <p>18 that dinner?</p> <p>19 A Not to my recollection.</p> <p>20 Q Okay. And there are -- just so the record 03:15</p> <p>21 is clear, there are some -- do you have a photo of</p> <p>22 some knives --</p> <p>23 A Yes.</p> <p>24 Q -- tattoo?</p> <p>25 I'm just assuming that those are your 03:15</p> <p style="text-align: right;">Page 171</p>	<p>1 that train trip, but this is the first I learned of 03:17</p> <p>2 this incident.</p> <p>3 Q Next one, which is Thanksgiving,</p> <p>4 essentially Thanksgiving 2015, in Los Angeles. Same</p> <p>5 question. 03:17</p> <p>6 A Again, the same. I actually don't have</p> <p>7 any knowledge of this incident.</p> <p>8 Q "December 15, 2015, Los Angeles,"</p> <p>9 California which is the next page, and you'll see in</p> <p>10 paragraph 23, in case it refreshes your 03:17</p> <p>11 recollection, there's a specific reference to Rocky.</p> <p>12 What knowledge do you have about this incident?</p> <p>13 A Specifically coming -- coming home, I want</p> <p>14 to say late afternoon, early evening. It was myself</p> <p>15 and Raquel. Melanie was not present. Amber had not 03:18</p> <p>16 been responding to Raquel for some time, and they</p> <p>17 were supposed to hang out, the three of them.</p> <p>18 So we let ourselves into PH 3 to check on</p> <p>19 her and make sure everything was okay. And we came</p> <p>20 inside. The kitchen and the dining table were a 03:18</p> <p>21 mess. Like the kitchen -- like the kitchen island</p> <p>22 area, things were strewn about, outside of the norm.</p> <p>23 And there was something written on the</p> <p>24 counter adjacent to the kitchen sink, like I stated</p> <p>25 previously, something like "All is such a fraud" or 03:18</p> <p style="text-align: right;">Page 173</p>

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<p>1 something in that vein. We realized something was 03:18 2 off right away. 3 Raquel told me to go back to our place and 4 then booked it upstairs. I didn't hear from her for 5 about 10, 15 minutes, which I was obviously 03:18 6 concerned about. 7 And, again, if memory serves, the first 8 text I received from Raquel was: "He beat the shit 9 out of her again. I'm taking care of her." 10 MR. CHEW: Move to strike. Hearsay. 03:18 11 BY MS. KAPLAN: 12 Q And just so the record is clear, that's 13 the -- the incident you were discussing previously 14 with Mr. Chew; correct? 15 A You're going to have to be more specific. 03:19 16 Q The -- the incident you just testified 17 about, you talked about the kitchen being -- with 18 Mr. Chew about the kitchen being a mess on one 19 incident. Is this the same incident you were 20 referencing -- 03:19 21 A Correct. 22 Q -- then? Okay. 23 MS. KAPLAN: We're on Drew 8? Drew 10, 24 please. 25 (Exhibit 10 marked.) 03:19</p>	<p>1 foundation. He can't recognize his wife's 03:20 2 handwriting, but he can recognize sketching on a 3 countertop. Lack -- objection. 4 BY MS. KAPLAN: 5 Q So when -- 03:20 6 MR. CHEW: Lack of foundation. Move to 7 strike. 8 BY MS. KAPLAN: 9 Q When you used the preposition "his" in 10 that answer, you meant Mr. Depp? 03:20 11 A Correct. 12 Q And why -- and are you saying that you 13 recognized at the time that it was his 14 handwriting -- 15 A Correct. 03:20 16 Q -- when you saw it? 17 And why do you -- how were you able to 18 recognize Mr. Depp's handwriting? 19 A He has a very unique mode of penmanship. 20 Q And you had seen that mode of penmanship 03:21 21 previously? 22 A Many times. 23 MR. CHEW: Move to strike. Lack of 24 foundation. 25 BY MS. KAPLAN: 03:21</p>
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<p>1 BY MS. KAPLAN: 03:19 2 Q So I think you testified that when you 3 came and you saw some writing on -- in the 4 kitchen -- I showed you a document, which is a 5 photograph that we've marked as Drew 10, and ask you 03:19 6 if that's what you were referring to earlier. 7 A Yes. 8 Q And did you come to learn, Mr. Drew, who 9 had written this language -- is this the kitchen -- 10 withdrawn. 03:20 11 Is this the kitchen counter? 12 A It's -- yeah. It's the kitchen counter 13 next to the kitchen sink. 14 Q And this is in the apartment of Ms. Heard 15 and Mr. Depp? 03:20 16 A PH 3. 17 Q And did you come to learn who had written 18 these words -- these words in -- on the kitchen 19 counter? 20 A I'm sure there will be an objection to 03:20 21 this response, but I -- I knew it was his writing. 22 (Reporter clarification.) 23 THE WITNESS: I knew it was his 24 handwriting. 25 MR. CHEW: Move to strike. Lack of 03:20</p>	<p>1 Q Can you read what is written on the 03:21 2 countertop in Drew 10? 3 A "Why be a fraud? All is such bullshit." 4 Q Is this Drew 10 an accurate photograph of 5 what you recall seeing that day? 03:21 6 A To my recollection, yes. 7 Q Was anything else written on the 8 countertop? 9 A Not that I remember. 10 Q When you saw the -- when you came to the 03:21 11 apartment and saw the mess in the kitchen and saw 12 these words written on the countertop, were you 13 concerned? 14 A Immediately. 15 Q And what were you concerned about? 03:21 16 A That something very, very bad had 17 happened. 18 Q And that's in part because you assumed 19 immediately that Mr. Depp had written these words? 20 A Yes. 03:22 21 Q Can you read in -- oh, you read into the 22 record what it says. Just correct me if I'm wrong. 23 That little kind of red thing there in the top 24 right-hand corner of the photograph, do you recall, 25 is that a lipstick, part of a lipstick? 03:22</p>
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<p>1 A Couldn't tell you. 03:22</p> <p>2 Q At the time did you have any idea of what</p> <p>3 this was written in? Do you recall?</p> <p>4 A Looking at it, I can answer. I don't</p> <p>5 recall from the time, so I'm going to say no. 03:22</p> <p>6 Q And I take it, Mr. Drew, you didn't take</p> <p>7 this photograph.</p> <p>8 A No.</p> <p>9 Q Do you know if Rocky did?</p> <p>10 A I don't know. 03:22</p> <p>11 Q And when you say you were concerned that</p> <p>12 something very bad had happened, what do -- what do</p> <p>13 you mean by that?</p> <p>14 A You walk into somebody's house, and it</p> <p>15 looks like they've vandalized it, and things are 03:22</p> <p>16 amiss -- or things are strewn about, it's -- it</p> <p>17 doesn't portend anything good.</p> <p>18 Q Did you go anywhere else in Mr. Depp and</p> <p>19 Ms. Heard's apartment other than the kitchen that</p> <p>20 day? 03:23</p> <p>21 A The living room later.</p> <p>22 Q So, again, to the best of your</p> <p>23 recollection -- and I understand it's a long time</p> <p>24 ago, and I understand these aren't exactly happy</p> <p>25 memories, but can you tell me, chronologically, what 03:23</p> <p style="text-align: right;">Page 178</p>	<p>1 What I remember being told after the fact, 03:24</p> <p>2 the only piece of information I received from</p> <p>3 Raquel, was that they had gotten into a huge</p> <p>4 argument, that he had headbutted her, that he ripped</p> <p>5 pieces of her hair out and smothered her -- or 03:24</p> <p>6 smothered her face into a pillow, wrote that and</p> <p>7 left and that they were calling the nurse and</p> <p>8 Dr. Kipper to get a -- to try and figure out if she</p> <p>9 had a concussion or whether she had -- they had to</p> <p>10 take her to the emergency room or whatever it is. 03:25</p> <p>11 MR. CHEW: Move to strike. Double</p> <p>12 hearsay; lack of foundation.</p> <p>13 BY MS. KAPLAN:</p> <p>14 Q So you gave some testimony earlier in</p> <p>15 questioning from Mr. Chew about whether your former 03:25</p> <p>16 wife had ever lied to you. Do you recall that</p> <p>17 testimony?</p> <p>18 A Yes.</p> <p>19 Q And there was some testimony about her</p> <p>20 having an affair and not having told you about it, 03:25</p> <p>21 et cetera --</p> <p>22 A Yes.</p> <p>23 Q -- all that.</p> <p>24 Let me ask you two questions. When --</p> <p>25 when Rocky told you this in December -- on 03:25</p> <p style="text-align: right;">Page 180</p>
<p>1 happened? 03:23</p> <p>2 You let yourselves into the apartment.</p> <p>3 You saw this. Just tell me the story again to the</p> <p>4 best of your recollection of what happened when.</p> <p>5 A How I remember it is that we -- like I 03:23</p> <p>6 said, we came home late afternoon, early evening.</p> <p>7 Hadn't heard from Amber in some time, which was out</p> <p>8 of character for her.</p> <p>9 Let ourselves in to go check. Saw that</p> <p>10 written on the counter. Saw the kitchen amiss. 03:23</p> <p>11 Raquel looked at me and said specifically,</p> <p>12 "Something is not right. Go back to our place. I'm</p> <p>13 going to go check on her." Bolted upstairs.</p> <p>14 I was sitting over in PH 1, in our</p> <p>15 apartment, waiting, and I heard from her. Again, I 03:24</p> <p>16 don't remember exactly. I want to say it was about</p> <p>17 10 or 15 minutes later, stating something akin to</p> <p>18 "He beat the shit out of her again. I'm taking care</p> <p>19 of her," something like that.</p> <p>20 And I really -- I -- I really don't 03:24</p> <p>21 remember what my response was. I don't remember</p> <p>22 what transpired after that, other than there was</p> <p>23 some time that she was over there. I don't remember</p> <p>24 when or even if Melanie came over at any point</p> <p>25 during that evening. 03:24</p> <p style="text-align: right;">Page 179</p>	<p>1 December 15, 2015, do you think she was lying to 03:25</p> <p>2 you?</p> <p>3 A I had no reason to.</p> <p>4 Q Sitting here today, do you believe that</p> <p>5 she was lying to you about it? 03:25</p> <p>6 A No.</p> <p>7 Q Now, you said previously as well that --</p> <p>8 that obviously both Ms. Heard and Mr. Depp were</p> <p>9 public figures; correct?</p> <p>10 A Correct. 03:25</p> <p>11 Q And Mr. Depp, in fact, was a huge movie</p> <p>12 star -- was and is a huge movie star; right?</p> <p>13 A Correct.</p> <p>14 Q Was there -- do you recall there being</p> <p>15 discussion, either that time or any other time, 03:26</p> <p>16 about how to make sure that this didn't get out to</p> <p>17 the tabloids and become a big problem for Mr. Depp's</p> <p>18 career, or even for Ms. Heard's career?</p> <p>19 A Yes.</p> <p>20 MR. CHEW: Objection. Leading. 03:26</p> <p>21 BY MS. KAPLAN:</p> <p>22 Q What do you recall about that?</p> <p>23 A I do remember that conversation</p> <p>24 specifically because she had a public appearance the</p> <p>25 next day. I don't remember who exactly. I want to 03:26</p> <p style="text-align: right;">Page 181</p>

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<p>1 say it was on Jimmy Kimmel Live. I don't remember 03:26 2 what she was promoting. 3 And I remember it specifically because she 4 had pretty significant visible facial injuries and 5 didn't know if she was going to be in a state to do 03:26 6 it, or didn't know whether she was even going to 7 be -- to have the -- the physical appearance to be 8 able to do it. 9 Q Okay. And when you say these things -- 10 first of all, "she" in those statements is Amber 03:26 11 Heard; correct? 12 A Yes. 13 Q And was this -- you're all hearing this 14 secondhand from Rocky, or did you actually have 15 those conversations with Ms. Heard? 03:26 16 A I was in and out of a conversation with 17 Amber and Rocky. I can't tell you specifically 18 which came from Rocky secondhand and which was 19 specifically that I was a witness to with Amber 20 directly. 03:27 21 MR. CHEW: Move to strike. Hearsay and 22 double hearsay. 23 BY MS. KAPLAN: 24 Q And do you recall Ms. Heard saying that 25 she was worried that her injuries would appear on 03:27 Page 182</p>	<p>1 BY MS. KAPLAN: 03:28 2 Q Let's explore that. Did you see 3 Ms. Heard's face that day? 4 A Yes. 5 Q Do you have good vision? 03:28 6 A I -- I didn't have glasses, and I 7 didn't -- I didn't need them then, so yes. 8 Q Are you capable of recognizing an injury 9 on another human being's body? 10 A It's going to be objected to, but I would 03:28 11 believe so, yes. 12 MR. CHEW: Objection. Lack of foundation. 13 Move to strike. 14 MS. KAPLAN: I'm going to mark as Drew -- 15 and, again, Mr. Drew, to the extent you ever want to 03:28 16 take a break, please do, because this is -- you're 17 the one who's working harder today than any of us. 18 THE WITNESS: Might as well rip the 19 Band-Aid off. 20 MS. KAPLAN: This is Drew 11. 03:28 21 (Exhibit 11 marked.) 22 BY MS. KAPLAN: 23 Q So I'm handing you a document that we've 24 marked as Drew 11. You can see from the top page, 25 this was attached to Ms. Heard's depo-- 03:29 Page 184</p>
<p>1 the show, but she couldn't back out of it for her 03:27 2 career? 3 A Yes. 4 MR. CHEW: Objection. Hearsay. 5 BY MS. KAPLAN: 03:27 6 Q And if I were to tell you that it was 7 actually James Corden's show, which the Internet 8 will prove just by a Google search, would that 9 refresh your recollection? 10 A Sure. 03:27 11 Q What -- do you know if efforts were made 12 by Rocky or Melanie or anyone else to put on 13 sufficient makeup for Ms. Heard to cover over her 14 injuries? 15 A Yes, I do. 03:27 16 Q Did you see her injuries that day? 17 A I did. 18 Q Did they look like the kinds of injuries 19 that someone would give themselves? 20 A No. 03:27 21 Q Did they look to you to be serious 22 injuries? 23 A Yes. 24 MR. CHEW: Move to strike. Lack of 25 foundation. 03:27 Page 183</p>	<p>1 affidavit -- declaration as Exhibit 13. 03:29 2 And according to the affidavit, these are 3 the photos taken that day. And I want you to look 4 at the photos of -- of Ms. Heard's face and tell -- 5 tell the jury, Mr. Drew, if those were consistent 03:29 6 with what you observed on her face that day. 7 MR. CHEW: Objection. Lack of foundation. 8 THE WITNESS: It is. 9 MR. CHEW: Move to strike. Lack of 10 foundation. 03:29 11 THE WITNESS: I was with Raquel when she 12 took the pictures. 13 BY MS. KAPLAN: 14 Q And the pictures were taken, what, on 15 Raquel's iPhone or photo -- camera? 03:29 16 A To my -- to my recollection, yes. They 17 could have been taken on Amber's phone so there 18 wouldn't be any potential accusation of bias or 19 anything like that. 20 Q And you described earlier to Mr. Chew that 03:30 21 there was, as I recall, kind of color under both of 22 her eyes? 23 A Yes. 24 Q And when I say "her," I mean Ms. Heard. 25 If you look at the one, two, three, four, 03:30 Page 185</p>

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<p>1 five, sixth photo, this one -- I'm sorry. I'm going 03:30 2 to hold it up. 3 A Yes. 4 MR. CHEW: Objection. Move to strike. 5 Lack of foundation. 03:30 6 MS. KAPLAN: Well, I haven't asked 7 anything yet. 8 MR. CHEW: Well, because it's all based on 9 hearsay and lack of foundation. 10 BY MS. KAPLAN: 03:30 11 Q Did you personally observe that day this 12 injury on Ms. Heard's face -- 13 A I did. 14 Q -- on December -- in December 2015? 15 A I did. 03:30 16 Q Thank you. 17 And you said before, you were there when 18 Ms. Pennington was taking the photos? 19 A Yes. 20 Q Was there any discussion -- well, 03:30 21 withdrawn. 22 There's a couple more photos in there. It 23 looks like there's a busted lip. Do you see those 24 photos? 25 A Yes. 03:31</p>	<p>1 the photos of the face? 03:32 2 A I can't say definitively. 3 Q Okay. But there are some photos you were 4 there for that are here -- 5 A Correct. 03:32 6 Q That was a bad -- let me get that right. 7 Sorry. 8 But at least some of the photos in 9 Drew 11, you recall being there and personally 10 observing Ms. Pennington take them? 03:32 11 A Correct. 12 Q And are you aware of any efforts by Rocky 13 or anyone else to manipulate the photos that were 14 taken that day with Photoshop or any other method of 15 changing a photograph? 03:32 16 A If I had any knowledge of that or even 17 suspected it, this would be a very different 18 interview. 19 Q It's a deposition, but yes. 20 A Or very different deposition, whatever. 03:32 21 Q Were you -- that day, do you recall 22 observing or being aware of efforts being made to 23 put enough makeup on Amber's face so that she -- 24 would not appear that she'd been injured when she 25 appeared on the James Corden show? 03:33</p>
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<p>1 Q Do you recall seeing that personally on 03:31 2 Ms. Heard's face that day? 3 A Honestly, I -- I don't remember without 4 looking at this photo, so I'm -- 5 Q Okay. 03:31 6 A -- more comfortable saying I don't know. 7 Q Okay. There's -- if you look at the last 8 picture, it's kind of a picture of -- looks like the 9 top of someone's scalp and there's some red marks. 10 Do you recall there being discussion about the fact 03:31 11 that Mr. Heard had grabbed -- Mr. Depp -- excuse 12 me -- had grabbed Ms. Heard by her hair? 13 MR. CHEW: Objection. Hearsay. 14 BY MS. KAPLAN: 15 Q You can answer, sir. 03:31 16 A That, I don't recall. What was relayed to 17 me was that he had pulled her hair at some point in 18 some way and had pulled chunks of it out, but 19 dragging her by the hair, I don't recall. 20 MR. CHEW: Move to strike. Lack of 03:31 21 foundation. 22 BY MS. KAPLAN: 23 Q And, Mr. Drew, were you there -- do you -- 24 does it refresh your recollection that you were 25 there when all of these photos were taken or just 03:31</p>	<p>1 A Yes. 03:33 2 Q And who was doing that? 3 A To my recollection, it would have been 4 Melanie -- Melanie Inglessis. 5 Q And, again, you saw Melanie Inglessis do 03:33 6 that? 7 A Honestly, I don't recall actually 8 witnessing it happen, and I can't even say with 9 specificity whether I interacted with Melanie that 10 day or the next morning, but I do know, from being 03:33 11 told by Raquel, that was the plan, and I do know 12 that Melanie was with her the next day prior to the 13 show. 14 MR. CHEW: Move to strike. Hearsay; lack 15 of personal knowledge. 03:33 16 THE WITNESS: And I'll add specifically to 17 put makeup on her before they actually left to the 18 studio because they obviously couldn't show up that 19 way. 20 MR. CHEW: Same objection. Same motion to 03:34 21 strike. 22 BY MS. KAPLAN: 23 Q And just so -- for people who don't 24 understand this, I -- I take it from your last 25 answer, what you mean is they put additional makeup 03:34</p>
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<p>1 on in the studio, but she wanted to have something 03:34 2 done even before she got to the green room; is 3 that -- 4 A They made the extra effort to prevent 5 anybody from even having an inkling that anything 03:34 6 had transpired, so they put -- 7 MR. CHEW: Move to -- go ahead. 8 Move to strike. Lack of personal 9 knowledge; lack of foundation; hearsay. 10 MS. KAPLAN: Just like you shouldn't 03:34 11 interrupt me, Mr. Chew, you shouldn't interrupt the 12 witness either. 13 THE WITNESS: I think it's time for a 14 break. 15 MS. KAPLAN: Yeah. Let's take a break. 03:34 16 THE VIDEOGRAPHER: We're now going off the 17 record. The time on the video monitor is 3:34. 18 (Recess.) 19 THE VIDEOGRAPHER: We are now going back 20 on the record. The time on the video monitor is 04:01 21 4:01 p.m. This is the beginning of Media 4 in the 22 videotaped deposition of Joshua Drew. 23 MR. CHEW: And, Robbie, just before you 24 start, we have done a search, and we cannot find the 25 Drew declaration. So we would ask whether you -- 04:02 Page 190</p>	<p>1 talking about, and there are two photos attached, 04:03 2 and I'm just going to ask you if you -- if those 3 photos refresh your recollection in any way about 4 the -- the events of that day. 5 A I don't recall these photos. I don't 04:03 6 recall ever having seen them either. 7 Q Okay. 8 MR. CHEW: May we have a copy of 9 Exhibit 12, please? 10 MS. KAPLAN: Oh, yeah. I'm sorry. 04:03 11 MR. CHEW: Thank you. 12 BY MS. KAPLAN: 13 Q Going back to Drew 11, which is the other 14 series of photos, in -- in seeing Ms. Heard that day 15 and being involved in taking at least some of these 04:03 16 photos, which I think is your testimony, did you 17 observe any makeup on Ms. Heard's face to make it 18 look as if she'd been injured? 19 A I can't recall. I don't believe so, 20 though. 04:04 21 Q Did you believe then that Ms. Heard had 22 harmed herself to cause these injuries, at least, 23 you know, to her -- under her eyes -- 24 A Absolutely not. 25 Q Do you believe that your ex-wife Rocky 04:04 Page 192</p>
<p>1 one of your -- 04:02 2 MS. KAPLAN: Yeah. You can give it to him 3 now. I actually misspoke about that, so -- 4 MR. CHEW: Okay. 5 MS. KAPLAN: -- the Drew statement that we 04:02 6 have -- hold on. We can give you the copies of that 7 now. 8 MS. VIGLIETTA: Do you have another copy 9 with you? 10 MS. KAPLAN: Yeah, absolutely. 04:02 11 MR. CHEW: Thank you. 12 MS. GOODARZI: But to clarify, it hasn't 13 been produced? 14 MS. KAPLAN: No. I -- I misspoke. It 15 will be. And I think -- when is our next production 04:02 16 going out? This week. 17 Okay. So have we marked this one yet? 18 No. 19 Okay. So I'm handing you a document to 20 mark as Drew -- Drew 12. 04:02 21 (Exhibit 12 marked.) 22 BY MS. KAPLAN: 23 Q So I'm handing you a document, Mr. Drew, 24 that was Exhibit 12, as you can see on the cover 25 page to Amber Heard's declaration that we've been 04:03 Page 191</p>	<p>1 Pennington was capable of injuring Amber in such a 04:04 2 way as -- so as to cause these injuries? 3 A No. 4 MR. CHEW: Objection. Lack of foundation. 5 BY MS. KAPLAN: 04:04 6 Q Sitting here today, sir, do you -- do you 7 still have that view about both Rocky and Amber? 8 A Yes. 9 Q Now, I think we've touched on this 10 earlier, but I just want to make it clear. You 04:04 11 testified earlier about reaching out to Johnny when 12 he was trying to do detox and checking in on him. 13 Is it fair to say that you were friends 14 with Johnny? 15 A I would like to believe so, yes. 04:05 16 Q Did you and Johnny ever do things 17 one-on-one? 18 A On a few rare occasions, yes. 19 Q What kinds of things did you do? 20 A Drink, talk, smoke, watch football. 04:05 21 Q I know I asked some questions about 22 prescription and nonprescription drugs before, and 23 we talked a little bit about Mr. Depp's weight 24 fluctuating based on how much he was drinking. 25 What did -- when you were with Johnny, 04:05 Page 193</p>

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<p>1 either alone or with others, what did Mr. Depp like 04:05 2 to drink? 3 A Red wine. 4 Q Did he drink a lot of red wine? 5 A On some occasions, yes. 04:05 6 Q Did he drink red wine frequently? 7 A At certain points, yes. 8 Q I think you have said on a couple of 9 occasions today that you saw Mr. Depp and he seemed 10 stoned or inebriated. What did he do about either 04:06 11 the way he moved or the way he spoke that signaled 12 that to you? 13 MR. CHEW: Objection to the form of the 14 question as vague; calls for speculation. 15 BY MS. KAPLAN: 04:06 16 Q Let me ask a -- a cleaner question. 17 Is there anything you recall observing 18 about Johnny when you believed he was intoxicated 19 that signaled that to you? 20 A I -- I mean, nothing specific outside of 04:06 21 sort of the -- the generalized behavior you see from 22 people who are inebriated, stumbling, 23 discombobulated, slurring his words. 24 You know, Johnny was a really loving, you 25 know, funny guy. He wanted to be the center of 04:06 Page 194</p>	<p>1 likable, charismatic, entertaining. Is -- is that a 04:08 2 fair way of describing him? 3 MR. CHEW: Objection to the testimony 4 offered by counsel. 5 BY MS. KAPLAN: 04:08 6 Q Let me withdraw it and -- and ask it a 7 different way. 8 What were the best qualities about 9 Mr. Depp that you observed? 10 A Johnny could be an incredibly generous, 04:08 11 loving, thoughtful, gracious guy to be around, and 12 it wasn't like he had to be the center of attention. 13 He was just -- he was -- I don't know if I'd say he 14 was charismatic, like, in private so much as he was 15 just like -- he was -- there was a sense of 04:08 16 genuineness with a person that you were around, and 17 quite frankly, you didn't see a lot of that. 18 I did spend time with him -- I did have an 19 opportunity to spend time with him in other 20 circumstances where he was around other people and 04:08 21 he was guarded, and you were able to see this really 22 distinct difference between when there was this -- 23 when he was playing a part, when he was a persona, 24 versus when you were getting what I hoped and 25 believed was a generous part of him. He's great to 04:09 Page 196</p>
<p>1 attention, but there were times when he was a little 04:06 2 like -- he just got really loose, so to speak. I -- 3 I know that's not too specific, but... 4 Q Do you recall any -- having any 5 understanding that, as a result of using drugs or 04:07 6 drinking, Mr. Heard from time to time would have 7 difficulty with his memory? 8 A Mr. Depp? 9 Q Yeah, Mr. Depp. 10 A Again, I only -- at no point did -- was 04:07 11 this ever expressed to me from him. It was only 12 relayed secondhand either through Amber or through 13 Raquel or through a few small -- through -- through 14 other people in the small circle that he genuinely 15 did not have a recollection of what had transpired 04:07 16 when he had a really bad incident -- 17 MR. CHEW: Move -- 18 THE WITNESS: -- or when there was a 19 really bad incident. 20 MR. CHEW: Move to strike. Lack of 04:07 21 foundation; hearsay and double hearsay. 22 BY MS. KAPLAN: 23 Q I've heard it described that when Mr. Depp 24 is not drunk or stoned and wants -- and is -- you 25 kind of said it yourself. He can be enormously 04:08 Page 195</p>	<p>1 be around. 04:09 2 Q At the end of this declaration about the 3 December incident -- 4 A What page? 5 Q Page 9. I'm sorry. 04:09 6 Ms. Heard references a visit to 7 Dr. Kipper's office to get a concussion check. Do 8 you ever recall learning about that? 9 A Honestly, I don't know what actually 10 transpired. I know that after the fact, they had 04:09 11 made a call to one of the nurses. I don't remember 12 whether it was Aaron or whether it was the other 13 one, whose name escapes me, to do a concussion check 14 over the phone, and they talked about her going to 15 see Dr. Kipper, but I don't actually know what 04:09 16 happened after the fact. 17 MR. CHEW: Move to strike. Lack of 18 personal knowledge by the witness's own admission. 19 BY MS. KAPLAN: 20 Q I'm going to turn now to the incident on 04:10 21 April 21, 2016 in connection with Ms. Heard's 22 birthday party. I think it was a 30th birthday 23 party. 24 And there's been a lot of -- today a lot 25 of kind of disjointed -- and that -- that's -- no 04:10 Page 197</p>

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<p>1 one is to blame for that -- kind of disjointed 04:10 2 questions and answers by -- at various points in 3 time, and what I'd like, if you can, Mr. Drew, is 4 for you to tell me in your own words, again, 5 separate and apart from anything that's in 04:10 6 Ms. Heard's declaration, what you recall happening 7 that day and what you did, saw, and observed. 8 A So if memory serves, it was Amber's 30th 9 birthday. She wanted to have a dinner party at 10 the -- at the apartments, just close friends, and I 04:11 11 offered to cook dinner for everybody. There had 12 been some mention that he had appointments or he had 13 some things, but that he would be there and so and 14 so forth. 15 I really don't recall specifically who the 04:11 16 appointment was with, what they were for, and what 17 time they were and anything like that. Quite 18 frankly, any talk of schedule with either Amber or 19 Johnny was pretty much moot, to be very honest. 20 Everybody arrived. We were sort of -- I 04:11 21 think we waited for a little bit of time, expecting 22 him to show up, and at a certain point, I think -- I 23 don't know who made the decision. They were just, 24 like, let's just -- let's sit down and have dinner, 25 and he'll get here whenever he gets here. And we 04:11</p>	<p>1 really get too many stories about it. 04:13 2 Q You cooked the dinner that night? 3 A Correct. 4 Q What did you cook? 5 A Oh, I don't remember that. Actually, I do 04:13 6 remember. 7 Q What did you cook? 8 A I -- I did -- I made tacos, actually. 9 Don't ask me why I remember what I made, but I -- I 10 did -- Amber wanted -- she wanted Mexican food, so I 04:13 11 did a big Mexican spread. 12 Q When you say that when Mr. Depp walked in, 13 he appeared inebriated. Do you recall, was he 14 swaying? What do you -- was his voice -- his words 15 slurred? What do you recall? 04:13 16 A Because I had come to know him pretty well 17 at that point, he was pretty good at hiding it with 18 people who didn't know him all that well, but you 19 could sort of see that -- if you spent enough time 20 around him, you could see the little ticks, slurring 04:13 21 his words a little bit -- little bit extra, swaying, 22 being a little bit more discombobulated and being a 23 little bit more -- what's the word? Like just 24 gregarious and loose is not his normal mode. 25 Q I have heard that the guests that night 04:14</p>
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<p>1 had the party in PH 5. We sat outside. 04:11 2 I want to say he showed up not towards the 3 end of the evening but pretty close to. And, again, 4 this is just my observation, but it appeared that he 5 was inebriated in some way. I won't say whether he 04:12 6 had been drinking, on pills, or whatever it was, but 7 he did have the appearance that he was inebriated in 8 some way. She did not react to it. 9 Q "She" being Amber? 10 A Amber, yeah. Played nice. He sat down. 04:12 11 And honestly, the rest of the evening was quite 12 pleasant. He -- you know, he does what he always 13 does when he comes and sits down at dinners, put on 14 a show and connect with everybody and, you know, be 15 entertaining and be pleasant and polite. 04:12 16 And her the same thing. You would have 17 never known there was an issue, even though some of 18 us candidly did know that she was probably a little 19 upset that he was late and that he showed up drunk. 20 And then I didn't hear anything until the 04:12 21 next morning, and I knew that there was a scramble. 22 The girls were leaving the next day for Coachella, 23 which I did not attend with, but all I knew is that 24 they had gotten into a pretty big argument, but 25 because of the rush to get out that day, I didn't 04:13</p>	<p>1 told stories about Amber, about how they met Amber. 04:14 2 Do you recall that sitting here? 3 A I don't. 4 Q Okay. What do you recall -- again, I'm 5 sorry if some of this is necessarily repetitive, and 04:14 6 I apologize, but what do you recall about the next 7 morning? 8 A I'm really not clear on what I do 9 remember. Like, again, the main thrust of it is 10 that I was made aware that there had been some big 04:15 11 fight the night before. 12 But unlike previous incidents, there 13 really wasn't much time to dwell on it because they 14 were putting a caravan together to drive out to the 15 desert. So it was sort of, like, more triage mode, 04:15 16 get everything together, get her set and get out to 17 the desert. 18 MR. CHEW: Move to strike that portion of 19 the testimony relating to a big fight the night 20 before. Hearsay -- or double hearsay. 04:15 21 THE WITNESS: I -- I do actually remember 22 one thing specifically. I believe that she threw 23 his phone off the roof. 24 BY MS. KAPLAN: 25 Q The previous night? 04:15</p>
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<p>1 A Yes. 04:15 2 Q And what do you recall -- how did you hear 3 that -- or how did you learn of that? 4 A I believe it was a story -- and, again, 5 I -- I might be misplacing this. It did happen with 04:15 6 one of these fights. Johnny, he had a -- he had a 7 wallet phone, so, like, all his credit cards and his 8 ID was attached to his cell phone. 9 And I -- again, I could be mistaken, but I 10 do remember that happening around this, mainly 04:16 11 because there was a story a couple weeks later that, 12 you know, they had -- somebody had actually tried to 13 use the credit card, which was -- we thought was 14 really funny that somebody would use -- would try to 15 use Johnny Depp's credit card at a local Bodega. 04:16 16 Q Oh, you mean so it had fallen onto the 17 sidewalk or something, and someone had picked it up? 18 A Yes. 19 Q Anything else you recall? 20 A That's it. 04:16 21 Q Okay. I hate to go back into what I'm 22 going to refer to as the poop incident, but I think 23 you testified earlier that you observed on a number 24 of occasions dog poop or dog pee in Mr. Depp and 25 Ms. Heard's apartment; is that correct? 04:16 Page 202</p>	<p>1 going to be home or, you know, they were out of the 04:17 2 house and they weren't going to be back for longer 3 than expected, that we could just go over and let 4 them out, sort of just the neighborly stuff. 5 Q And correct me if I'm wrong. They're two 04:17 6 Yorkies? 7 A Yes. 8 Q What rooms in the -- again, I can't 9 believe I'm asking these questions, but what rooms 10 in the apartment did you observe pee -- pee and poop 04:18 11 from the -- from the dogs? 12 A Usually only on the ground floor. One of 13 them couldn't climb the stairs. 14 Q And -- but one of them could? 15 A Sometimes. 04:18 16 Q They were old? 17 A No. They're just tiny and not terribly 18 bright. 19 UNIDENTIFIED WOMAN: Now, now. 20 BY MS. KAPLAN: 04:18 21 Q Okay. We're almost at the end of the -- 22 of the declaration. Let's go to the May 21 23 incident, which is covered on pages 10 through 13, 24 which is from June 7. 25 Again, same thing that we did for 04:19 Page 204</p>
<p>1 A In perpetuity. 04:16 2 Q When you say "in perpetuity," what do you 3 mean? 4 A It's pretty much constant. I have cleaned 5 up my fair share in that apartment. 04:16 6 Q And I think you testified that the dogs 7 weren't trained to only poop on the sidewalk. 8 A They weren't trained at all. They had 9 their run, and they'd be left at home for large 10 portions of the day sometimes and -- if there was 04:17 11 nobody there to take care of them. 12 And at some point, they -- there was pee 13 and poop on everything; couches, sofas, chairs, the 14 bed, you name it. 15 Q Did you -- putting aside the cleaning up 04:17 16 of the pee and the poop, did you and Rocky have any 17 role in kind of helping to take care of the dog? 18 A Sure. 19 Q And what did you do? 20 A On the -- on occasion, when -- sometimes 04:17 21 the -- the dogs would be left with us for a couple 22 days at a time. When they were taking a short trip 23 and just needed somebody to watch them, we would 24 gladly do it. 25 Other times when, you know, they weren't 04:17 Page 203</p>	<p>1 April 21. I would like it, Mr. Drew, if you could 04:19 2 just tell me the story of your role, what you saw, 3 what you observed, what you did chronologically -- 4 A Okay. 5 Q -- in connection with this incident. 04:19 6 A I don't know what day of the week it was. 7 It was either a Friday or a Saturday. I want to say 8 it was a Saturday, because I was not in the office. 9 Raquel had a jewel -- her first jewelry 10 show the next day, and the plan was for her and her 04:19 11 friend Liz, who would come over to help her 12 specifically get set up for this -- Amber was 13 around -- they were going to sit in PH 5 and do yoga 14 and paint and make necklaces and things like that. 15 And I was sort of in and out most of the day hanging 04:19 16 out with them. 17 At a certain point in the afternoon, I was 18 made aware, just through overhearing Raquel and 19 Amber's conversation, that at some point, Johnny was 20 going to come over later that day so that they could 04:20 21 have a talk. They hadn't spoken, like legitimately 22 had not spoken in almost a month, since the 23 Coachella incident. 24 And Raquel was concerned because of the 25 nature of that incident and prompt -- you know, 04:20 Page 205</p>

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<p>1 asked her if she wanted her to be there, be present 04:20 2 with her when they had this conversation to support 3 her, and Amber demurred on that and said, "You know, 4 just be over here. If I need you, I'm going to text 5 you." And I said that I would -- you know, I would 04:20 6 stick around as well just in case just so -- you 7 know, whatever support we could provide. 8 Again, I don't remember exactly what time 9 Johnny came to the house. She got a text, and I 10 believe that he was already over in the apartment 04:20 11 when she walked over, as opposed to walking over and 12 waiting for him to arrive. 13 Very soon thereafter, Raquel got a text 14 saying, "I need you" or something akin to that. I 15 didn't see it. I didn't receive it. And she bolted 04:20 16 over there through the hallway to go get over there. 17 And pretty rapidly thereafter -- I don't 18 think it was more than, like, 10 or 15 minutes 19 before I heard a door open in the hallway, and then 20 a couple of seconds later, I heard a really, really 04:21 21 loud slam, which I later learned was a wine bottle 22 being smashed into our door in PH 1. 23 And then I heard keys jingling and Johnny 24 shouting at one of his security to open this -- is 25 it all right if I swear? I mean, I'm telling you 04:21</p> <p style="text-align: right;">Page 206</p>	<p>1 with him. I -- I just want to stop there, and we'll 04:22 2 continue with this story. 3 But I -- had -- had Mr. Depp ever done 4 this to you before? 5 A No. 04:22 6 Q Did he -- how close was he to you when he 7 was -- when he entered your apartment and was 8 screaming at you? 9 A Close enough for it to be aggressive. 10 Q Within a foot? 04:22 11 A Yes. 12 Q And why -- what was your understanding of 13 why Mr. Depp was directing his anger at you? 14 MR. CHEW: Objection. Calls for 15 speculation. 04:23 16 BY MS. KAPLAN: 17 Q You can answer. 18 A I mean, I can't -- I can't suppose what 19 was going on in his head. The only thing I can say 20 is that sometimes when you're really, really angry, 04:23 21 it's -- anything that's in front of you is going to 22 catch the brunt of it. 23 Q And you said that you originally heard him 24 say, you know, "Open the fucking door." When he was 25 spitting and screaming at you, what was -- what do 04:23</p> <p style="text-align: right;">Page 208</p>
<p>1 here. That's okay? 04:21 2 Q You should say the words exactly as they 3 were said -- 4 A As I remember, he said, "Open this fucking 5 door and get me in here." 04:21 6 And he came in, caught eyes with me right 7 away and beelined for me; screaming, cursing, 8 spitting in my face. I walked calmly to leave, 9 realized that I had forgotten my keys and the dog. 10 So I turned around and walked back to go get both. 04:21 11 He stayed and followed with me; walking, pacing, 12 screaming, cursing, spitting in my face, and I left 13 calmly. 14 At that point, Liz was still in the 15 apartment, and the last look I saw of her is that 04:22 16 she bolted around the corner and went upstairs to 17 hide from him. 18 I went over to PH 1 -- 19 Q Let me stop you there. 20 MR. CHEW: Well, let -- if you're stopped, 04:22 21 I'm going to move to strike. Narrative; lack of 22 personal knowledge; hearsay, double, triple hearsay; 23 lack of foundation. I think that covers it. 24 BY MS. KAPLAN: 25 Q Okay. I'm not -- I'm not going to argue 04:22</p> <p style="text-align: right;">Page 207</p>	<p>1 you recall him saying? 04:23 2 A I couldn't tell you. Honestly, it sounded 3 like gibberish. At that point, I don't think I was 4 really hearing anything. It was just, how can I get 5 the hell out of here without something else 04:23 6 happening? 7 Because, quite frankly, like the reali- -- 8 like even though he's standing there in front of my 9 face, he's also got, you know, two body guards right 10 there with him that are bigger than me. What's 04:23 11 really going to happen here? 12 Q Right. So what -- what were you feeling 13 when this was going on? And I'm trying to -- I want 14 to get it in your own words. 15 A I mean, I don't think -- I didn't 04:24 16 really -- I didn't feel threatened. I'll say that 17 flat out. It just -- it seemed really, really 18 silly. I wasn't really surprised. I just wanted to 19 get out and make sure that the girls were okay. 20 Q And sometimes -- you can say someone is 04:24 21 spitting at you because they're, like, performing on 22 the stage and they're -- 23 A He wasn't, like, actively spitting in my 24 face. 25 Q Right. 04:24</p> <p style="text-align: right;">Page 209</p>

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1 A It was just the nature of how close he was 04:24 2 and the way in which he was acting. 3 Q Okay. So you go get your keys. You 4 get -- you guys have your own dog, I take it? 5 A Yes. 04:24 6 Q You have your dog. You go out. What 7 happens next? 8 A I walked down to the hallway, and to be 9 very, very candid, I really -- I don't remember in 10 this instance whether I went to PH 3 to go check on 04:24 11 them or whether I went into PH 1. 12 The sequence of events after that as to 13 when I actually got to Raquel and Amber or whether 14 they came to me, I really don't remember that 15 sequence of events offhand. I -- I couldn't tell 04:24 16 you. 17 Q So when you got to Raquel and Amber, what 18 did you observe? 19 A I remember first speaking to them 20 specifically in PH 1, in our place, but how -- like 04:25 21 I said, how it is we got there, I don't remember. I 22 remember deadbolting the door, and Amber was, like, 23 catatonic. She was just, like, a thousand yards 24 there, just done. 25 And Raquel was, like, trying to calm down 04:25 Page 210	1 assuming he was still in there, but they were 04:26 2 already gone. 3 Q So what sparked you to go back to try to 4 go after Mr. Depp was hearing from Rocky that 5 Mr. Depp had pushed her -- 04:26 6 A Correct. 7 Q -- as opposed to Ms. Heard? 8 A Correct. 9 Q And by -- 10 MR. CHEW: Move to strike. Hearsay. 04:26 11 BY MS. KAPLAN: 12 Q -- by the time you got over there, he had 13 already left? 14 A Yes. 15 Q You said that -- that Amber -- when you 04:26 16 saw them, that Amber and Rocky -- I think you said 17 Amber seemed catatonic? 18 A Yeah. She had like -- she was just a 19 ghost. 20 Q How did Rocky seem? 04:26 21 A From what I remember, sort of like when 22 somebody is coming down from an adrenaline rush. 23 She was just sort of like -- she didn't really know 24 what to do, couldn't sit still, just sort of 25 standing there and shaking. 04:27 Page 212
1 herself, as -- what the fuck just happened? And she 04:25 2 started to recount a little bit. And as soon as she 3 told me that Johnny had shoved her, I went red. And 4 I went right out the door and started banging on the 5 door to do something regrettable. He was already 04:25 6 gone at that point. 7 Q Just so I understand it, you banged on the 8 door -- 9 A PH 5. 10 Q I want to go to Drew 1, if you don't mind, 04:25 11 your -- your incredible architectural drawing, 12 Mr. Drew. 13 So tell me where you are -- where he was, 14 where you went. 15 A I was in here when Johnny came in. The 04:25 16 door is -- door is right here. 17 Q The witness should reflect -- the record 18 should reflect the witness is pointing to PH 5. 19 A The door was right there. This is in 20 PH 5. The living room is a little bit larger. I 04:26 21 came out of the door, the door to PH 1 right smack 22 in the middle. 23 So I was standing in there when Raquel 24 told me that he had shoved her, and I went red. And 25 I went back, started banging on the door of PH 5, 04:26 Page 211	1 Q So after you had gone to try to find 04:27 2 Johnny, he had already left, what happened next? 3 A I went right back to the girls to make 4 sure that they were okay after my own little selfish 5 outburst. 04:27 6 Q And they were, at that point, still in 7 your apartment? 8 A They were still in my apartment. I came 9 in. Amber had started to come out of it a little 10 bit. Raquel started to calm down a little bit. I 04:27 11 started to get a little bit of information as to 12 what happened. The thing I remember most distinctly 13 was that Amber had Johnny's cell phone in her hand. 14 So I took it from her. 15 Q What was your understanding of why she had 04:27 16 his cell phone in her hand? 17 A I honestly don't know whether I knew at 18 that point. I think I was told when -- let me 19 rephrase it. 20 I did -- when I saw that, I didn't know 04:27 21 why. When I saw that, I took it from her. I said, 22 "Well, why do you have this, and why did he leave it 23 here?" And then they told me that he threw it and 24 hit her in the face with it, and then left without 25 it. 04:28 Page 213

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<p>1 And it couldn't have been more than 04:28 2 five minutes later, maybe a little bit more, that I 3 got a call on my cell phone from Jerry Judge saying 4 something like, "The boss left his cell phone. Do 5 you have it?" And I said, "Yeah. I have it in my 04:28 6 hand." 7 MR. CHEW: Move to strike. Hearsay. 8 BY MS. KAPLAN: 9 Q Jerry Judge is no longer alive? 10 A Correct. 04:28 11 Q Are -- where -- did you subsequently meet 12 Jerry Judge? 13 A Yeah. He called and said, "Do you have 14 the boss's cell phone? I think he left it there." 15 I said, "Yeah, I have it in my hand." And 04:28 16 he goes -- 17 (Reporter clarification.) 18 THE WITNESS: Jerry called me on my 19 personal cell phone. He said, "Do you have the 20 boss's cell phone" -- or something -- maybe not 04:28 21 that. 22 He said, "You know, the boss left his cell 23 phone. Do you have it, or does Amber have it, or is 24 it at the house?" 25 I said, "I have it in my hand." 04:28 Page 214</p>	<p>1 between husband and wife. He barely touched her." 04:29 2 And then I looked at him. I said 3 something akin to, "Why don't you just get the fuck 4 out of here. Be real proud of yourself. Get the 5 fuck out of here." 04:29 6 MR. CHEW: Move to strike. Hearsay, 7 double hearsay. 8 BY MS. KAPLAN: 9 Q This conversation you had with Mr. Judge, 10 who is now deceased, that happened before the police 04:30 11 arrived? 12 A Yes. 13 Q So after you had that exchange with 14 Mr. Judge outside the building, I take it you went 15 back into the building? 04:30 16 A Yes. 17 Q And when did you first learn about the 18 police? 19 A We were in PH 1. I believe, at that point 20 when I came back upstairs, Amber was already on the 04:30 21 phone with her attorney. And we asked her where she 22 wanted to be. She said, "I want to go back to my 23 place." 24 We went back to go take pictures of all 25 the damage, took pictures of the wine stain in 04:30 Page 216</p>
<p>1 He said, "We're coming back to get it." 04:28 2 And my response was, "You can come back to 3 get it, but you don't fucking set foot in this 4 building. I will meet you outside." 5 Q And when he said that to you, when he 04:29 6 mentioned "boss's cell phone," "boss" was Mr. Depp? 7 A That was what he called Johnny, yeah. 8 Q And then did you subsequently meet him 9 outside the building? 10 A Yeah. I came downstairs. I met them 04:29 11 right out front of the Eastern Building on Broadway. 12 Q And did you have a conversation with 13 Mr. Judge outside? 14 A I did. 15 Q And to the best of your recollection, what 04:29 16 did you say to him; what did he say to you? 17 A He came up to me. I handed him the cell 18 phone. He thanked me. And then he took a couple of 19 steps away and then turned around and said, "Is she 20 okay?" 04:29 21 And I looked at him and said, "Are you 22 fucking kidding me? He beat the shit out of her 23 again, and you guys stood by and watched it." 24 And then he started to demur and say 25 something akin to, "It's not my business. It's 04:29 Page 215</p>	<p>1 the hall -- 04:30 2 Q Let me pause for a second. 3 Is that the first time you saw the damage 4 in her place, or had you already kind of seen it in 5 the -- kind of the back and forth? 04:30 6 A Again, I'm a little -- I'm a little foggy 7 on that. I want -- I can't say definitively whether 8 I'd seen it before or whether that was when I saw it 9 for first time. 10 Q Okay. So you went back to Amber's? 04:30 11 A We asked her specifically what -- where 12 she wanted to be. Not "What do you want to do, 13 where do you -- like, do you want to stay here? Do 14 you want to go back to your place? What's going 15 to -- what's going to make you feel safe?" 04:30 16 So she said, "I want to go back. Let's go 17 back to the living room." 18 So we took her back to PH 3. We took 19 photos of the damage inside. And I want to say the 20 first responders came pretty shortly thereafter, 04:31 21 maybe -- again, I'm -- I'm really guessing here. I 22 want to say 20 or 30 minutes at the most. 23 Q And you've kind of gone into great detail 24 with Mr. Chew about the back and forth -- 25 A Yes. 04:31 Page 217</p>

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1 Q -- with the police officers. 04:31	1 Q Based on your observations. 04:33
2 The first set of police officers who were	2 A They were very professional. They were
3 there, how long do you recall them staying?	3 stoic. It seemed like they were there to
4 A Maybe 15 minutes. I was asked to greet	4 dispassionately do their job.
5 the officers specifically because Amber didn't want 04:31	5 Q And it was -- withdrawn. 04:33
6 to file a report. And I said that I would speak to	6 Was it your understanding that if -- if
7 them to see if they -- if I could, you know, get	7 they had concluded that a crime was committed, that
8 them to leave and say that everything is okay, even	8 they would have had to go arrest Mr. Depp?
9 though we -- honestly, we all knew that there was no	9 A My understanding directly from them was
10 way that they could do that. I told her that I 04:31	10 that she would have to file a complaint for them to 04:34
11 would go and greet them first.	11 go arrest him.
12 Q Okay. So two questions. Why did you know	12 Q And her response to that was?
13 that there was no way that they could do that?	13 A That she didn't want to file a complaint.
14 Question -- let me ask you that question first.	14 Q What else, if anything, Mr. Drew, do
15 A Survivor of domestic violence myself. 04:32	15 you -- do you remember either the female Hispanic 04:34
16 Q And I don't want to in any way invade your	16 police officer or the Caucasian gentleman saying
17 privacy, but I take it from what you said that there	17 that evening?
18 were incidents where police were called to	18 A I remember -- I was the one who walked
19 situations you were involved in?	19 them through PH 3 where the original incident had
20 A Correct. 04:32	20 occurred. I showed them the broken glass. They had 04:34
21 Q And that when there's a domestic violence	21 already walked over the wine stain in the hallway --
22 issue, police have some responsibility to do	22 or the -- the big spill of wine.
23 something.	23 And I showed them the bolt in the door you
24 A Correct.	24 could see looked like the bottom of a wine bottle.
25 Q Why was Amber telling you that she did -- 04:32	25 I took them into PH 5 and showed them through. 04:35
Page 218	Page 220
1 or why was Amber saying she didn't want a report -- 04:32	1 Their communication to me throughout was 04:35
2 a police report?	2 me just pointing things out to them and them
3 A Because even after all that, specifically,	3 responding in the affirmative or speaking to each
4 she didn't want to have him arrested.	4 other and say, "Yes, there's broken glass. That
5 Q What was your understanding of why she 04:32	5 looks like something that's been shoved. It looks 04:35
6 didn't want to have him arrested?	6 like something has transpired here."
7 A She was still protecting him.	7 They came back and they said, "We have to
8 Q Did you ever say to Amber and Rocky that	8 speak to Ms. Heard in priv-" -- or "we have to speak
9 Johnny was -- couldn't take responsibility for his	9 to -- to the" -- it wasn't Ms. Heard. They didn't
10 actions, wasn't able to take responsibility for his 04:33	10 even know who she was. I don't even remember what 04:35
11 actions?	11 they called her. They have to speak to the --
12 A I couldn't tell you explicitly, but it	12 the -- whatever they called her. I don't want to
13 certainly sounds like something I would say.	13 say victim, because that wasn't the word they used
14 Q When the first set of cops were there -- I	14 either. They needed to speak to her in private. No
15 don't want to say cops. Withdrawn. 04:33	15 problem. 04:35
16 When the first set of police officers were	16 The Caucasian police officer pulled me
17 there, what was their reaction? What was your	17 outside solo. I can't say what happened internally,
18 observation of their reaction? Were they concerned?	18 so I don't know whether anybody was in earshot,
19 What --	19 whether it was just Amber and the officer having a
20 A They -- 04:33	20 one-on-one or whether there was anybody else around 04:35
21 MR. CHEW: Objection. Calls for	21 them.
22 speculation.	22 I don't know what was said either
23 How does he know --	23 specifically outside of what I might have heard
24 (Simultaneous speakers.)	24 secondhand, which has already been talked about
25 BY MS. KAPLAN: 04:33	25 ad nauseam. 04:35
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<p>1 What happened with the white office- -- 04:35 2 the Caucasian officer specifically, I just -- I -- 3 we were helpless. What can we do? It's her 4 decision to do, but ultimately, like, she was still 5 thinking about ways to protect this person, and we 04:36 6 wanted to help her to help herself. 7 So I asked the officer one-on-one. I 8 said, "What can we do here?" And he looked at me 9 flat out and he said, "You've walked us around. 10 There's damage in the apartments. She has marks on 04:36 11 her face. If she wants to file a report, we will go 12 pick him up." 13 And I looked at him and I said, "She's not 14 going to file a report, but I appreciate you saying 15 that." 04:36 16 MS. KAPLAN: We can do this two ways. We 17 can show them to you one by one, or we can group 18 them. These all came from one exhibit to -- one 19 exhibit to the declaration? Oh, these were all 20 produced to you. Sorry. 04:37 21 So let us -- I think it might be more 22 efficient if we -- if we can have, like, a 23 five-minute break and we'll group them as one 24 exhibit. We're going to put them with their Bates 25 numbers. And you do already have these. And then 04:37 Page 222</p>	<p>1 declaration, these are -- they're not -- they're not 04:52 2 in her declaration. These are -- these are just 3 produced. And I'm going to ask you if you 4 remember -- if you can tell me what these photos 5 are. 04:52 6 A These are photos taken of her the night of 7 the incident. 8 Q And on the first photo -- withdrawn. 9 Who took the photos? 10 A Some were taken by me; some were taken by 04:52 11 Raquel. 12 Q And when you say "the night of the 13 incident" -- 14 A May 21. 15 Q May 21. 04:53 16 And are you -- sitting here today, can you 17 distinguish which were taken by you and which were 18 taken by -- 19 A No. 20 Q Were you present when they were all taken? 04:53 21 A I can't say that definitively. 22 Q Okay. Do you -- were you present when 23 photos were taken of -- of Ms. Heard's face, like 24 you see on the first page of this? 25 A Yes. 04:53 Page 224</p>
<p>1 I'm going to ask Mr. Drew a series of questions, if 04:37 2 that's okay. 3 MS. VIGLIETTA: That's okay. 4 MS. KAPLAN: Save the court reporter time. 5 MR. CHEW: May we take a copy of this and 04:37 6 make copies? 7 MS. VIGLIETTA: Oh, sure. 8 THE VIDEOGRAPHER: We're now going off the 9 record. The time on the video monitor is 4:37 p.m. 10 (Recess.) 04:37 11 (Exhibit 13 marked.) 12 THE VIDEOGRAPHER: We are now going back 13 on the record. The time on the video monitor is 14 4:52 p.m. 15 BY MS. KAPLAN: 04:52 16 Q You have in front of you, Mr. Drew, a 17 series of photographs that we've marked as Drew 13. 18 They've been produced to the other side. You can -- 19 you don't need to know, it's a lawyer thing, but the 20 Bates stamps are attached. 04:52 21 And I think I'm just going to take you 22 through them one by one, if that's okay with you? 23 A Sure. 24 Q So the first photo -- before I begin, let 25 me tell you that -- I will say that in her 04:52 Page 223</p>	<p>1 Q And is this image of Ms. Heard's face on 04:53 2 May 21 consistent with your recollection of what her 3 face looked like? 4 A Yes. 5 Q And am I correct that unlike -- it's a 04:53 6 little hard to see because there's shadow on the 7 right, but unlike the prior incident that we looked 8 at where there were photos here, the injury looks 9 like it's mostly on one side. 10 A Correct. 04:53 11 Q And when you took these photos, did you 12 have an understanding of what caused that injury? 13 A I was aware at that point what had 14 transpired. 15 Q And what -- what were you aware of? 04:53 16 A My understanding was that he had wound up 17 and thrown a cell phone into her face -- thrown his 18 cell phone into her face. 19 MR. CHEW: Move to strike. Hearsay; lack 20 of foundation. 04:54 21 He's already testified repeatedly he never 22 saw Mr. Depp strike with her -- or throw anything at 23 her or be violent in any way. 24 BY MS. KAPLAN: 25 Q The cell phone that you handed to Jerry 04:54 Page 225</p>

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<p>1 Judge that night, was that -- just to -- what was 04:54 2 the size of it? You told me his phone was connected 3 somehow to his credit cards? How does that -- 4 A It was like a -- it was like a black 5 leather folding wallet. So the phone was on one 04:54 6 side, and the other side were slots for credit cards 7 and his ID. 8 Q And how big was it? 9 A The size of whatever iPhone was current at 10 that point. Call it 3x5, 3x6, something like that. 04:54 11 Q And was the wallet part-leather? How 12 was -- how were the credit cards attached? 13 A Leather, black leather. 14 Q So it was like a leather iPhone holder 15 with credit cards in -- 04:54 16 A Like a booklet. It folded over to cover 17 the screen. 18 Q Let's look at the next photo. Tell me if 19 you can remember what that is -- or if you can 20 identify what that is. 04:55 21 A These are the pictures pulled off the wall 22 and placed onto their bed in their bedroom. 23 Q And were you -- do you have an 24 understanding at the time that you or Rocky took 25 this photo, as to who had pulled the photos off the 04:55</p> <p style="text-align: right;">Page 226</p>	<p>1 Q And did you get any explanation that night 04:56 2 about how that had happened? 3 A Again, my understanding was that it had 4 happened by Johnny after I had left Penthouse 5. 5 MR. CHEW: Move to strike. 04:56 6 BY MS. KAPLAN: 7 Q Well, let me -- let me -- 8 MR. CHEW: Hearsay; lack of foundation. 9 BY MS. KAPLAN: 10 Q Let me go back. 04:56 11 Starting with the first photo of 12 Ms. Heard's face, is that what her -- is that what 13 Ms. Heard's face looked like when the police 14 arrived? 15 A Yes. 04:56 16 Q With the next photo of the pictures on the 17 bed and the broken picture frame on the wall, did 18 you show these to the -- you personally show these 19 to the -- the first group of police officers that 20 night? 04:56 21 A Honestly, this one, I -- I really can't 22 say whether I did show them to the officers. I 23 don't recall this. 24 Q And just so the record is clear, you're 25 pointing to the photos on the bed? 04:56</p> <p style="text-align: right;">Page 228</p>
<p>1 wall? 04:55 2 A It's going to be objected, but my 3 understanding was that it was Johnny. 4 MR. CHEW: Move to strike. Lack of 5 foundation; hearsay. 04:55 6 BY MS. KAPLAN: 7 Q We're trying to get you ready for law 8 school. 9 MR. CHEW: It's kind of first-year -- it's 10 first-year law school. It's not even third-year law 04:55 11 school. 12 BY MS. KAPLAN: 13 Q It's hard to see in the -- in the 14 pictures, but was -- were some of the glass frames 15 broken when you took the photos? 04:55 16 A I honestly don't recall. 17 Q Okay. Let's go to the next photo where 18 it's clearer. 19 Do you recall seeing this on the night of 20 May 21? 04:55 21 A Yes. This is on the column in PH 5 going 22 up the stairs. 23 Q And there, there -- the glass on the 24 pictures were shattered? 25 A Yes. 04:56</p> <p style="text-align: right;">Page 227</p>	<p>1 A Correct. 04:56 2 Q What about the photos on the wall? 3 A The third photo, yes, I showed them 4 personally. 5 Q Can you tell me what the next photo is? 04:56 6 A This one looks like -- 7 Q Oh, withdrawn. Hold on. I'm going to ask 8 you another question. 9 For the photos on the wall, you had been 10 in the apartment prior to this? 04:57 11 A Yes. 12 Q Was the glass broken when you had left -- 13 A No. 14 Q -- the apartment? 15 Okay. Go to the next one. What's that? 04:57 16 A This is broken glass. I believe this is 17 from the landing directly beneath the photo shown 18 in -- the third photo. 19 Q And it's a landing on a staircase? 20 A Yes. 04:57 21 Q Did you show -- was that photo taken by 22 either you or Rocky? 23 A Yes. 24 Q Did you show that glass to the police 25 officers who came -- the first group of police 04:57</p> <p style="text-align: right;">Page 229</p>

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<p>1 officers who came that night? 04:57</p> <p>2 A Yes, I did.</p> <p>3 Q Next photo.</p> <p>4 And I take it -- even I can see that.</p> <p>5 That's a stairway -- 04:57</p> <p>6 A Yeah.</p> <p>7 Q -- I think?</p> <p>8 And that photo was, again, taken by either</p> <p>9 you or Rocky?</p> <p>10 A Correct. 04:57</p> <p>11 Q And was this picture of broken glass on</p> <p>12 the stairway shown to -- withdrawn.</p> <p>13 Was the broken glass on the stairway</p> <p>14 depicted in this photograph showed to the first</p> <p>15 group of police officers that night? 04:58</p> <p>16 A Yes, it was.</p> <p>17 Q What's the next photo?</p> <p>18 A This is the hallway where there would have</p> <p>19 been spilled wine right outside the door of PH 1.</p> <p>20 Q And is -- do you see spilled wine in this 04:58</p> <p>21 photo?</p> <p>22 A Yes.</p> <p>23 Q Can you indicate for the record where that</p> <p>24 is?</p> <p>25 A Here and here and here. 04:58</p> <p style="text-align: right;">Page 230</p>	<p>1 A Yes. 04:59</p> <p>2 Q Which apartment is this in?</p> <p>3 A I believe this is in PH 5.</p> <p>4 Q Which room?</p> <p>5 A In the living room. 04:59</p> <p>6 Q As I asked with the other series of photos</p> <p>7 that we saw -- first of all, were any -- are you</p> <p>8 aware of anyone who made any efforts to Photoshop or</p> <p>9 otherwise manipulate these photos to make the</p> <p>10 incident and the circumstances look worse than they 04:59</p> <p>11 were?</p> <p>12 A Not to my knowledge.</p> <p>13 Q Were you aware -- did any -- were you --</p> <p>14 did you have any understanding that evening, looking</p> <p>15 at the first photo of Ms. Heard's face, that anyone 05:00</p> <p>16 had somehow put makeup on her face to make it look</p> <p>17 like she had an injury under her eye?</p> <p>18 MS. KAPLAN: Would the court reporter read</p> <p>19 back -- mind reading back the question?</p> <p>20 (Mr. Smith enters the room.) 05:00</p> <p>21 THE WITNESS: I'm sorry. Who is this?</p> <p>22 MS. VIGLIETTA: He's another attorney.</p> <p>23 MS. KAPLAN: I think another attorney from</p> <p>24 Mr. Heard's team.</p> <p>25 MR. SMITH: Randy Smith of Brown Rudnick. 05:00</p> <p style="text-align: right;">Page 232</p>
<p>1 MS. KAPLAN: Counsel, indicate where he -- 04:58</p> <p>2 he's pointing. I'm sorry.</p> <p>3 MS. VIGLIETTA: No. He's pointing to the</p> <p>4 sort of middle of the photograph on the right side,</p> <p>5 on the floor, on the stripes. 04:58</p> <p>6 BY MS. KAPLAN:</p> <p>7 Q And was this a -- a photograph taken by</p> <p>8 either you or -- or your then wife?</p> <p>9 A Yes.</p> <p>10 Q And did the police officers -- the first 04:58</p> <p>11 group of police officers who came, see this on that</p> <p>12 evening?</p> <p>13 A They would have walked through it before</p> <p>14 they even got to the door.</p> <p>15 Q But that's not something you showed them? 04:58</p> <p>16 A No.</p> <p>17 Q Last photo in this series, can you tell me</p> <p>18 what that is? Sorry.</p> <p>19 A That is a wine bottle and spilled wine on</p> <p>20 the floor. 04:59</p> <p>21 Q Is this a photo that was taken by either</p> <p>22 you or -- or Rocky?</p> <p>23 A Yes.</p> <p>24 Q Is this something that you showed the</p> <p>25 first group of police officers that evening? 04:59</p> <p style="text-align: right;">Page 231</p>	<p>1 THE WITNESS: Okay. 05:00</p> <p>2 MS. KAPLAN: Could -- would the court</p> <p>3 reporter mind reading back that question?</p> <p>4 (Whereupon the record was read as follows:</p> <p>5 "Did you have any understanding that 05:00</p> <p>6 evening, looking at the first photo of</p> <p>7 Ms. Heard's face, that anyone had somehow put</p> <p>8 makeup on her face to make it look like she</p> <p>9 had an injury under her eye?")</p> <p>10 THE WITNESS: No. 05:01</p> <p>11 BY MS. KAPLAN:</p> <p>12 Q Sitting here today, Mr. Drew, do you</p> <p>13 believe that Ms. Heard injured herself so as to</p> <p>14 create those markings under her eye?</p> <p>15 A No. 05:01</p> <p>16 Q Sitting here today, Mr. Drew, do you</p> <p>17 believe that your ex-wife Rocky Pennington did</p> <p>18 anything to create those marks you see in the photo</p> <p>19 under Ms. Heard's eye?</p> <p>20 A No. 05:01</p> <p>21 MR. CHEW: Objection. Calls for</p> <p>22 speculation.</p> <p>23 BY MS. KAPLAN:</p> <p>24 Q With respect to these photographs</p> <p>25 generally that we've looked at in Drew 13, was there 05:01</p> <p style="text-align: right;">Page 233</p>

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<p>1 any effort to stage the photographs in any way? 05:01</p> <p>2 A Absolutely not.</p> <p>3 Q And do you know how the photographs got</p> <p>4 ultimately to Ms. Heard?</p> <p>5 A I do not. 05:01</p> <p>6 MS. KAPLAN: We're on Drew 14. So let's</p> <p>7 mark this as Drew 14.</p> <p>8 (Exhibit 14 marked.)</p> <p>9 MR. CHEW: Is this a composite exhibit, or</p> <p>10 is this just one? 05:02</p> <p>11 MS. KAPLAN: It's two.</p> <p>12 BY MS. KAPLAN:</p> <p>13 Q Okay. Let me first apologize both with</p> <p>14 Drew --</p> <p>15 MS. KAPLAN: This is 14; right? 05:02</p> <p>16 MR. CHEW: Uh-huh.</p> <p>17 MS. KAPLAN: Drew 14 and Drew 13 and some</p> <p>18 of the other photos, these were printed at our hotel</p> <p>19 nearby printer, and the colors -- you can see in an</p> <p>20 earlier copy I have, the colors just change very 05:03</p> <p>21 significantly.</p> <p>22 We can maybe put this in as a model. Each</p> <p>23 time you copy -- or each time you print them,</p> <p>24 depending on the quality of the printer.</p> <p>25 So I'll mark this just as a comparison as 05:03</p> <p style="text-align: right;">Page 234</p>	<p>1 happens in both of the photos. 05:04</p> <p>2 So just so the record is very clear, I'm</p> <p>3 going to mark as Drew 15, which I only have one copy</p> <p>4 of, the same photos that I had brought from my</p> <p>5 office where the coloration is very different. 05:04</p> <p>6 I'm not going to ask you about Drew 15</p> <p>7 because I only want copies just for the record. And</p> <p>8 I guess we can show it to the witness, and he can</p> <p>9 see -- and I guess, Mr. Drew, you can agree with me</p> <p>10 that just -- Drew 15 is very -- is much redder, and 05:04</p> <p>11 it has very different coloration than Drew 4 -- than</p> <p>12 Drew 14.</p> <p>13 MR. CHEW: Objection. Leading; lack of</p> <p>14 foundation.</p> <p>15 MS. KAPLAN: Okay. But I want to make 05:05</p> <p>16 sure I get the numbers right. This is -- this is</p> <p>17 Drew 16. I apologize. Right? The next exhibit is</p> <p>18 16?</p> <p>19 (Reporter clarification.)</p> <p>20 MS. KAPLAN: Oh, Drew 15. Okay. So Drew 05:05</p> <p>21 15 and Drew 14. I think the record's clear.</p> <p>22 (Exhibit 15 marked.)</p> <p>23 BY MS. KAPLAN:</p> <p>24 Q So I think you testified earlier with</p> <p>25 Mr. Chew, Mr. Drew -- I'm rhyming here -- that you 05:05</p> <p style="text-align: right;">Page 236</p>
<p>1 Drew -- this is Drew 14, the one we have right in 05:03</p> <p>2 front of us?</p> <p>3 I'm just going to mark as a comparative --</p> <p>4 we can make copies. I just had these in my files --</p> <p>5 as Drew 15 so you can kind of see -- I don't want 05:03</p> <p>6 there to be any misunderstanding of how the coloring</p> <p>7 changes based on the quality of your printing</p> <p>8 technology. And I apologize for that.</p> <p>9 So we'll just mark this as Drew 15, and</p> <p>10 then if you guys want copies -- I'm not going to do 05:03</p> <p>11 anything with it other than to show the coloration</p> <p>12 differences.</p> <p>13 MR. CHEW: I'm -- this is kind of a dog's</p> <p>14 breakfast. I -- I don't know what we're looking at.</p> <p>15 MS. KAPLAN: Okay. So let me be -- let me 05:03</p> <p>16 try to be very clear just so we have it for the</p> <p>17 record for the court reporter.</p> <p>18 We've marked a document -- an exhibit as</p> <p>19 Drew 14, which were photos produced to Mr. Depp with</p> <p>20 the Bates stamp shown, and our records indicate that 05:04</p> <p>21 those photos were taken on May 22nd, next day.</p> <p>22 But both with Drew 14 and Drew 13, I</p> <p>23 apologize. We printed those last night from our</p> <p>24 hotel printer, and the hotel printer is clearly not</p> <p>25 that good, so there's kind of a reddening that 05:04</p> <p style="text-align: right;">Page 235</p>	<p>1 were in contact, in the building, with Ms. Heard on 05:06</p> <p>2 the day of May 22nd.</p> <p>3 A Yes.</p> <p>4 Q And I'll represent to you that the photos</p> <p>5 in Drew 14 were taken on that day. 05:06</p> <p>6 Sitting here today, do you know who took</p> <p>7 these photos?</p> <p>8 A We're talking about the two I have in</p> <p>9 front of me --</p> <p>10 Q Yes. 05:06</p> <p>11 A -- right now?</p> <p>12 Q Yes.</p> <p>13 A It was either me or Raquel.</p> <p>14 Q Is this consistent with your recollection</p> <p>15 of how Ms. Heard looked the next day on May 22nd? 05:06</p> <p>16 A Yes.</p> <p>17 MR. CHEW: Objection. Lack of foundation.</p> <p>18 (Reporter clarification.)</p> <p>19 MS. KAPLAN: 22nd.</p> <p>20 MR. CHEW: Objection. Lack of foundation. 05:06</p> <p>21 Move to strike.</p> <p>22 BY MS. KAPLAN:</p> <p>23 Q Did you see Ms. Heard's face on</p> <p>24 May 22nd --</p> <p>25 A Yes. 05:06</p> <p style="text-align: right;">Page 237</p>

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<p>1 Q -- 2015 [sic]? 05:06 2 Again -- and you recall -- withdrawn. 3 Did you or your ex-wife take photos of 4 Ms. Heard's face on that day? 5 A Yes, to my recollection. 05:07 6 Q And similar to questions I've asked in the 7 past, was any effort made to stage those photos in 8 any way? 9 A Not to my knowledge, no. 10 Q Was any effort made to put makeup on 05:07 11 Ms. Heard's face to make the injuries look redder or 12 more serious? 13 A Not to my knowledge, no. 14 Q Was any manipulation of the photos done 15 either using Photoshop or any other similar method? 05:07 16 A Not to my knowledge, no. 17 Q Now, there was -- did you have occasion to 18 see Ms. Heard on the days following this incident 19 from, say, the 23rd to the 27th? 20 A I believe so, but I don't remember 05:07 21 explicitly. 22 Q Do you have -- sitting here today, do you 23 recall what her face -- if you do or if you don't, I 24 understand, but what her face looked like on those 25 days? 05:08</p>	<p>1 R.P. 05:09 2 MS. VIGLIETTA: I actually don't have my 3 copy. 4 MS. KAPLAN: Oh. 5 MR. CHEW: Oh, yes, we do. 05:09 6 MS. VIGLIETTA: And do you have yours? 7 THE WITNESS: I wasn't given one. 8 MS. VIGLIETTA: Okay. Making sure. 9 MR. CHEW: So this is Drew 16? 10 MS. KAPLAN: Yes. 05:09 11 (Reporter clarification.) 12 MS. KAPLAN: Do we have an extra one to 13 mark? 14 MR. CHEW: Is this the two-page 15 document -- is this -- 05:10 16 MS. KAPLAN: It's three pages total. 17 There's a cover email, and then it's got two 18 statements attached. 19 MR. CHEW: Okay. They're separate 20 statements? 05:10 21 MS. KAPLAN: I want to hear from the 22 witness. 23 MS. VIGLIETTA: Ours is a little 24 scrambled, so I'm not sure which one goes first. 25 MS. KAPLAN: Yeah. 05:10</p>
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<p>1 A I don't. 05:08 2 Q There was some testimony earlier with 3 Mr. Chew. I think he showed you Drew 6. If you 4 don't mind picking that up. 5 And there was some discussion -- you had 05:08 6 some back and forth with Mr. Chew about a statement 7 that was made and -- when the issue first came up. 8 Do you recall that testimony? 9 A Briefly. 10 Q And you said -- I think you testified that 05:08 11 you did receive this text from Ms. Heard on 12 May 22nd, asking for statements? 13 A To my vague recollection, yes. 14 Q Okay. I'm going to hand you a new 15 document that we'll mark as Drew -- 05:08 16 THE REPORTER: 16. 17 MS. KAPLAN: -- 16. I think everyone has 18 it, but it's the email -- 19 MR. CHEW: You said the same thing about 20 the declaration, so let's trust but verify. 05:09 21 MS. KAPLAN: Okay. So it's the email that 22 we sent out attaching -- the email from Josh -- 23 Joshua Drew to Amber Heard dated 5-22-2016, sent, 24 according to the email, at 9:43, 30 -- 9:43 p.m., 25 subject to the email says statement from J.D. and 05:09</p>	<p>(Simultaneous speakers.) 05:10 2 MS. KAPLAN: Do you guys need another one? 3 MR. CHEW: No. I think we've got one now. 4 MS. KAPLAN: Okay. Making sure this is 5 the same as mine. 05:10 6 Yeah. Okay. So why don't we use this. 7 (Exhibit 16 marked.) 8 BY MS. KAPLAN: 9 Q Take your time and review this document, 10 Mr. Drew, if you would. 05:10 11 A (Reviewing document.) 12 MS. KAPLAN: I have one more copy. Do you 13 guys want one? 14 THE WITNESS: Okay. 15 BY MS. KAPLAN: 05:12 16 Q Mr. Drew, can you identify Drew 16 for -- 17 for the record? Can you tell me what it is? Sorry. 18 A This looks like a statement that I wrote 19 either that evening or the next day, and Raquel's, 20 same circumstance. 05:12 21 Q Okay. And you wrote yours. Who wrote 22 Raquel's? 23 A My understanding, it was her. 24 Q Let's -- and -- and you forwarded these 25 over to Amber sometime that evening? 05:12</p>
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<p>1 A Correct. 05:12 2 Q When we -- when I asked you some questions 3 earlier about when John -- Mr. Depp -- excuse me -- 4 was kind of coming at you, you said you couldn't 5 recall what he said to you. 05:12 6 Here in the -- in the statement, you say 7 that he said -- or along the lines of, quote, "Get 8 the fuck out of my house." Quote, "You 9 mother-fuckers fucking sold me out," so on and so 10 forth. 05:13 11 Does this refresh your recollection that 12 that's what he said to you? 13 A That sounds pretty appropriate. 14 Q And in this document, I asked you how 15 close he was. You said it was about a foot. 05:13 16 Here -- or within a foot. Here it says about 17 6 inches. Is that -- sitting here today, does that 18 refresh your recollection? 19 MR. CHEW: Objection. Leading. 20 BY MS. KAPLAN: 05:13 21 Q You can answer. 22 A Yes. 23 Q And at the bottom of the statement, 24 there's a sentence that says, "We had a verbal 25 confrontation in the process of handing off the 05:13 Page 242</p>	<p>1 and figure out what each of you were going to say? 05:14 2 A Not to my recollection, no. I think the 3 only -- let me rephrase that. 4 The only thing that was discussed 5 specifically was that very first -- when things 05:14 6 actually transpired, because we all had different 7 time interpretations, specifically, as to when 8 everything had actually started. 9 Q And you had that discussion with -- with 10 your ex-wife? 05:14 11 A Correct. Just with Raquel. 12 Q Can you turn to -- I think it was the 13 first exhibit marked, that yellow piece of paper, 14 Drew 1. 15 So we did our homework -- or I should say 05:15 16 my team did the homework, and we actually found an 17 architectural rendering of the penthouse. I have 18 two copies here. 19 MS. KAPLAN: So let's mark this one -- is 20 it okay if -- let's mark it as -- what's our next -- 05:15 21 THE REPORTER: 17. 22 MS. KAPLAN: Drew 17. And I'm going to 23 actually ask the witness to write on it, if that's 24 okay, so he can kind of -- we have a more accurate 25 version of it than Drew 1. 05:15 Page 244</p>
<p>1 phone, which I can provide further details should 05:13 2 the need arise." 3 Do you see that? 4 A Correct. 5 Q Is that the conversation you discussed 05:13 6 earlier with us, with Mr. Judge, who is now 7 deceased? 8 A Yes. 9 Q Did anyone tell you what to say in this 10 declaration? 05:14 11 A No. 12 Q Did any lawyer draft it for you? 13 A No. 14 Q Did Samantha Spector in any way indicate 15 to you what you should -- what should be in here? 05:14 16 A The only statement that was provided to us 17 specifically was to be as dispassionate and 18 contemporaneous as possible, in putting forward to 19 remove as much emotion -- or remove all of the 20 emotion from it and just be as matter of fact as 05:14 21 possible, and that was the only direction we were 22 given. 23 Q And this was your effort to do that? 24 A Correct. 25 Q And did you and Rocky mainly get together 05:14 Page 243</p>	<p>1 Okay. So let's mark that as 17. 05:15 2 (Exhibit 17 marked.) 3 BY MS. KAPLAN: 4 Q What I'd like you to do, just so the 5 record is clear, is show -- is indicate -- and you 05:16 6 can just do it in writing on the document. You have 7 a pen there? -- what apartment was yours and 8 Rocky's. 9 A PH 1. 10 Q Okay. And which one was the ones that 05:16 11 were -- was Penthouse 5? And what was Penthouse 5 12 used for? 13 A On the upper levels, it was Amber's 14 closet, and there was a little, like, mid-level 15 landing that she used -- her desk was. 05:16 16 And then the ground floor, there was a 17 little secluded patio that wasn't used for anything. 18 There was a storage room that was tucked behind the 19 elevator in the stairs. That was storage, but that 20 was where security stayed when they were there. 05:17 21 And then the rest of the ground floor was 22 just sort of there. It wasn't really used all that 23 often, but, you know, sometimes with, like, a -- 24 large dinner parties or Thanksgiving or whatever, we 25 would use that space. 05:17 Page 245</p>

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<p>1 Q And what was -- what was between -- 05:17 2 there's like a box between Penthouse 5 and 3 Penthouse 3. What was that? 4 A PH 4. 5 Q And who lived there, if anyone? 05:17 6 A For the most part, nobody. At certain 7 points, they would have guests stay there. For some 8 period of time, Whitney, Amber's sister, lived there 9 very briefly. 10 Q And can you -- can you mark Penthouse 4 on 05:17 11 your version of the exhibit? 12 A Yeah. (The witness complied.) 13 Q Thank you. 14 And -- and have we marked Penthouse 3? 15 Okay. Can you mark Penthouse 3? 05:17 16 A (The witness complied.) 17 Q And that's the -- the apartment where 18 Mr. Depp and Ms. Heard lived? 19 A Correct. 20 Q I think you said occasionally or 05:18 21 sporadically or something like that? 22 A That was their primary residence. 23 Q Okay. And on top -- if you're looking at 24 it -- I actually have it backwards. If you're 25 looking at it kind of with the wording on top, 05:18 Page 246</p>	<p>1 MS. KAPLAN: Okay. We're on 18? 05:19 2 THE REPORTER: Yes. 3 THE WITNESS: Am I giving this back to 4 somebody? 5 MS. KAPLAN: Just put it on the pile. 05:19 6 Let's mark this as 18. 7 (Exhibit 18 marked.) 8 BY MS. KAPLAN: 9 Q Okay. I'm showing you a document that's 10 been marked as Drew 18. It was Exhibit 9, just for 05:20 11 the record, to Ms. Heard's 2019 declaration. 12 And I'm not asking you to focus on the 13 texts, because the texts weren't between you and 14 anyone else, but I'm directing your attention to the 15 photos there and asking if you can identify where 05:20 16 these photos were taken. 17 MR. CHEW: Objection. Lack of foundation. 18 THE WITNESS: The photo on the first page, 19 honestly, I'm not sure. I don't really remember 20 which stairwell this was from, from which penthouse. 05:21 21 BY MS. KAPLAN: 22 Q Okay. So each -- each penthouse had a 23 stairwell? 24 A Yes. 25 Q Okay. Next one? 05:21 Page 248</p>
<p>1 what's the apartment kind of beneath Penthouse 3, 05:18 2 the other -- 3 A PH 2. That was where Johnny's friend, 4 Isaac, lived. 5 Q And what's Isaac's full name? 05:18 6 A Isaac Baruch. 7 Q Okay. And show me -- it says "pool," so 8 the pool is down to the -- in the bottom part of 9 this drawing? 10 A Yes. It was actually a level up. 05:18 11 So the -- the penthouse where we lived in 12 PH 1, there was a -- there was a small outdoor area 13 directly behind, and then probably about 8 to 14 10 feet above our floor level was where the pool 15 was. 05:18 16 MS. KAPLAN: It's a terrible habit, when 17 I'm in a deposition, to misplace documents. 18 Let's mark this. 19 Thank you. 20 BY MS. KAPLAN: 05:19 21 Q This, I told you, was a drawing we found, 22 but does this look like an accurate drawing of -- of 23 the premises that we've been talking about for most 24 of the time today? 25 A It does. 05:19 Page 247</p>	<p>1 A Both of these photos are taken from PH 5 05:21 2 where Amber's closet was located -- or what Amber 3 used as her closet, I should say. 4 Q Next page. Same thing, Amber's closet? 5 A Same thing. 05:21 6 Q Next page, at least the top one? 7 A The top one, same. 8 Q Bottom photo on that page? 9 A Bottom photo is taken from -- it looks 10 like it's taken from the landing on the stairwell of 05:21 11 PH 5 towards the kitchen, towards the Broadway side. 12 Q And the next page just seems like similar 13 copies. 14 Were you ever made aware, Mr. Drew, of -- 15 of anyone destroying Amber Heard's closet this way? 05:22 16 A Not to my knowledge. 17 Q I think Mr. Chew asked you a series of 18 questions this afternoon about various people in the 19 building, including -- and I hope I got them all 20 right here -- Trinity Esparza, Brandon Patterson, 05:22 21 Alejandro Alex Romero, Cornelius Harrell, and Galen 22 Summerland. 23 Do you recall that testimony? 24 A Yes. 25 Q And I think he represented to you that 05:23 Page 249</p>

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<p>1 Trinity -- at least Trinity Esparza said that on the 05:23 2 morning of May 22nd, Ms. Heard looked radiant and 3 beautiful and had no marks. 4 Do you recall that question? 5 A That characterization came from one of the 05:23 6 gentlemen, not Alex and not Trinity, if memory 7 serves me right. 8 MR. CHEW: Yeah. You misstated his 9 testimony. 10 BY MS. KAPLAN: 05:23 11 Q Do you recall which person? We can look 12 it up on the -- the -- 13 (Simultaneous speakers.) 14 A I don't recall this one. It was either -- 15 it was either Cornelius, or it was the other 05:23 16 gentleman, but it wasn't Alex or Trinity. 17 MS. KAPLAN: Hold on a sec. The wonders 18 of modern technology. 19 BY MS. KAPLAN: 20 Q So Cornelius Harrell. I think you got it 05:23 21 right. Right, is the -- the question was: 22 Cornelius Harrell said she looked radiant and 23 beautiful and no marks? 24 A That's my recollection, yes, from the 25 testimony. 05:24</p> <p style="text-align: right;">Page 250</p>	<p>1 iO Tillett. 05:25 2 Do you recall that? 3 A Yes. 4 Q And how would you describe your knowledge 5 of the relationship between Rocky Pennington and iO 05:25 6 Tillett during this period that we've been 7 discussing today? 8 A Tumultuous. 9 Q Can you give me more detail? 10 A They're both very stubborn, strong-willed 05:25 11 individuals, and they had periods where they were 12 really good friends, and they had periods where they 13 didn't like each other very much. 14 Q We talked about your declarations -- or 15 your statements on May 22nd. Sitting here today, 05:25 16 are you aware of any efforts by Rocky Pennington and 17 iO Tillett to, quote, get their stories straight? 18 A Not to my knowledge. 19 Q Are you aware of any efforts between and 20 among Rocky Pennington, iO Tillett, Melanie 05:26 21 Inglessis, Elizabeth Marz, or Amanda de Cadenet to, 22 quote, get their stories straight? 23 A Not to my knowledge. 24 Q Have you had any outreach from any of 25 those people that I just mentioned to you, to 05:26</p> <p style="text-align: right;">Page 252</p>
<p>1 Q Based on the photos that we've now just 05:24 2 been reviewing in excruciating detail, is that the 3 way she looked to you that day? 4 MR. CHEW: Objection to the question. 5 THE WITNESS: Not in my interaction, no. 05:24 6 BY MS. KAPLAN: 7 Q And the answer you just gave me was based 8 on your own observation of Amber Heard's face that 9 day? 10 A Correct. 05:24 11 MR. CHEW: Objection. Leading. 12 BY MS. KAPLAN: 13 Q Now, there was also some discussion about 14 interrelationships, for lack of a better term, about 15 the group of friends who you socialized from time to 05:24 16 time during this period. 17 For example, I think easily established, 18 and you responded to Mr. Chew that you are now 19 divorced from Rocky Pennington. 20 A Correct. 05:25 21 Q Is it -- how would you describe your 22 relationship with Rocky Pennington today? 23 A Nonexistent. 24 Q And I think Mr. Chew also asked questions 25 about the relationship between Rocky Pennington and 05:25</p> <p style="text-align: right;">Page 251</p>	<p>1 coordinate your story or your recollection or your 05:26 2 testimony about the things you testified to here 3 today? 4 A No. I did receive a phone call from iO, I 5 want to say, maybe three months ago that was to 05:26 6 catch up. 7 Q And did you discuss during that phone 8 conversation your recollection of the events that 9 we've been discussing here? 10 A No. 05:27 11 Q Sitting here today, Mr. Drew, can you 12 think of any reason why any of the people I just 13 mentioned would engage in a conspiracy to fabricate 14 allegations of domestic abuse against Johnny Depp? 15 MR. CHEW: Objection. Calls for 05:27 16 speculation. 17 THE WITNESS: No. 18 MS. KAPLAN: I'm going to -- we'll take a 19 break. I'm going to see if I have anything else, 20 but I think -- I have the time reserved, but we'll 05:27 21 see if there's anything else before -- before 22 Mr. Chew gets you here. 23 THE VIDEOGRAPHER: We are now going off 24 the record. The time on the video monitor is 25 5:27 p.m. 05:27</p> <p style="text-align: right;">Page 253</p>

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<p>1 (Recess.) 05:33</p> <p>2 (Exhibit 19 marked.)</p> <p>3 THE VIDEOGRAPHER: We are now going back</p> <p>4 on the record. The time on the video monitor is</p> <p>5 5:45 p.m. This is the beginning of Media 5 in the 05:45</p> <p>6 videotaped deposition of Joshua Drew.</p> <p>7 BY MS. KAPLAN:</p> <p>8 Q So during the break, Mr. Drew, we marked</p> <p>9 and I just handed it to the other side, a document,</p> <p>10 Exhibit 19. Exhibit 19, do you have that in front 05:45</p> <p>11 of you?</p> <p>12 A Yes.</p> <p>13 Q Okay. And the first page of the document</p> <p>14 says Declaration of John Christopher Depp, II.</p> <p>15 A Correct. 05:46</p> <p>16 Q Do you see that?</p> <p>17 And is this one of the documents -- I</p> <p>18 think there's a little bit of confusion in the</p> <p>19 record.</p> <p>20 Is this one of the documents you reviewed 05:46</p> <p>21 before this deposition, or was it the complaint or</p> <p>22 something else?</p> <p>23 A I believe so, yes.</p> <p>24 Q You believe you reviewed this?</p> <p>25 A Yes. 05:46</p> <p style="text-align: right;">Page 254</p>	<p>1 reaction. 05:48</p> <p>2 The sentence reads:</p> <p>3 "Ms. Pennington's ex-husband who was</p> <p>4 present in Penthouse 5 advised that</p> <p>5 Ms. Pennington lied about being summoned 05:48</p> <p>6 by Ms. Heard at 8:06 by text because</p> <p>7 Ms. Pennington was, in fact, hiding in my</p> <p>8 Penthouse 3 all along."</p> <p>9 Do you see that statement?</p> <p>10 A Yes. 05:48</p> <p>11 Q And are you the ex-husband of</p> <p>12 Ms. Pennington?</p> <p>13 A As far as I know.</p> <p>14 Q Did you -- sitting here today, sir, did</p> <p>15 you ever have -- say that to Johnny Depp? 05:48</p> <p>16 A Absolutely not.</p> <p>17 Q Do you have any basis for -- for why</p> <p>18 Mr. Depp would write in a sworn statement that</p> <p>19 that's what you said to him?</p> <p>20 A I'm not going to speculate on that one. 05:48</p> <p>21 Q Is the sentence that I read to you,</p> <p>22 referencing you, true or false, sir?</p> <p>23 A False, with the exception of that I was in</p> <p>24 Penthouse 5.</p> <p>25 Q Thank you. 05:49</p> <p style="text-align: right;">Page 256</p>
<p>1 Q Okay. If you could or if you would, 05:46</p> <p>2 please, sir, if you could turn to paragraph 18 that</p> <p>3 begins on page 7 and read that paragraph, which is</p> <p>4 quite long. I apologize. And then I'm going to ask</p> <p>5 you one or two questions about it. 05:46</p> <p>6 A Paragraph 18 --</p> <p>7 Q Yes.</p> <p>8 A -- on page 7?</p> <p>9 Q 7 to 8.</p> <p>10 A Okay. 05:46</p> <p>11 Q To 9, actually. So a super paragraph.</p> <p>12 A "Ms. Heard put iO Tillet" --</p> <p>13 Q No, no. Read to yourself. You don't have</p> <p>14 to read it out loud.</p> <p>15 A Oh, okay. 05:46</p> <p>16 MR. CHEW: That's what my son does. He</p> <p>17 just reads. I say, "No, no, you can read to</p> <p>18 yourself."</p> <p>19 THE WITNESS: (Reviewing document.)</p> <p>20 Okay. 05:48</p> <p>21 BY MS. KAPLAN:</p> <p>22 Q Okay. So on page 8, Mr. Drew, about</p> <p>23 two-thirds of the way down there on that page,</p> <p>24 there's a reference to you, and I'm just going to</p> <p>25 read it into the record and then ask you your 05:48</p> <p style="text-align: right;">Page 255</p>	<p>1 MS. KAPLAN: No further -- no further 05:49</p> <p>2 questions.</p> <p>3 FURTHER EXAMINATION</p> <p>4 BY MR. CHEW:</p> <p>5 Q Mr. Drew, I have -- I have a few more 05:49</p> <p>6 questions. We're going to jump around from topic to</p> <p>7 topic, but that's what happens at the end of a</p> <p>8 deposition. I think these are going to be the last</p> <p>9 questions I ask about the dogs, no -- no -- no</p> <p>10 promise there. 05:49</p> <p>11 You testified that the dogs were too small</p> <p>12 to climb the stairs; is that --</p> <p>13 A Correct.</p> <p>14 Q -- correct?</p> <p>15 And if the dogs, in fact, were too small 05:49</p> <p>16 to climb the stairs, how would they be able to jump</p> <p>17 on the bed?</p> <p>18 A One of them was. One of them was not.</p> <p>19 Q So it's your testimony that one of the</p> <p>20 dogs could -- had the ability to climb the stairs 05:49</p> <p>21 and jump on the bed, and the other had neither?</p> <p>22 A Correct.</p> <p>23 Q Correct me if I'm wrong, but I believe you</p> <p>24 testified earlier that you had heard Amber Heard</p> <p>25 yell at Mr. Depp on various occasions; correct? 05:50</p> <p style="text-align: right;">Page 257</p>

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<p>1 A Yes. 05:50</p> <p>2 Q Did you ever see Ms. Heard strike</p> <p>3 Mr. Depp?</p> <p>4 A No.</p> <p>5 Q Did you ever see her kick him? 05:50</p> <p>6 A No.</p> <p>7 Q You testified -- did Liz Marz attend</p> <p>8 Ms. Heard's birthday party on April 21?</p> <p>9 A I do not recall.</p> <p>10 Q You testified that you saw Ms. Heard throw 05:50</p> <p>11 Mr. Depp's phone off the roof on occasion?</p> <p>12 A That's not what I testified. What I</p> <p>13 testified is that I had been told that that is what</p> <p>14 had transpired after one of these arguments.</p> <p>15 Q Who told you that? 05:51</p> <p>16 A I believe it was Raquel.</p> <p>17 Q Do you recall which argument it was and</p> <p>18 what date that was?</p> <p>19 A I want to say it was related to the 30th</p> <p>20 birthday party, but I'm not a hundred percent 05:51</p> <p>21 certain.</p> <p>22 Q Let's turn now -- if you could look at</p> <p>23 Exhibit 16, I believe, which is your statement.</p> <p>24 A Okay.</p> <p>25 Q You testified here in the second 05:51</p> <p style="text-align: right;">Page 258</p>	<p>1 PH 3. When you say "both of his security team," are 05:52</p> <p>2 you referring to Mr. Bett and Mr. Judge?</p> <p>3 A Yes.</p> <p>4 Q Can you show us on Drew Exhibit 1 from</p> <p>5 where Mr. Judge and Mr. Bett were coming? And if 05:52</p> <p>6 you could just do the initials S.B. for Sean Bett</p> <p>7 and J.J. for Jerry Judge.</p> <p>8 A To be very honest with you, like I said,</p> <p>9 there's a lot about this evening that I'm really not</p> <p>10 clear on. I'll be very honest with you. Reading 05:53</p> <p>11 some portion of this statement is refreshing my</p> <p>12 memory, so to speak, but I'm still a little foggy on</p> <p>13 that.</p> <p>14 So specifically with that, they would</p> <p>15 have -- sorry. Bear with me a second here. 05:53</p> <p>16 So the door to PH 5 would have been about</p> <p>17 here.</p> <p>18 Q Okay.</p> <p>19 A And if they rushed past -- like I said,</p> <p>20 the storage room where security would normally wait 05:53</p> <p>21 would be somewhere around here. So they would have</p> <p>22 been coming in this direction.</p> <p>23 Q Why -- Mr. Depp and Ms. Heard were in</p> <p>24 PH 3?</p> <p>25 A Correct. 05:54</p> <p style="text-align: right;">Page 260</p>
<p>1 paragraph. You say: 05:51</p> <p>2 "Approximately 15 minutes later, we heard</p> <p>3 Johnny shouting."</p> <p>4 MS. VIGLIETTA: What paragraph are you in?</p> <p>5 MR. CHEW: It's the second paragraph on 05:51</p> <p>6 the first and only page.</p> <p>7 BY MR. CHEW:</p> <p>8 Q You testified that you heard Johnny</p> <p>9 shouting.</p> <p>10 Did you -- do you see that? 05:51</p> <p>11 A I do.</p> <p>12 Q But you never heard Amber Heard shouting</p> <p>13 at any time that night?</p> <p>14 A That's correct.</p> <p>15 Q Then you said you saw it through the 05:52</p> <p>16 peephole. To what peephole are you referring?</p> <p>17 A Based on this, it would be the door for</p> <p>18 PH 5.</p> <p>19 Q Why were you looking through the peephole?</p> <p>20 A I heard shouting in the hallway. 05:52</p> <p>21 Q Why didn't you just go out into the</p> <p>22 hallway?</p> <p>23 A Honestly, I don't know.</p> <p>24 Q Then you testified that you saw both of</p> <p>25 his security team rush over in the direction of 05:52</p> <p style="text-align: right;">Page 259</p>	<p>1 Q Both -- well, Mr. Bett has testified and 05:54</p> <p>2 Mr. Judge had stated -- he's not alive and cannot</p> <p>3 testify -- that they both were stay -- were</p> <p>4 stationed right outside of PH 3.</p> <p>5 Doesn't that make sense, if they're 05:54</p> <p>6 supposed to be guarding Mr. Depp, that they're in a</p> <p>7 position where they could defend him or protect him</p> <p>8 if anybody broke into PH 3?</p> <p>9 MS. VIGLIETTA: Objection. Lacks</p> <p>10 foundation; calls for speculation. 05:54</p> <p>11 THE WITNESS: I'm not going to speculate</p> <p>12 on the way they behaved. And like I have told you,</p> <p>13 I was there for quite a long time, and I can tell</p> <p>14 you unequivocally, I can probably count on one hand</p> <p>15 the number of times that security was actually ever 05:54</p> <p>16 stationed outside of a door for any period of time</p> <p>17 whatsoever.</p> <p>18 When they came in, they made sure that</p> <p>19 Johnny and Amber were settled, and they went back to</p> <p>20 the storage room in PH 5 where they had a TV, couch, 05:54</p> <p>21 and a refrigerator. They were almost never</p> <p>22 stationed outside the door.</p> <p>23 BY MR. CHEW:</p> <p>24 Q So your testimony is that Ms. -- that</p> <p>25 Mr. Bett is lying about where he was stationed that 05:55</p> <p style="text-align: right;">Page 261</p>

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<p>1 night; correct? 05:55 2 A I'm not going to accuse anybody of lying. 3 I can only say specifically what I observed and 4 based on what's written in my statement. 5 Q And I understand the recollection issues, 05:55 6 though, it's -- where did you first see Mr. Bett and 7 Mr. Judge coming through the peephole? 8 A Based on this statement, it would have 9 been coming in the direction that I've drawn the 10 arrow, which is ostensibly from the direction of the 05:55 11 door of PH 5 towards the door of PH 3 down the 12 hallway. 13 Q Moving down the page, you say that 14 Mr. Depp told you to get the F out of his house; 15 right? 05:55 16 A Correct. 17 Q It was his house; right? 18 A Correct. 19 Q Nobody in that building paid any rent; 20 right? 05:55 21 A Correct. 22 Q He was letting everybody live there for 23 free. 24 A Correct. 25 Q You testified, in response to some of 05:56 Page 262</p>	<p>1 Q You testify in the fourth paragraph, you 05:57 2 say: 3 "After I had left, I heard him screaming 4 and smashing things inside the apartment." 5 You never saw him smash anything, did you? 05:57 6 A Not to my recollection, no. 7 Q In fact, in your entire tenure of living 8 at the East Columbia Building, you never saw 9 Mr. Depp smash anything; correct? 10 A That's correct. 05:57 11 Q Now, you testified earlier that there was 12 a conversation involving Samantha Spector; correct? 13 A Correct. 14 Q And that occurred during the interval 15 between the alleged incident and the arrival of the 05:57 16 police. How long a period was that? 17 MS. VIGLIETTA: Hold on. Which set of 18 police are you talking about? 19 MR. CHEW: The first set of police. 20 MS. VIGLIETTA: Go ahead. 05:58 21 BY MR. CHEW: 22 Q Officers Saenz and Hadden. 23 A If memory serves, the first conversation 24 started when I was on my way, or when I was already 25 downstairs, to give the phone to Jerry. So I can't 05:58 Page 264</p>
<p>1 Ms. Kaplan's questions, that Mr. Depp didn't act 05:56 2 exact -- didn't really spit in your face, did he? 3 A It was just the course of -- 4 MS. VIGLIETTA: That mischaracterizes the 5 testimony. That's my objection -- 05:56 6 BY MR. CHEW: 7 Q You -- all right. Let me -- let me clean 8 it up. 9 You say in your affidavit that "the whole 10 time no more than 6 inches from my face, spitting in 05:56 11 my face the whole time." He wasn't spitting at you, 12 was he? 13 A No. It was -- the course of being angry 14 and yelling and the proximity to me, it was spittle 15 when somebody is shouting. 05:56 16 Q You would agree with me that having saliva 17 inadvertently come out of your mouth is different 18 from having somebody spit at you, which is about the 19 most offensive thing you could possibly do; correct? 20 A I wouldn't characterize it that way, but 05:57 21 it's pretty bad. 22 Q And -- and it's not your testimony that 23 Mr. Depp was spitting on you, as angry as he may 24 have been? 25 A Correct. 05:57 Page 263</p>	<p>1 say specifically how long that conversation lasted. 05:58 2 Honestly, I don't remember. I don't recall how long 3 the conversation was. 4 Q What other advice did Ms. Spector convey 5 to you--all other than to work out the timing of your 05:58 6 account? 7 A I never spoke to Ms. Spector, so I can't 8 say specifically. The only thing that was relayed 9 to me explicitly was in regards to the statement and 10 the matter of fact, the motion -- or dispassionate 05:58 11 nature of that -- 12 Q And that -- 13 A -- while it was still fresh in our minds. 14 Q And that was conveyed to you through 15 Ms. Heard? 05:58 16 A Correct. 17 Q I believe -- and I -- I apologize if I'm 18 misstating your testimony -- that you said you were 19 surprised when Officers Saenz and Hadden showed up? 20 A Yes. 05:59 21 Q Why were you surprised? 22 A I didn't know at that point that anybody 23 had actually called the police. 24 Q And sitting here today, you don't know 25 that anyone, other than iO Tillett, called the 05:59 Page 265</p>

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<p>1 police; correct? 05:59 2 A I have no knowledge of that. 3 Q You testified that the first officers -- 4 first pair of officers who arrived at the scene, 5 Officer Saenz and Hadden, were dispassionate and 05:59 6 professional; correct? 7 A Correct. 8 Q And yet you've seen that their testimony 9 is diametrically opposed to yours with respect to 10 Amber not having any marks on her face. 05:59 11 You saw that? 12 A Correct. 13 Q And I didn't misstate their testimony, 14 correct, assuming I showed you an accurate 15 transcript? 05:59 16 A Correct. 17 Q How do you account for that? 18 MS. VIGLIETTA: Objection. Calls for 19 speculation; lacks foundation; and it's asked and 20 answered. 06:00 21 BY MR. CHEW: 22 Q Well, Ms. Kap- -- do you remember when 23 Ms. Kaplan asked you the question of what the 24 motivation would be of yourself, Rocky, and others, 25 to fabricate allegations? I'm asking you the flip 06:00 Page 266</p>	<p>1 A I'm really not comfortable with that 06:01 2 statement. 3 Q It's a question. 4 A It's more of a statement than it is a 5 question. I'm not comfortable with it, and I'm not 06:01 6 going to respond to it. 7 Q You would agree with me that your accounts 8 are diametrically opposed, not only in terms of 9 Ms. Heard's physical condition but also with respect 10 to the condition of Penthouse 3 and Penthouse 5; 06:01 11 true? 12 A On that I would agree. 13 Q Okay. How long after Mr. Depp left did 14 the first set of officers, Officer Saenz and Hadden, 15 arrive? 06:01 16 A If memory serves, it was somewhere between 17 40 minutes to an hour, but, again, I'm -- I'm not 18 quite -- I'm not a hundred percent certain. 19 Q Are you aware that Ms. Pennington 20 testified that she went to Penthouse 5 to get her 06:02 21 keys? Do you recall that? 22 A No. 23 Q But your testimony was that the guards 24 were in Penthouse 5; correct? 25 A Can I go to the exhibit to show you -- 06:02 Page 268</p>
<p>1 side. 06:00 2 A That was not the nature of the question. 3 If we're going to do that, I would say let's go back 4 to the transcript and -- 5 (Simultaneous speakers.) 06:00 6 Q Okay. Then let's -- let me just ask you 7 the question again. 8 A Okay. 9 Q You're testifying -- you're testifying 10 essentially that Officer Saenz and Hadden lied under 06:00 11 oath; right? 12 A I am not going to accuse the LAPD of 13 anything. What I'm going to say, again, for now the 14 fourth time is that I've entered under penalty of 15 perjury what I witnessed, what I experienced. They 06:00 16 did the same thing. And that's it. 17 I'm not going to presuppose as to what 18 their motivations are. I'm not going to presuppose 19 what might have transpired that would predicate 20 that. I'm not going to accuse the LAPD or an LAPD 06:00 21 officer of anything. I'm only going to stand by the 22 testimony that I provided. 23 Q But you would agree with me that they are 24 correct or you are correct; both of you cannot be 25 correct? 06:01 Page 267</p>	<p>1 Q Yes. 06:02 2 A -- where that difference is? 3 Q Absolutely. 4 A Okay. So part of -- 5 MS. BROOK: Can we state on the record 06:02 6 what exhibit we're looking at? 7 MR. CHEW: It's Exhibit 17. 8 THE WITNESS: Ready? 9 BY MR. CHEW: 10 Q Yes. 06:02 11 A Okay. So Penthouse 5 is a little bit 12 different than the rest of the penthouses. So you 13 can see where I've marked here specifically. This 14 is the main living room. This is where I was. This 15 is where Liz was. This is where the damage 06:02 16 occurred. 17 This section right here is actually a 18 little outdoor patio. And then this section here, 19 this little storage closet that's tucked behind the 20 stairs and the elevator, that's the portion of PH 5 06:02 21 where the guards would normally be. Those -- they 22 have their own doors. They have their own access. 23 They have their own infrastructure, so to speak, in 24 that space. 25 Q And is it true that you led Officer Saenz 06:03 Page 269</p>

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1 and Hadden through the entirety of PH 5? 2 A Correct. Let me rephrase that. I led 3 them through the main part of PH 5. I did not take 4 them into the guard shack or the exterior space. 5 Q And you took them through the entirety 6 of -- of Penthouse 3; correct? 7 A To my recollection, yes. 8 Q Where the argument occurred. 9 A To my recollection, yes. 10 Q Switching gears now, was Isaac Baruch -- 11 well, strike that. 12 Do you know who Isaac Baruch is? 13 A I do. 14 Q And he lived, I think you said, in 15 Penthouse 4? 16 A 2. 17 Q 2. 18 Was he a friend of Amber's? 19 A He was a friend of Johnny's. They had 20 grown up together in Florida. 21 Q Was he also a friend of Amber's? 22 A I believe so, yes. 23 Q Did Mr. Baruch and Amber ever do things 24 socially together? 25 A Never without Johnny.	06:03 06:03 06:03 06:03 06:04 Page 270	1 Divenere -- 2 UNIDENTIFIED WOMAN: Cara. 3 BY MR. CHEW: 4 Q Divenere. 5 UNIDENTIFIED WOMAN: Cara. 6 BY MR. CHEW: 7 Q Cara Divenere. 8 MS. KAPLAN: No. I don't think the 9 person -- 10 BY MR. CHEW: 11 Q Okay. Who is Laura Divenere? 12 A I have no idea. 13 Q And, Mr. Drew, I -- I don't want to get 14 into this. I just want to ask one -- maybe more 15 than one question, but I don't -- I don't want to 16 pry into your -- your personal life. But you had -- 17 you had testified that you were a survivor of 18 domestic violence. 19 A That's correct. 20 Q And my -- my question is: Was -- was 21 Rocky the perpetrator of that? 22 A No. 23 Q Were -- were either of the parties in this 24 case the perpetrators of that? 25 A No.	06:05 06:05 06:05 06:06 06:06 06:06 06:06 Page 272
1 Q But -- 2 A To my -- to my knowledge. 3 Q But Amber did socialize with Mr. Baruch? 4 A In group settings, yes. 5 Q Did you and Rocky also socialize with 6 Mr. Baruch? 7 A In group settings, yes, and very, very 8 rarely, on occasion, just casual check-ins as 9 neighbors. 10 Q Did Mr. Baruch ever lie to you? 11 A Not to my knowledge. 12 Q Did you ever -- you've already testified 13 you never saw Ms. Heard hit Johnny. Did you ever 14 see her hit anybody else? 15 A No. 16 Q Did you ever see her throw something at 17 somebody else? 18 A Not to my knowledge. No, not to my 19 recollection. 20 Q Did you ever hear that she had done that? 21 A Not to my recollection, no. 22 Q And, Mr. Drew, I don't mean -- did -- you 23 testified earlier about Laura Divenere; correct? 24 A I'm sorry? 25 Q Do you recall any questions about Laura	06:04 06:04 06:04 06:04 06:04 06:05 06:05 06:05 Page 271	1 MR. CHEW: Okay. I think we're going to 2 take a short break, very short. 3 MS. VIGLIETTA: Very short. 4 MR. CHEW: Okay. 5 MS. BROOK: Can we go off the record? 6 THE VIDEOGRAPHER: We're now going off the 7 record. The time on the video monitor is 6:06 p.m. 8 (Recess.) 9 THE VIDEOGRAPHER: We are now going back 10 on the record. The time on the video monitor is 11 6:15 p.m. 12 BY MR. CHEW: 13 Q Good evening, Mr. Drew. We just have a 14 few more questions. 15 First, with respect to the photographs 16 Ms. Kaplan showed you today, the exhibits that she 17 used, the photographs that you identified -- 18 A Which exhibits? 19 Q All of the exhibits where there were 20 photographs. 21 A Okay. 22 Q We can go through each one, but were all 23 of those photographs taken on Ms. Heard's phone? 24 A I can't say definitively. 25 Q Maybe we should go through them then.	06:06 06:06 06:06 06:15 06:15 06:15 06:16 Page 273

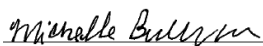
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1 A I am going to probably give you the same 06:16 2 answer. I couldn't identify which -- which phone 3 was used to take which photograph. 4 Q Okay. Are -- do you know what metadata is 5 as it relates to photographs? 06:16 6 A I understand the general concept of the 7 digital tags associated with things like photos and 8 text messages, and so on and so forth. 9 Q So it would -- it would have time, date, 10 origin? 06:16 11 A (Nods head.) 12 Q With respect to any of these exhibits 13 containing photographs, did you see any metadata? 14 A I wouldn't even know if you showed me. 15 Q Okay. Well, we would -- do you have any 06:16 16 idea whether the phones on which those photographs 17 were taken still exist? 18 A I have no idea. 19 MR. CHEW: We would ask -- this is a 20 question really for -- for Ms. Kaplan. We would ask 06:16 21 that all the photographs be produced in their native 22 format. 23 MR. RAWLINSON: They were produced in 24 their native format. 25 MS. KAPLAN: I believe they were. 06:17 Page 274	1 Q Yes. 06:18 2 A Not to my knowledge. 3 Q Oh, strike that. I may have misspoken. 4 Did Ms. Pennington tell you that Ms. Heard 5 had spent the night with Mr. Depp -- try again. 06:18 6 That Ms. -- did Ms. Pennington tell you 7 that Ms. Heard spent the night with Mr. Musk during 8 the week after the May 21 incident? 9 A I don't recall exactly, but it would have 10 been either that time or shortly thereafter. 06:18 11 Q So he was spending the night with her in 12 Penthouse 3 within a week or so of the alleged 13 incident, while she was still married to Mr. Depp; 14 true? 15 A I would be comfortable saying within three 06:18 16 weeks of the incident, to my recollection. 17 Q Did you ever tell anybody that Mr. Musk 18 spent the night with Ms. Heard within one week of 19 that incident? 20 A No. 06:19 21 Q Mr. Drew, are you paying your legal fees 22 with relate -- with respect to this deposition? 23 A No. 24 Q Who is? 25 A Ms. Heard. 06:19 Page 276
1 MR. CHEW: Well, you said the same thing 06:17 2 with respect to the statement that wasn't, so we 3 haven't seen them in native format, but we will -- 4 we will make that request. 5 BY MR. CHEW: 06:17 6 Q These photographs were taken for the 7 purpose of preserving evidence; correct? 8 A Correct. 9 Q Okay. Well, that makes metadata all the 10 more important. 06:17 11 You testified earlier today that you 12 understood from Ms. Pennington that Ms. Heard had an 13 affair with Elon Musk while she was still married to 14 Mr. Depp; correct? 15 A Yes. 06:17 16 Q And wasn't she spending the night with 17 Mr. Depp the week of May 21st after the alleged 18 incident? 19 MS. VIGLIETTA: Objection. Calls for 20 speculation. 06:17 21 BY MR. CHEW: 22 Q Didn't Ms. Pennington tell you that she 23 was spending the night with Mr. Depp that week after 24 that? 25 A After the May 21st incident? 06:18 Page 275	1 MR. CHEW: Thank you very much. I have 06:19 2 nothing further unless Ms. Kaplan has more, in which 3 case I'll have redirect. 4 MS. VIGLIETTA: I actually -- I actually 5 want to speak quickly to him about potentially 06:19 6 making a clarification. So we can go off the record 7 and I'll step out. 8 MR. CHEW: Certainly. 9 THE VIDEOGRAPHER: We are now going off 10 the record. The time on the video monitor is 06:19 11 6:18 p.m. 12 (Recess.) 13 THE VIDEOGRAPHER: We are now going on the 14 record. The time on the video monitor is 6:21 p.m. 15 MS. VIGLIETTA: Mr. Drew wanted to make a 06:21 16 small clarification about some earlier testimony 17 from when Ms. Kaplan was questioning him. 18 THE WITNESS: In regards to Exhibit 19, I 19 testified that I had reviewed the document that was 20 put in front of me, the declaration of John 06:21 21 Christopher Depp, II. 22 I was mistaken in that. I was not 23 provided this document previously. What I was 24 provided was the complaint that was in the public 25 record by my counsel. I have not actually seen or 06:21 Page 277

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1 reviewed this document until it was put in front of 06:21
 2 me. That's it.
 3 MR. CHEW: Thank you very much.
 4 MS. BROOK: Off the record.
 5 THE VIDEOGRAPHER: This concludes the 06:21
 6 videotaped deposition of Joshua Drew. Total media
 7 used today was five. Time on the video monitor is
 8 6:22 p.m. We are now off the record.
 9 (Deposition concluded at 6:22 p.m.)
 10 (Exhibit 1 marked.)
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1 I, the undersigned, a Certified Shorthand
 2 Reporter of the State of California, do hereby
 3 certify:
 4 That the foregoing proceedings were taken
 5 before me at the time and place herein set forth;
 6 that any witnesses in the foregoing proceedings,
 7 prior to testifying, were administered an oath; that
 8 a record of the proceedings was made by me using
 9 machine shorthand which was thereafter transcribed
 10 under my direction; that the foregoing transcript is
 11 a true record of the testimony given.
 12 I further certify that I am neither
 13 financially interested in the action nor a relative
 14 or employee of any attorney or any party to this
 15 action.
 16 IN WITNESS WHEREOF, I have this date
 17 subscribed my name.
 18 Dated: November 25, 2019
 19
 20
 21
 22 
 23 MICHELLE BULKLEY
 24 CSR No. 13658
 25 The dismantling of transcript will void Reporter's
 certificate.

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1 DECLARATION OF PENALTY OF PERJURY
 2
 3
 4
 5 I, JOSHUA DREW, do hereby certify under penalty
 6 of perjury that I have read the foregoing transcript
 7 of my deposition taken on November 19, 2019; that I
 8 have made such corrections as appear noted herein;
 9 that my testimony as contained herein, as corrected,
 10 is true and correct.
 11
 12
 13 DATED this _____ day of _____, 20____,
 14 at _____, California.
 15
 16
 17
 18 _____
 19 JOSHUA DREW
 20
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