

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

JOHN C. DEPP, II; and EDWARD)
L. WHITE, as trustees of the)
Sweetzer Trust, and as)
trustee of the Mooh)
Investment Trust,)

Plaintiffs,)

vs.)

THE MANDEL COMPANY, INC.,)
d/b/a THE MANAGEMENT GROUP,)
a California corporation;)
JOEL L. MANDEL, individually)
and as former trustee of the)
Sweetzer Trust; ROBERT)
MANDEL; FIRST AMERICAN TITLE)
INSURANCE COMPANY, a)
California corporation; and)
DOES 1 through 15,)
inclusive,)

Defendants.)

THE MANDEL COMPANY, INC.)
(dba THE MANAGEMENT GROUP);)
JOEL L. MANDEL and ROBERT)
MANDEL,)

Cross-Complainants,)

vs.)

JOHN C. DEPP, II, an)
individual; SCARAMANGA)
BROS., INC., a California)
corporation; L.R.D.)
PRODUCTIONS, INC.; a)
California corporation;)
EDWARD WHITE, an individual;)
EDWARD WHITE & CO., LLP, a)
California limited liability)
partnership; ELISA CHRISTI)
DEMBROWSKI, an individual;)

Case No. BC 646882

1 WILLIAM RASSEL, an)
 2 individual; NATHAN HOLMES,)
 3 an individual; JAMES RUSSO,)
 4 an individual; JONATHAN)
 5 SHAW, an individual; SAL)
 6 JENCO, an individual; BRUCE)
 7 WITKIN, an individual;)
 8 UNISON MUSIC, LLC, a)
 9 California limited liability)
 10 company; and ROES 1)
 11 through 20, inclusive,)
 12)
 13 Cross-Defendants.)
 14)

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DEPOSITION OF TRACEY JACOBS

Los Angeles, California

Wednesday, May 30, 2018

Job: 27947

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JOHN C. DEPP, II; and EDWARD
L. WHITE, as trustee of the
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JOEL L. MANDEL, individually
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INSURANCE COMPANY, a
California corporation; and
DOES 1 through 15,
inclusive,

Defendants.

Case No. BC 646882

The deposition of TRACEY JACOBS,
taken on behalf of Cross-Complainants, at 808 Wilshire
Boulevard, Third Floor, Santa Monica, California;
commencing at 10:44 a.m. and ending at 3:55 p.m., on
Wednesday, May 30, 2018, before Kathy Mannlein, a
Certified Shorthand Reporter in the State of California,
License No. 13153.

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1 Los Angeles, California

2 Wednesday, May 30, 2018

3 10:44 a.m.

4

5 THE VIDEOGRAPHER: Good morning. Here begins
6 videotape number one in the deposition of Tracey Jacobs
7 in the matter of John C. Depp, II, et al, versus
8 The Mandel Company, Inc., et al. The case number is
9 BC 646882 filed in the Superior Court for the State of
10 California. The case is filed in the Superior Court for
11 the State of California, Central District.

12 Today's date is May 30, 2018, and the time on
13 the video monitor is 10:45 a.m. Today's deposition is
14 taking place at 808 Wilshire Boulevard, in Santa Monica,
15 California, and is being videotaped on request of the
16 defendants in this matter.

17 My name is Josh Rosefsky, and I represent EVI
18 Visual Litigation Services located at 6607 Randy Avenue
19 in Woodland Hills, California. I'm neither counsel for,
20 employed by, nor related to any party in this action.

21 Counsels, would you please introduce yourselves
22 and state your appearances.

23 MR. KUMP: Michael Kump for the defendants.

24 MS. MACLSAAC: Suann Maclsacc for the defendants
25 and cross-defendants.

1 MS. ERSOFF: Victoria Ersoff for the defendants.

2 MR. NORA: Samuel Nora for the defendants.

3 MS. SOOKASIAN: Alina Sookasian for
4 cross-defendants Bruce Witkin, James Russo, Sal Jenco,
5 William Rassel and Unison Music.

6 MR. HAROUTOUNIAN: Allen Haroutounian for
7 cross-defendant Elisa Christi Dembrowski.

8 MR. CHEW: Ben Chew for plaintiff Johnny Depp,
9 the Depp plaintiffs.

10 MR. SINCLAIR: Michael Sinclair with United
11 Talent Agency.

12 MR. FREEDMAN: Bryan Freedman on behalf of the
13 deponent.

14 And before we get started, I just want the
15 record to reflect, the depo was noticed for 9:30. We
16 were here, I think, at 8:30, maybe 8:40, prepared to
17 start. The deponent has somewhere personal to be, needs
18 to conclude the deposition by 5:30 today. So we are
19 fully prepared to give seven hours of testimony, which
20 the clock is ticking against at this moment. So we're
21 prepared to take a short lunch break or do whatever is
22 necessary, but we need to stop by 5:30 today. And,
23 therefore, you guys can figure out what you want to do
24 with the time that you have. That's all.

25 MR. KUMP: Just also, for the record, that Joel

1 Mandel, who's a party, is in attendance, as well.

2 THE VIDEOGRAPHER: Okay. We are on the record.

3 Would the court reporter please swear in the witness.

4

5

TRACEY JACOBS,

6 having been administered an oath, was examined and

7 testified as follows:

8

9

EXAMINATION

10 BY MR. KUMP:

11 Q. Good morning, Ms. Jacobs.

12 MR. FREEDMAN: Michael, before you begin,
13 pursuant to paragraph two of the protective order, we
14 will deem the entire transcript confidential and all the
15 exhibits confidential.

16 MR. KUMP: And as we've previously said, we
17 disagree with that, and we'll meet and confer with you
18 regarding that. And before --

19 MR. FREEDMAN: On that same note --

20 MR. KUMP: Yes?

21 MR. FREEDMAN: It's our understanding that the
22 videotape of this is confidential, and won't be airing
23 on YouTube or tweeted out?

24 MR. KUMP: That's correct.

25 MR. FREEDMAN: Or anything like that?

1 MR. KUMP: That's correct.

2 MR. FREEDMAN: Thanks.

3 MR. KUMP: And just before I start, I just want
4 to follow up on Mr. Freedman's statement. This
5 deposition was noticed for 9:30 this morning. We were
6 all here ready to go. Mr. Chew did not arrive until
7 10:45, which is an hour and 15 minutes after we were
8 scheduled to start. So that comes out of your time.
9 But anyway, we'll deal with that later.

10

11

EXAMINATION

12 BY MR. KUMP:

13 Q. Ms. Jacobs, have you had your deposition taken
14 before?

15 A. No.

16 Q. Just a couple of very quick ground rules. Even
17 though we are here in the informality of my conference
18 room, you've been placed under oath.

19 You understand that?

20 A. Yes.

21 Q. And the court reporter can only take down one of
22 us talking at a time. So if you would wait until I
23 finish my question before answering, I'd appreciate
24 that.

25 A. Okay.

1 Q. We can't talk over each other. Okay?

2 A. Okay.

3 Q. And if you -- if I ask you a "yes" or "no"
4 question, you have to answer audibly, since although the
5 camera can pick up a nod of the head, the court reporter
6 cannot.

7 Okay?

8 A. Okay.

9 Q. All right. So can you just give me -- well, I'm
10 going to do this first. Just a formality.

11 MR. KUMP: Could you mark as Exhibit 46, This is
12 just a copy of the subpoena.

13 MR. CHEW: May we have a copy? Thank you.

14 (Exhibit 46 marked.)

15 BY MR. KUMP:

16 Q. I'm not going to ask you anything about this.
17 This is just for the record. Exhibit 46 is a copy of
18 the subpoena which we originally issued to Ms. Jacobs in
19 this case. The date of today's deposition has been
20 extended a couple of times. But anyway, we're here
21 today pursuant to subpoena.

22 And I will also hand to your attorney the
23 statutory witness fees for your appearance today, which
24 come to a total of \$38.12. So I will hand that to
25 Mr. Freedman.

1 A. Okay.

2 Q. So could you give me a little -- just a very
3 brief background about your educational background.

4 A. Yes. Starting with college?

5 Q. Sure.

6 A. I graduated from Boston University in 1979 with
7 a degree in medieval history.

8 Q. And how did you segue from medieval history to
9 the entertainment industry?

10 A. I first was a copywriter at Leo Burnett in
11 Chicago for a year -- approximately a year and a half.
12 And then I decided that I wanted to move to Los Angeles
13 without a job, and I came to Los Angeles and sought
14 employment.

15 Q. And where did you first work when you came to
16 Los Angeles?

17 A. An agency called Jack Rose Dorothy Daotis.

18 Q. And what did you do there?

19 A. I was a children's agent.

20 Q. And for how long did you do that?

21 A. Approximately a year.

22 Q. And then what did you do after that?

23 A. I was an agent at another agency called
24 Contemporary Corman Artists.

25 Q. Okay. And what did you do there?

- 1 Q. Okay. And after ICM, where did you go next?
- 2 A. To UTA.
- 3 Q. Okay. So you went to UTA in approximately 1999?
- 4 A. 1998. So I might be a little off in terms of
- 5 ICM.
- 6 Q. Okay. And you've been at UTA ever since?
- 7 A. Twenty years.
- 8 Q. And in what -- when you went to UTA, what was
- 9 your original position?
- 10 A. I was a partner and a talent agent.
- 11 Q. Okay. And has that changed?
- 12 A. Yes, now I'm a board member.
- 13 Q. And still a talent agent; correct?
- 14 A. Yes.
- 15 Q. Okay. And when was the first time that you met
- 16 Johnny Depp?
- 17 A. Approximately a couple of years before I left
- 18 ICM. I was at ICM.
- 19 Q. And how did you meet him?
- 20 A. I met him through contacting his mother.
- 21 Q. Okay. So this would have been approximately the
- 22 1995, '96 range?
- 23 A. Well, I represented him for approximately 30
- 24 years. So doing the math backwards, yes.
- 25 Q. '96?

1 A. Approximately, yes.

2 Q. Right. And at the time you contacted his
3 mother, had he appeared in anything?

4 A. Yes.

5 Q. What was that?

6 A. I saw him on 21 Jump Street.

7 Q. Which was a television show?

8 A. Yes.

9 Q. And what was -- did he have representation at
10 that time?

11 A. Yes.

12 Q. Okay. How did it -- what transpired for you to
13 become his -- that you went from calling his mother to
14 becoming his talent agent? You can give me the short
15 version, but what happened?

16 A. The short version is I spoke to his mother, told
17 her about who I was, why I wanted to represent her son.
18 I did not know him. She gave me his number. I called
19 him several times. He didn't return my call. And then
20 I finally spoke to him, and we made an arrangement to
21 meet. He stood me up, I believe, approximately three
22 times, and I called his mother again and said I could
23 use her help, and could she help me get him to come and
24 meet me, and she did. And then we met.

25 Q. And was that here in Los Angeles?

1 A. Yes.

2 Q. Okay. And did you tell him at that time why you
3 wanted to represent him?

4 A. Yes.

5 Q. What did you tell him?

6 A. I told him I had seen him on 21 Jump Street, and
7 that I believed he had the opportunity to be a movie
8 star.

9 Q. And what was his response?

10 A. Excitement.

11 Q. And as a result of that meeting, did you start
12 representing Mr. Depp?

13 A. Not immediately, but very soon after.

14 Q. Okay. And so at the time that you started
15 representing him, you were a talent agent at ICM; is
16 that correct?

17 A. Yes.

18 Q. And when you moved from ICM to UTA, did Mr. Depp
19 move with you over to UTA?

20 A. Yes.

21 Q. And were you his talent agent continuously
22 during that period of time from approximately 1996, for
23 30 years after that?

24 A. Yes.

25 Q. And when did you stop being his agent?

1 A. October 2016.

2 Q. Okay. So from 1996, approximately, to October
3 of 2016, you were his talent agent during that period of
4 time?

5 A. That's correct.

6 Q. And to your knowledge, did he have any other
7 talent agent during that period of time?

8 A. Well, there were other people that helped me,
9 but, no.

10 Q. Okay. And how would you -- it may have changed
11 over the years, and you can tell me that, but how would
12 you describe, generally, the services that you provided
13 for Mr. Depp as his talent agent?

14 A. With movie opportunities to act in, initially,
15 that was as much as it was. And then as he became more
16 successful, he -- we formed a production company for
17 him, and then he was interested in producing, directing,
18 writing, and all aspects of the movie industry in
19 addition to acting.

20 Q. And the production company is Infinitum Nihil?

21 A. Infinitum Nihil, yes.

22 Q. Okay. And I understand that was formed in
23 approximately 2004?

24 A. It sounds about right.

25 Q. All right. So at the time that you started

1 representing Mr. Depp, had he been in any movies yet?

2 A. Yes.

3 Q. Okay. And you helped him, though, transition
4 from being on TV as a regular actor to being more of a
5 movie star?

6 A. Yes.

7 Q. How would you describe the amount of time --
8 again, I realize it's, obviously, a long period, but the
9 amount of time that you had to dedicate to helping him
10 become a movie star?

11 MR. CHEW: Objection to the form of the
12 question.

13 MR. KUMP: That's just -- every once in a while,
14 I'll ask a question, he can say, "Object to the form,"
15 but you still answer it.

16 THE WITNESS: Can you repeat the question?

17 MR. KUMP: Of course I can. Yeah, it was not a
18 good question, so I'll rephrase it.

19 BY MR. KUMP:

20 Q. Can you give me a sense of the types of
21 activities you had to do to help Mr. Depp become a movie
22 star?

23 A. Talk to every producer, filmmaker, studio head,
24 everyone that could provide an opportunity to him to be
25 in their movies, and to show him as much good material

1 as was available.

2 Q. Now, typically, when a studio or somebody is
3 thinking about putting one of your clients in one of
4 their projects, do they -- do they go through you, I
5 take it?

6 A. Pretty much, yes.

7 Q. Okay. And so, for example, if there's a script,
8 do they send you a script?

9 A. Not necessarily. Oftentimes I find the script
10 and call them. It can go either way. More -- usually
11 for agents, it's not an incoming phone call.

12 Q. So is there a specific point in time when you
13 can think -- during the period of time you represented
14 Mr. Depp, where in your mind he had his first big break
15 while he was working with you?

16 MR. CHEW: Objection to the form of the
17 question.

18 THE WITNESS: Can you repeat the question?

19 BY MR. KUMP:

20 Q. Right. When you think about his career over the
21 30 years with you, is there a point in time near the
22 beginning where he had, in your mind, well, this is the
23 first big break, this is really kind of pointing us in
24 the right direction?

25 MR. CHEW: Same objection.

1 THE WITNESS: I'm sorry, I don't understand the
2 objection.

3 MR. KUMP: The objection -- you can pay no
4 attention to. He's making the objection to preserve it,
5 for the record.

6 THE WITNESS: Okay.

7 BY MR. KUMP:

8 Q. Okay. But, again, it suggests, perhaps, there's
9 something not perfect about my question. So during the
10 period of 30 years you represented him, he obviously
11 went from a modest stature to becoming a world-class
12 movie star; correct?

13 A. Right.

14 Q. And I assume there were steps along the way
15 where things happened to his career where made it more
16 likely he was going to become a movie star?

17 A. Yes.

18 Q. Again, I'm not going to go into great detail on
19 this, I'm just trying to get a sense. Do you recall one
20 of the first big breaks in his career when he was with
21 you that kind of propelled him on this upward arc?

22 A. Yes.

23 Q. What was that?

24 A. Edward Scissorhands.

25 Q. Okay. And that was a movie that he did with

1 Tim Burton?

2 A. Yes, I introduced him.

3 Q. Okay. To Mr. Burton?

4 A. Yes.

5 Q. At the time that you introduced him, did you
6 think that that was potentially a career-changing movie
7 for him?

8 A. Yes.

9 Q. Why was that?

10 A. Because they weren't even interested in him for
11 the movie, and I had read the script, and I couldn't --
12 they had sent it for me for another client, who didn't
13 like it, and when I read the material, I thought it was
14 perfect for Johnny, and was able to put him together
15 with Tim, who I had a personal relationship with.

16 Q. So you already had a relationship with
17 Tim Burton prior to that?

18 A. Yes.

19 Q. Okay. And, in fact, Mr. Depp went on to make
20 the movie; correct?

21 A. Yes.

22 Q. And it was considered a -- an artistic success,
23 certainly; correct?

24 A. Artistic and commercial.

25 Q. And commercial, yes, yes. And as his talent

1 agent, you thought that that was a big break for his
2 career?

3 A. Yes.

4 Q. Do you know his sister, Christi Dembrowski?

5 A. Yes.

6 Q. When did you meet her for the first time?

7 A. Approximately four years or so into my
8 representation of Johnny.

9 Q. Okay. So it was at a point in time when you've
10 already moved over to UTA?

11 A. No -- yes, yes.

12 Q. Okay.

13 A. Yes, sorry.

14 Q. No, no, that's fine. And how did you meet her
15 -- or let me rephrase that. How was she introduced to
16 you? What were you told?

17 A. I don't recall the exact circumstances, but I
18 was introduced to her by Johnny.

19 Q. Okay. And did Johnny tell you anything about
20 what role he wanted her to play or expected her to play
21 in his matters?

22 MR. CHEW: Objection to the form of the
23 question.

24 THE WITNESS: Yes.

25 ///

1 BY MR. KUMP:

2 Q. And what did he tell you at that point?

3 A. She's going to be my assistant.

4 Q. Okay. And what did you understand that to mean?

5 In other words, his assistant, what did that mean?

6 MR. FREEDMAN: Objection, vague as to time.

7 MR. KUMP: Okay. Let me -- thank you.

8 BY MR. KUMP:

9 Q. So when Johnny told you this, that -- I'm going
10 to call her Christi, so you all understand.

11 When Johnny told you that Christi was going to
12 be his assistant, what was your understanding, at that
13 time, of what that meant?

14 MR. CHEW: Objection to the form of the
15 question.

16 THE WITNESS: That she would perform assistant
17 duties, which are fairly well known within the
18 entertainment industry.

19 BY MR. KUMP:

20 Q. Can you generally describe for me what those
21 types of duties and responsibilities are that an
22 assistant would perform?

23 A. Yes.

24 Q. Based on your experience?

25 A. Yes.

1 Q. Okay.

2 A. Personal matters, travel, general questions, as
3 an intermediary, sometimes, in communication, but pretty
4 standard assistant type fare.

5 Q. Now, from the beginning of the time that you
6 started representing Mr. Depp, did you have difficulty
7 getting in touch with him?

8 A. Yes.

9 Q. Is that true from the very beginning of your
10 relationship --

11 A. No.

12 Q. -- with him? Okay. Did there come a point in
13 time when you started to have difficulty in being able
14 to reach him?

15 A. Yes.

16 Q. And can you -- can you place in your mind -- or
17 in a timeline when was that was, approximately?

18 A. When Christi came on, it was apparent after a
19 period of time -- and I can't recollect how long -- that
20 she was going to be the conduit, because he was not
21 responding as he used to, to either phone calls or any
22 other thing.

23 Q. And was Christi able to get ahold of him or get
24 messages to him when you would ask her to?

25 A. It seemed that way.

1 Q. Better -- she had better success than you were
2 having?

3 A. Yes.

4 Q. At the time that you started representing Johnny
5 Depp -- very beginning -- did he have an entertainment
6 lawyer representing him; do you recall?

7 A. Not that I can recall.

8 Q. Okay. Did he have a business manager at that
9 time?

10 A. Yes.

11 Q. Do you recall who that was?

12 A. No.

13 Q. Okay. Do you recall at some point in time that
14 he did get an entertainment lawyer?

15 A. Yes.

16 Q. Do you remember who his first entertainment
17 lawyer was; do you recall?

18 A. Stan Coleman, Peter Nichols.

19 Q. Okay. And do you recall approximately when that
20 was?

21 A. I'd say within a couple of years. My
22 representing him, I can't recall exactly when.

23 Q. And did you -- did you interface and coordinate
24 matters with Mr. Coleman and Mr. Nichols?

25 A. Yes.

1 Q. And let me ask you, in your position as a talent
2 agent, do you often work with other representatives of
3 your clients?

4 A. Do you mean lawyers?

5 Q. Let me rephrase that. With respect to your
6 clients, as their talent agent, is it usual for you to
7 work with attorneys who represent them?

8 A. Yes.

9 Q. So, for example -- and you can tell me, because
10 there may not be any one answer to this -- if there's a
11 deal to be made with a studio, is that something you do,
12 is it something the lawyer does, is it something you do
13 together, or does it vary on a case-by-case basis?

14 A. It's something I always did with the lawyers
15 right up front.

16 Q. So you got the lawyers involved?

17 A. Yes.

18 Q. How about in connection with your clients and
19 their business managers, do you oftentimes work with or
20 coordinate with business managers for your clients?

21 A. Less than I do with the lawyers.

22 Q. Okay. And at the time that Mr. Coleman and
23 Mr. Nichols became the attorneys for Johnny Depp, was
24 that before or after Edward Scissorhands; do you recall?

25 A. I would imagine it was somewhere within that

1 time period, approximately.

2 Q. Okay. And now, for example, did you negotiate
3 the terms of Mr. Depp's contract for Edward Scissorhands
4 to the studio?

5 MR. FREEDMAN: Objection to the form of the
6 question.

7 MR. KUMP: Let me rephrase it for you.

8 BY MR. KUMP:

9 Q. With respect to the essential deal points such
10 as money, compensation, timing, what I would consider
11 the bigger -- the bigger and more important items, is
12 that something you negotiated, for example, on Edward
13 Scissorhands for the studio?

14 MR. CHEW: Objection to the form of the
15 question.

16 THE WITNESS: Am I supposed to answer now?

17 MR. KUMP: Yes, yes.

18 THE WITNESS: Yes, along with a lawyer.

19 BY MR. KUMP:

20 Q. Okay. Either Mr. Coleman or Mr. Nichols?

21 A. Mr. Nichols pretty quickly on became the primary
22 lawyer.

23 Q. Okay. And do you recall a point in time when
24 Alan Tivoli became the business manager for Mr. Depp?

25 A. Not exactly, but he was the first -- the second

1 business manager I was aware of.

2 Q. Okay. You don't remember the first one?

3 A. I just can't remember his name.

4 Q. Okay. But you remember, then, Alan Tivoli and
5 his firm became the second business manager?

6 A. Yes.

7 Q. Okay. And with respect to the role that Christi
8 was playing, you indicated that at the beginning, she
9 was Mr. Depp's assistant; correct?

10 A. Yes.

11 Q. Did that change at any point in time?

12 A. Yes.

13 Q. And when did that change?

14 A. Within a fairly short period of time.

15 Q. Okay. And how did it change? In other words,
16 she was an assistant, and then what did she become? Or
17 how did her duties and responsibilities change?

18 A. Well, as he became more and more successful, as
19 I mentioned before, he had a production company, and he
20 appointed her to be -- thank you -- he appointed her to
21 be president of the company.

22 Q. So when -- when Infinitum Nihil was formed --

23 A. Uh-huh.

24 Q. -- Johnny appointed his sister as president of
25 the company?

1 A. Yes.

2 Q. And was that something he consulted with you
3 about?

4 A. No.

5 Q. At the time that Infinitum Nihil was formed,
6 what role, if any, did UTA play in the formation of that
7 entity?

8 MR. FREEDMAN: Objection, vague. Go ahead.

9 MR. KUMP: Let me rephrase it.

10 BY MR. KUMP:

11 Q. Did UTA play any role in the -- you know, in the
12 formation of that company?

13 A. Yes, I had introduced them to Graham King, a
14 producer who was being financed by Warner Brothers, and
15 had Johnny sit down with Graham King, and sometime
16 later, he had offered Johnny and his company an overhead
17 deal for three years.

18 Q. So was -- was Infinitum Nihil something that --
19 that was Johnny's idea? I mean, he wanted to have a
20 production company, or did somebody tell him he should
21 do that?

22 A. Both. He wanted to do it, I encouraged it, and
23 found the people who were willing to pay for it to
24 happen.

25 Q. And why did you encourage it?

1 A. Because I thought his interests as a film --
2 filmmaker and artist would be more satisfied by the
3 opportunity to both produce and direct, and be more
4 responsible in the course of his career and the choices
5 he could make.

6 Q. So the founding of this company, of his
7 production company, was an expansion of the
8 possibilities that he had in the entertainment business?

9 MR. CHEW: Objection to the form of the
10 question.

11 BY MR. KUMP:

12 Q. Is that fair to say?

13 A. Yes.

14 Q. And so what -- what was -- from what you
15 understood, what was Christi going to be doing as
16 president of the production company at the outset?

17 A. Well, that's a hard question to answer, because
18 what she did and what a president is supposed to do are
19 not necessarily the same.

20 Q. Let me ask an easier question, then. Can you
21 describe for me what Christi did as president of
22 Infinitum Nihil?

23 MR. HAROUTOUNIAN: Vague as to time.

24 BY MR. KUMP:

25 Q. So let's start -- I will represent to you that

1 the company was formed in 2004. That's when it started.
2 At the beginning, when the company was founded and
3 Christi was named by her brother to be president, can
4 you describe for me what she -- you know, what your
5 understanding is of what her duties and responsibilities
6 were?

7 A. As far as I can see, she behaved the exact same
8 as she did as an assistant.

9 Q. Okay. And she continued to -- to work with her
10 brother as an assistant?

11 A. Yes.

12 Q. And did the -- what role, if any, did you play
13 in connection with the company, the production company?

14 A. To put them together with someone who was
15 willing to pay for the overhead.

16 Q. And who paid for the overhead?

17 A. Graham King, through Warner Brothers.

18 Q. Okay. And was that fairly close to the
19 beginning of the relationship? Strike that.

20 Was that fairly close to the beginning of the
21 company?

22 A. Yes.

23 Q. Okay. And how long did Warner Brothers pay for
24 the company?

25 MR. CHEW: Objection to the form of the

1 question.

2 BY MR. KUMP:

3 Q. So let me just rephrase it. So did Graham King,
4 through Warner Brothers, pay for the company beyond
5 2004?

6 A. I don't remember what year it started. He paid
7 for three years, and then the deal switched to Warner
8 Brothers.

9 Q. I see, okay. So after the first three years,
10 Warner Brothers took over that responsibility?

11 A. Yes.

12 Q. And do you know for how long Warner Brothers
13 funded Infinitum Nihil?

14 A. Three or four years.

15 Q. Okay. So going back to the beginning -- the
16 founding of the company, at some point in time, again,
17 moving forward in time, did Christi's role as -- as an
18 assistant to her brother change or evolve in any way,
19 over time?

20 MR. HAROUTOUNIAN: Objection, vague, as to time.

21 MR. KUMP: Let me just rephrase it.

22 BY MR. KUMP:

23 Q. So going -- starting from the period in 2004,
24 when Infinitum Nihil is formed as a production company,
25 and Christi was named as the president, going forward in

1 time from there, did her duties and responsibilities in
2 what she was doing for her brother evolve at all beyond
3 what it had been prior to that?

4 MR. CHEW: Objection, calls for speculation.

5 THE WITNESS: Do you want me to answer that
6 question?

7 MR. KUMP: Yes.

8 THE WITNESS: Technically -- can you just say
9 the question one more time?

10 MR. KUMP: No, no, that's fine.

11 BY MR. KUMP:

12 Q. So starting at 2004, when the company is formed,
13 the production company is formed, and Christi was named
14 by her brother to be president of the company, you
15 indicated that she still served as an assistant to him;
16 correct, at that time?

17 A. Yes.

18 Q. And so my question is, going forward from 2004,
19 2005 -- you know, into the --

20 A. Ten years.

21 Q. Yes. During the period of time, did -- did the
22 duties and responsibilities that she provided for Johnny
23 evolve in any way, expand, whatever it might be?

24 MR. CHEW: Objection to the form of the
25 question.

1 THE WITNESS: Technically, she ran the
2 production company. She was in charge of the various
3 people they had hired, and yet, she was still an
4 assistant, as evidenced on every film she took an
5 assistant credit and got paid in addition as an
6 assistant.

7 BY MR. KUMP:

8 Q. So based on what you were able to -- based on
9 what you knew and were able to observe, what did she do
10 to run the production company? Like, what were the
11 types of things that she did?

12 A. Set meetings. I don't really know.

13 Q. Did she interact with people at the studios that
14 were interested in making films with the production
15 company?

16 A. Occasionally.

17 Q. Okay. Did she read scripts?

18 A. No.

19 Q. Did you send scripts to Johnny?

20 A. Yes.

21 Q. And did -- before you would send him a script,
22 would you typically read a script?

23 A. Of course.

24 Q. Okay. And when you would send him a script,
25 would you typically describe for him why you were

1 sending it to him? In other words, I think this script
2 is good for you for the following reasons?

3 MR. CHEW: Objection to the form of the
4 question.

5 THE WITNESS: Yes.

6 BY MR. KUMP:

7 Q. Is that something you would do? Okay. And
8 during the period of time after the founding of the
9 production company, did the amount of time that you
10 interacted with Christi go up or go down?

11 A. It went up.

12 Q. Okay. And what were the types of things --
13 again, I'm starting at 2004 going forward -- what are
14 the types of matters that you and Christi would deal
15 with between yourselves?

16 A. We would discuss writers that could
17 theoretically write something for the company, we would
18 discuss opportunities for Johnny outside the company.
19 She generally didn't give me a lot of information about
20 what was happening at Infinitum Nihil, but we would talk
21 several times a day.

22 Q. And was that true for a number of years?

23 A. Yes.

24 Q. Was that true for more than ten years?

25 A. Yes.

1 Q. And the types of things that you could talk
2 about in the course of the day would run the gamut of
3 the topics you just mentioned?

4 A. Yes.

5 Q. So, for example, when you would talk with -- you
6 said one of the things that you talked about with her
7 were opportunities for Johnny outside of -- outside of
8 the production company; correct?

9 A. Yes.

10 Q. In other words, what his next movies might be?

11 A. Eventually, we had those conversations.

12 Q. Okay. And do you recall when you started having
13 those conversations with her, approximately?

14 A. A couple of years in --

15 Q. Okay.

16 A. -- to the production company.

17 Q. Were -- why were you having those conversations
18 with Christi and not anyone else who was a
19 representative for Johnny?

20 MR. CHEW: Objection to the form of the
21 question.

22 MR. KUMP: Let me rephrase that.

23 BY MR. KUMP:

24 Q. When you would talk with Christi about
25 opportunities for Johnny outside of the production

1 company, did you also have those conversations with
2 Johnny, as well?

3 A. When I could. He was very difficult to reach.

4 Q. Okay. So was it easier to -- certainly, to
5 reach Christi more often than Johnny?

6 A. Sometimes.

7 Q. Was it sometimes difficult to get ahold of her,
8 as well?

9 A. Yes.

10 Q. When -- did Johnny ever talk to you about what
11 -- what Christi was authorized to do on his behalf? Or
12 what was your -- let me put it this way, and I'll ask
13 you how you knew this, but what was your understanding
14 as to what Christi was authorized to do in her position
15 representing her brother?

16 A. When she -- when he made her president, it was
17 understood -- and we discussed -- that she would be
18 running all aspects of his production company, that she
19 would have access and the ability to get information to
20 pretty much everything he was doing. And that he was
21 less reachable, and I could go through her.

22 Q. And that was something that you and Johnny
23 discussed between yourselves?

24 A. Yes.

25 Q. And he said that -- he told you you were

1 authorized to provide that information to his sister?

2 MR. CHEW: Objection to the form of the
3 question.

4 MR. KUMP: I'll re-ask it.

5 BY MR. KUMP:

6 Q. And Mr. Depp told you that you were authorized
7 to provide his sister with the information that he had
8 mentioned?

9 MR. CHEW: Objection to the form of the
10 question.

11 THE WITNESS: Yes.

12 BY MR. KUMP:

13 Q. And did Christi tell you that that was her
14 understanding of the role she was to play, as well?

15 A. Many times.

16 Q. How would she express what her role was? In
17 other words, in her words, what was her role on behalf
18 of her brother?

19 A. I don't recall her exact words, but she reminded
20 me on a consistent basis that she was the person where
21 the buck really stopped, And she was the only person
22 that could have continued access to Johnny.

23 Q. And was that generally true during the period of
24 time from a couple of years after the founding of the
25 production company up until sometime, approximately,

1 2015, 2016?

2 A. With the exception of one period of time, that
3 was the case.

4 Q. And what was that one period of time?

5 A. 2015, September, when Black Mass came out, and
6 he was angry at her, and didn't speak to her for
7 approximately six to eight months. And I spoke to him
8 pretty much every day. It was like the beginning.

9 Q. But from the period of approximately 2005 or '6
10 up until September of 2015, was that Christi's role, as
11 you just described it previously?

12 MR. CHEW: Objection to the form of the
13 question.

14 BY MR. KUMP:

15 Q. Yes; correct?

16 A. Yes.

17 Q. And was that how Christi described to you what
18 her role was?

19 A. Yes.

20 Q. And did Johnny, based on what Johnny told you,
21 did he understand that that's what her role was?

22 A. Yes.

23 Q. Okay. And the -- now, at some point in time,
24 Peter Nichols was replaced as Johnny's entertainment
25 lawyer; correct?

- 1 A. Yes.
- 2 Q. And do you know when that was, approximately?
- 3 A. I can't recall.
- 4 Q. Okay. Was it -- and, also, Mr. Tivoli was
5 replaced; correct?
- 6 A. Yes.
- 7 Q. And Mr. Tivoli was replaced by Joel Mandel and
8 the management group?
- 9 A. Yes.
- 10 Q. Was there -- pardon the expression, but was
11 there some kind of beauty contest for finding a new
12 entertainment lawyer for Johnny? In other words, were
13 some number of entertainment lawyers interviewed to
14 replace Mr. Nichols?
- 15 A. I would not refer to it as a beauty contest.
- 16 Q. Okay. I will -- I will -- I will refrain from
17 that. Was there --
- 18 MR. CHEW: Mr. Bloom would appreciate that, I
19 think.
- 20 BY MR. KUMP:
- 21 Q. When there was discussion about replacing
22 Peter Nichols as Johnny's entertainment lawyer, were a
23 number of different entertainment lawyers under
24 consideration for the new position?
- 25 A. Three.

1 Q. Okay. Who were they?

2 A. One was Jake.

3 Q. Uh-huh.

4 A. Actually, two companies; three lawyers. One was
5 Jake; the other two were Alan Wertheimer and
6 Jim Jackoway.

7 Q. And Jake is Jake Bloom, correct?

8 A. Yes.

9 Q. And Alan Wertheimer and Jim Jackoway are and
10 were at the same firm?

11 A. Yes.

12 Q. Did you play any role in the selection of
13 Johnny's next entertainment lawyer?

14 MR. FREEDMAN: Objection, vague. You can
15 answer.

16 THE WITNESS: Answer?

17 MR. FREEDMAN: You can answer.

18 THE WITNESS: Yes.

19 BY MR. KUMP:

20 Q. Can you tell me what role you played in helping
21 Johnny select a new entertainment lawyer?

22 A. We had two meetings at UTA. One was with Jake
23 Bloom; Johnny, Christi, and myself, and the other one
24 was with Jim Jackoway, Alan Wertheimer, Johnny, Christi,
25 and myself. And it felt clear to me after both meetings

1 that Jake was the better fit for Johnny.

2 Q. Okay. And why did you think he was a better fit
3 for Johnny?

4 A. I just felt their communication seemed more
5 natural, and Jake had a way with male stars that felt
6 very compatible with who Johnny was becoming.

7 Q. And at that -- was the point in time when you
8 were talking to the new entertainment lawyers
9 approximately the same period of time when he was
10 switching business managers; do you recall?

11 A. I think somewhere within that time. I don't
12 recall exactly.

13 Q. Okay, okay. Do you know why it was that Johnny
14 was switching entertainment lawyers from Peter Nichols
15 to whomever --

16 A. I think there was an interim lawyer; Tom Hunter.
17 And I don't remember -- I think that happened through
18 Terry Gilliam, who Johnny was working with, because he
19 was Terry's lawyer.

20 Q. Uh-huh.

21 A. What was the question? I'm sorry.

22 Q. The question was -- you answered, I think, what
23 I wanted to ask. The question was, really, why was a
24 change being made in terms of the entertainment lawyer?

25 A. Because Johnny no longer liked Peter Nichols or

1 Tom Hunter, and asked to hire a new lawyer.

2 Q. And when the decision was made to -- to choose
3 Jake Bloom as his new entertainment lawyer, did Johnny
4 make that decision alone, did he ask for your input,
5 Christi's input, how was that decision made?

6 A. It was his decision, but he got input from
7 myself and Christi that was supportive.

8 Q. Christi supported Jake, also, as the choice?

9 A. Yes.

10 Q. Was there any discussion at that time -- were
11 you there when Jake was interviewed by Johnny?

12 A. Yes.

13 Q. And was there a discussion in that meeting about
14 the attorney's fees or what the fee structure was for
15 Mr. Bloom?

16 A. I don't recall.

17 Q. Okay. And with respect to Johnny getting a new
18 business manager, what role, if any, did you play in
19 that process?

20 A. None.

21 Q. Okay. Do you know if -- who was involved on
22 Johnny's side in terms of making that decision?

23 A. Yes.

24 Q. Who was that?

25 A. Christi.

1 Q. And do you know if they interviewed additional
2 potential business managers in addition to the Mandels?

3 A. I don't know.

4 Q. Okay. Do you know, did they do those -- any of
5 those interviews at your offices; do you recall?

6 A. I don't recall.

7 Q. But in terms of whatever meetings they had, you
8 were not a party to those meetings?

9 A. Not that I can recall.

10 Q. Okay. And you don't recall giving them any
11 input on who to select?

12 A. I was told Joel Mandel was going to be the
13 business manager.

14 Q. Had you ever worked with Mr. Mandel prior to
15 that time?

16 A. No.

17 Q. Okay. Did you have any opinion as to whether or
18 not, at that time, he was a good choice, or not a good
19 choice?

20 A. I did some homework on him, and it seemed so.
21 But I didn't know him.

22 Q. Okay. But you asked around and the reports you
23 got were positive?

24 MR. CHEW: Objection to the form of the
25 question.

1 THE WITNESS: Yes.

2 BY MR. KUMP:

3 Q. So, now, Mr. Mandel was hired in 1999. I
4 believe Mr. Bloom was hired sometime after that, but not
5 a long time after that?

6 A. That sounds right.

7 Q. So from -- we'll say approximately 1999, 2000
8 until -- well, for at least the next 15 years, we'll pin
9 it down, is it the case that you were -- you were
10 Johnny's talent manager; correct?

11 A. Talent agent.

12 Q. Excuse me, I'm so sorry.

13 A. It's okay.

14 Q. Yes, that's a big difference. You were his
15 talent agent; correct?

16 A. Yes.

17 Q. Jake Bloom was his entertainment lawyer?

18 A. Yes.

19 Q. Joel Mandel and the management group was his
20 business managers; correct?

21 A. Yes.

22 Q. And during that period of time, did the -- did
23 you interact with Jake Bloom at all?

24 A. All the time.

25 Q. Okay. Did you interact with Christi during that

1 same period of time?

2 A. All the time.

3 Q. Did Christi interact with Jake Bloom during that
4 period of time?

5 A. Yes.

6 Q. Okay. Did you interact with Mr. Mandel, also,
7 during that period of time?

8 A. Much less frequently.

9 Q. Okay. But on occasion?

10 A. Yes.

11 Q. Okay. What is it that typically -- again, I'm
12 sure it would change -- but you and Jake Bloom would
13 talk about?

14 A. Well, since he was involved at the inception of
15 every deal we were making, he would be on every phone
16 call from start to finish. So whenever there was a deal
17 to be made, we would talk constantly.

18 Q. So, again, you brought him in at the very start
19 of any -- any potential deal?

20 A. Yes.

21 Q. Okay. And so, for example, prior to contracts
22 being signed, negotiations, all of that, you and Jake
23 were doing that together?

24 A. Yes.

25 Q. And is that true -- again, during this entire

1 period of time, from whenever it was that Jake was hired
2 up until whenever he was terminated?

3 A. Yes.

4 Q. Okay. And --

5 A. Actually, no. May I answer?

6 Q. Of course, yes.

7 A. Jake was fired after I was fired. So...

8 Q. Okay.

9 A. -- excepting that period of time.

10 Q. During the time that you were Johnny's talent
11 agent, you and Jake negotiated all of his deals?

12 A. Jake Bloom, Michael Schenkman and myself.

13 Q. And Michael Schenkman is a lawyer at Jake's
14 firm?

15 A. Yes.

16 Q. And what involvement did Christi typically have
17 in that process?

18 A. She was involved every step of the way.

19 Q. So, for example, if there were decisions to be
20 made, she would be involved?

21 A. Yes.

22 Q. Did she have input -- in other words, could she
23 make -- could she say yes or no to a deal?

24 MR. CHEW: Objection to the form of the
25 question.

1 MR. FREEDMAN: You can answer.

2 THE WITNESS: I don't think she ever said yes to
3 a deal. We'd always have to ask Johnny, and we did.
4 But, ultimately, because he was so difficult to reach
5 for a long, long period of time, it would be left to her
6 to reach and say, we needed to reach him, or she would
7 convey the information.

8 BY MR. KUMP:

9 Q. Okay. Was there a period of time when he was
10 out of the country for a fairly lengthy period of time,
11 a couple of years?

12 A. Yes.

13 Q. When he was in France?

14 A. Yes.

15 Q. And do you know when that was, approximately?

16 A. I would say 19 to 20 years ago.

17 Q. Okay. And was it even more difficult to get
18 ahold of him during that period of time?

19 A. Yes.

20 Q. Was it even more essential during that period of
21 time that you deal with Christi?

22 A. Yes.

23 Q. Would you have been able to do your job
24 representing him if there hadn't been a Christi or
25 somebody in her position to talk to and to interface

1 with Johnny?

2 MR. FREEDMAN: Calls for a legal conclusion.

3 MR. CHEW: And speculation.

4 MR. KUMP: It must be a really, really bad
5 question, so let me rephrase that.

6 BY MR. KUMP:

7 Q. Were there -- were there times when -- let me
8 put it this way: Was it your understanding that Johnny
9 understood that Christi was playing this role in working
10 with you and Jake in connection with his movie career?

11 MR. CHEW: Objection to the form of the
12 question.

13 THE WITNESS: Can I answer the question?

14 MR. FREEDMAN: Yes.

15 THE WITNESS: Yes.

16 BY MR. KUMP:

17 Q. And did you ever discuss that with Johnny
18 directly? I mean, in other words, did he -- did he
19 understand -- did he tell you he understood that Christi
20 was going to be playing this role interfacing directly
21 with you and Jake?

22 A. Yes.

23 Q. And he authorized that?

24 A. Well, it wasn't ever specified as an
25 authorization, but it was stated and understood.

1 Q. And prior to September of 2015, when the Black
2 Mass -- prior to that time, did Johnny ever tell you
3 that you weren't authorized to talk to Christi about
4 anything?

5 A. No.

6 Q. Okay. And to your knowledge, did he ever tell
7 Jake that Jake wasn't authorized to deal with Christi --

8 MR. CHEW: Objection to the form of the
9 question.

10 BY MR. KUMP:

11 Q. I'll re-ask. As far as you know, did Johnny
12 ever tell Jake that Jake should not inter -- interact in
13 any way with Tracey -- with Christi?

14 MR. CHEW: Objection.

15 THE WITNESS: Can I answer?

16 MR. FREEDMAN: Yes.

17 THE WITNESS: I don't know.

18 BY MR. KUMP:

19 Q. Okay. In your experience in the entertainment
20 business, have you ever dealt with people who are
21 personal managers for talent?

22 A. Yes.

23 Q. Okay. And although the term was never used, did
24 -- in your experience, did Christi function like a
25 personal manager for Johnny?

1 A. Yes.

2 Q. Is -- in terms of the relationship -- was there
3 a relationship between -- let me rephrase that. What
4 was the fee arrangement that UTA had with Johnny?

5 A. Ten percent.

6 Q. And so that would be ten percent of his gross
7 earnings?

8 A. Ten percent of everything.

9 Q. Okay. So if, for example, he earned \$20 million
10 on a movie, UTA would get ten percent of that?

11 A. Correct.

12 Q. And in your experience, is that a relatively
13 standard rate for a talent agent to -- of UTA's caliber?

14 A. Yes.

15 Q. Did UTA have a written contract with Johnny
16 Depp?

17 A. Not that I'm aware of.

18 Q. Okay. And in your experience, is that, again,
19 typical for a relationship between talent and talent
20 agents?

21 A. Yes.

22 Q. Did you ever -- at the very beginning of the
23 relationship with Mr. Depp, did you have a conversation
24 with him about the fact that UTA would be taking a ten
25 percent fee?

1 A. Yes.

2 Q. Okay. I mean, and you personally spoke to him
3 about that?

4 A. Yes.

5 Q. And what did you tell him and what did he say?

6 A. It was in the context of him leaving his other
7 agent, and I said, she will continue to get whatever
8 money she is owed on your television series or movies,
9 and the ten percent. And then when those are done, you
10 will then pay us the fresh money at ten percent, same
11 deal as she has.

12 Q. Okay. And you explained to him that that was
13 ten percent on all of his earnings?

14 A. I don't know if I said all of your earnings,
15 because at the time he was a television actor.

16 Q. Right, right, okay. And at the time that you
17 had that conversation with him, was there any objection
18 from him to that arrangement?

19 A. No.

20 Q. Was there -- prior to September of 2015, did he
21 ever object about the ten percent that he was paying to
22 UTA?

23 A. No.

24 Q. At -- in -- during the period of time, again,
25 that you were representing Mr. Depp -- again, I'm

1 principally talking -- during that period of time, did
2 Christi ever interact with people from the studio who
3 were making Johnny's movies?

4 A. I believe --

5 MR. HAROUTOUNIAN: Vague and ambiguous.

6 MR. FREEDMAN: You can answer.

7 THE WITNESS: I believe so.

8 BY MR. KUMP:

9 Q. Let me give you a specific example. So, for
10 example, the Pirates movies were, obviously, a big part
11 of his career; correct?

12 A. Uh-huh.

13 MR. FREEDMAN: Is that a "yes"?

14 THE WITNESS: Oh, sorry, yes.

15 MR. KUMP: No, no, that's fine.

16 THE WITNESS: I apologize.

17 BY MR. KUMP:

18 Q. And do you know, for example, if Christi ever
19 dealt with Jerry Bruckheimer directly about issues that
20 may have arisen?

21 A. I'm sure she did.

22 Q. Okay. How about with respect -- do you know if
23 she dealt directly with Dick Cook at Disney?

24 A. No, that happened -- no.

25 Q. No, you don't know or...

1 A. I don't know, but that -- she didn't have
2 anything to do with the job getting processed. I'm not
3 sure if that was the question.

4 Q. Okay, no, I understand that.

5 So that was -- the job getting processed is what
6 you did as his talent agent; correct?

7 A. Yes.

8 Q. And how did it come about that he got the first
9 Pirates?

10 A. Jim Berkus and I took him -- he had been out of
11 the country for two years, living in France, out of
12 sight, out of mind. And so when he came back, I had
13 told Johnny directly, you need to have a couple of key
14 meetings with some heads of studios. And he said okay,
15 and Jim and I set up a meeting with the then chairman of
16 Disney, Dick Cook. So the two of us took him over to
17 Dick Cook's office, where we sat down and Dick Cook said
18 to him, what kind of movies would you like to do? And
19 he said I -- word for word -- "I'd love to do a movie
20 that my kiddies can see."

21 Q. And just so, for the record, who is Jim Berkus?

22 A. Jim Berkus is the chairman of UTA.

23 Q. Okay. And so when you took -- when you took
24 Johnny to meet with Dick Cook, that was kind -- that
25 ultimately led to a relationship with Disney and the

1 first Pirates movie?

2 A. That is what led to it, completely.

3 Q. Okay. And so with respect -- going back to --
4 what interactions did you have, generally, with
5 Joel Mandel during the period of 2004 to 2016?

6 A. They were limited to -- I think more of that
7 happened between Jake and Joel, because it was more
8 limited to contractual things. But I think, for me, it
9 was limited to conversations about, you know, if a movie
10 was going to be shot outside of the United States, how
11 it might affect tax indemnification and certain tax
12 ramifications. But it was limited between myself and
13 Joel.

14 Q. Okay. Did you have -- did you have
15 conversations with Joel where you kept him apprised
16 about the deals that Johnny was making -- in other
17 words, this movie is going to be made for this amount of
18 money, those kinds of things?

19 A. I did, in terms of Johnny's salary, and where it
20 was shooting, as I knew that would impact his money
21 planning.

22 Q. Okay. And were there times when you interacted
23 together with -- with Jake and Joel to coordinate -- and
24 Christi to coordinate things with respect to Johnny's
25 career?

1 A. Maybe, but I can't recall.

2 Q. Okay. The -- I'll come back to that. I have
3 some documents that I'm going to show you, but I'm going
4 to hold off doing that for the moment.

5 The -- during the period of time that you
6 represented Mr. Depp as his talent agent, once Jake --
7 Jake became his lawyer, whenever that was, was there any
8 other entertainment lawyer that Mr. Depp used during the
9 period of time that you were his talent agent?

10 A. Michael Schenkman.

11 Q. At Jake's firm; correct?

12 A. Yes, that's it.

13 Q. Other than Jake's firm, was there any other
14 entertainment lawyers who represented him during that
15 period of time?

16 A. No.

17 Q. And based on your experience, was there any time
18 that you understood that Joel Mandel and his firm were
19 acting as Johnny's lawyers?

20 A. Never.

21 MR. CHEW: Objection to the form of the
22 question.

23 MR. KUMP: Okay.

24 BY MR. KUMP:

25 Q. Did you know -- by the way, do you know whether

1 or not Rob Mandel ever provided any types of services to
2 Johnny?

3 A. I never spoke to Rob. I don't know.

4 Q. Okay. But in your personal interactions, you
5 never spoke to Rob regarding Johnny?

6 A. No.

7 Q. Do you know whether or not -- I mean, at the
8 time -- not today, but at the time back in 2004 to 2015,
9 '16, did you know whether or not Joel and Rob were
10 lawyers or were not lawyers? Did you know at the time?

11 A. No.

12 Q. Did you always think of the Mandels -- or --
13 Joel Mandel as his business manager?

14 A. Yes.

15 Q. And in your interactions with -- did all of you
16 have fairly specified roles? In other words, you were
17 the talent agent, Jake was the entertainment lawyer and
18 Joel was his business manager during that period?

19 MR. CHEW: Objection to the form of the
20 question; calls for speculation.

21 MR. FREEDMAN: You can answer.

22 THE WITNESS: Yes.

23 BY MR. KUMP:

24 Q. And based on everything you saw and in your
25 experience, did Joel Mandel function like, you know, a

1 typical business manager in terms of the types of things
2 that you were aware of that he was doing for and on
3 behalf of Johnny?

4 MR. CHEW: Objection to the form of the
5 question; calls for speculation as to what he did.

6 MR. FREEDMAN: You can answer.

7 THE WITNESS: Yes.

8 BY MR. KUMP:

9 Q. Okay. And in your experience -- I may have
10 asked you this before. I just want to clarify. As a
11 talent agent, you often, from time to time, or regularly
12 work with other representatives for your clients;
13 correct?

14 A. Yes.

15 Q. You, obviously, mentioned the attorneys you do
16 right from the beginning. Also business managers, if
17 they have business managers?

18 A. Yes.

19 Q. And have you worked with business managers other
20 than Joel Mandel throughout your career?

21 A. Yes.

22 Q. Do you know, have you ever shared any other
23 clients that Mr. Mandel was also the business manager
24 for; do you recall?

25 A. No.

1 Q. Okay. And did you ever hear Mr. Depp refer to
2 the Mandels as his attorneys?

3 A. Never.

4 Q. Did you ever hear Christi refer to them as his
5 attorneys?

6 A. Never.

7 Q. And did you ever -- did Joel ever tell you that
8 he was his attorney -- let me rephrase it.

9 Did Joel ever tell you that he was Depp's
10 attorney?

11 A. Never.

12 Q. Did you ever hear anybody ever refer to the
13 Mandels as Johnny's attorneys?

14 A. No.

15 Q. In your experience as a talent agent, do
16 business managers sometimes review contracts for their
17 clients; do you know?

18 A. Depends what the contract is.

19 Q. Okay. How about -- so suppose that the client
20 wanted to buy a house or something like that, do you
21 know if business managers get involved in dealing with
22 those types of negotiations of handling those kinds of
23 matters?

24 A. My understanding is they do.

25 Q. Okay. And how about with respect to negotiating

1 movies, is that something that business managers do?

2 A. No.

3 Q. Okay. Is that something, again, that typically
4 a talent agent and -- and the entertainment lawyer will
5 do, either in combination or together?

6 A. Yes.

7 Q. And Joel Mandel did not have -- play any role in
8 negotiating any of the movie deals for Mr. Depp;
9 correct?

10 A. Never.

11 Q. Okay. Did you and Mr. -- when you and Mr. Bloom
12 were working together to negotiate the deals, how often
13 in that process would you talk with Christi versus
14 talking directly with Johnny?

15 A. More with Christi than with Johnny.

16 Q. Okay. And was that because Johnny wasn't
17 interested, because he wanted to live his life, because
18 he was reclusive, or do you know?

19 MR. CHEW: Objection to the form of the
20 question; calls for speculation.

21 THE WITNESS: I don't know.

22 BY MR. KUMP:

23 Q. Okay. Ultimately, when a decision was made
24 about whether or not to accept a role on a movie at
25 whatever the price was, whatever the terms were, is that

1 ultimately a decision that Johnny would weigh in on?

2 A. Yes.

3 Q. Okay. And when those decisions needed to be
4 made, you were ultimately able to get his attention and
5 get him to make the decision?

6 A. Yes.

7 Q. And did you provide a lot of -- when you met
8 with him or talked with him, did you provide him with
9 advice about his career?

10 A. Yes.

11 Q. And did he follow it?

12 A. Sometimes.

13 Q. Do you know if anyone else was giving him advice
14 about his movie career?

15 A. No, I don't.

16 Q. Okay. Is that the type of thing that -- that
17 Jake would have done; do you know?

18 A. Possibly.

19 Q. In your experience in dealing with -- with
20 Johnny, did you get involved in how he spent his money?

21 A. Never.

22 Q. Were you aware, ever -- were you ever aware of
23 how he was spending his money?

24 A. No.

25 Q. Other than what you might have heard through the

1 grapevine, but you were not involved in those kinds of
2 decisions; he didn't come to you for that type of
3 information?

4 A. No.

5 Q. Or that type of advice?

6 A. No.

7 Q. Okay. How often do you think that you spoke to
8 him directly? Did it just -- I mean, I realize it was,
9 obviously, a long period of time -- and, again, I'm
10 focusing really, like, from 2004 to 2016. Was it --

11 A. Sometimes more than others; sometimes not for a
12 period of time.

13 Q. Could there be periods of months where you went
14 without speaking with him directly?

15 A. Yes.

16 Q. And -- but, again, during that period of time,
17 you were dealing -- you were talking with Christi on a
18 regular basis, on a daily basis?

19 A. Yes.

20 Q. Did -- were you aware of any -- any activities
21 that Joel Mandel or his company did for Mr. Depp that
22 was atypical for what business managers might do?

23 A. No.

24 Q. Okay. Now, were there opportunities that you
25 presented to Mr. Depp that you thought he should take in

1 terms of his film career that he decided to pass on for
2 any reason?

3 A. Yes.

4 Q. Were there -- and would he discuss with you his
5 reasons for passing?

6 A. Sometimes.

7 Q. Did he -- for example, I think there's evidence,
8 and there's e-mails to this effect that, for example, in
9 2009, he didn't make -- either didn't make a movie or
10 almost didn't work during that period of time.

11 Do you recall periods where he went for -- what
12 you considered to be long periods of times without
13 working?

14 MR. CHEW: Objection to the form of the
15 question.

16 THE WITNESS: I don't recall, in 2009, that he
17 wasn't working for periods of time.

18 MR. KUMP: Okay.

19 BY MR. KUMP:

20 Q. Do you recall whether there were periods of time
21 that -- where he didn't work?

22 A. Yes, primarily 2015.

23 Q. Okay. And that was, again, during the period --
24 you were still, obviously, representing him at that
25 time; correct?

1 A. Yes.

2 Q. And when was the first time that you became
3 aware that Johnny had any financial problems or issues?

4 MR. CHEW: Objection to the form of the
5 question.

6 THE WITNESS: Can I answer?

7 MR. KUMP: Yes.

8 MR. FREEDMAN: Yes.

9 THE WITNESS: I would say the mid-2000s.

10 BY MR. KUMP:

11 Q. So, like, 2005?

12 A. Ish.

13 Q. And how did you become aware of that?

14 A. Because I was always under pressure to take a
15 job for him to find a job that would pay him the most
16 amount of money.

17 Q. And under pressure from whom?

18 A. Johnny, Christi.

19 Q. Joël, sometimes?

20 A. Indirectly.

21 Q. Well, let me ask you, when you say Johnny, like,
22 I'm not asking you to tell me verbatim, but what would
23 he say to you that led you to conclude that he wanted --
24 that he needed to get a high-paying job because of his
25 financial issues?

1 A. I need to make some money.

2 Q. Okay. And same thing with respect to Christi;
3 what would she say?

4 A. He needs a job.

5 Q. Okay. And were you ever concerned that his
6 desire for a high-paying job might influence his
7 artistic choices?

8 A. Yes.

9 Q. Okay. And did you talk to him about that?

10 A. Yes.

11 Q. And what was his response?

12 A. As I recall, he didn't seem very concerned about
13 that.

14 Q. Did he tell you why he needed to make money?

15 A. I just knew he was under financial pressure.

16 Q. Okay. And you said that started in or around
17 2005. Did that continue throughout the period of time
18 you represented him?

19 A. Yes.

20 Q. Okay. And is -- during the period of time --
21 during that period of time, did Joel Mandel ever tell
22 you about, you know, monies that were needed in a
23 general -- in general terms, or about financial
24 pressures, financial events -- let me start over again.
25 That was not a well-phrased question.

1 Did Joel Mandel, during this period of time,
2 ever tell you that there were financial matters that had
3 to be dealt with, and that, you know, what movies are in
4 the pipeline, what do you think the prospects are, that
5 sort of thing?

6 MR. CHEW: Objection to the form of the
7 question.

8 MR. FREEDMAN: You can answer.

9 THE WITNESS: Occasionally.

10 MR. KUMP: Okay.

11 BY MR. KUMP:

12 Q. Did you ever have -- did you ever discuss with
13 Johnny, you know, how regularly he should be making
14 movies, or how much he should be getting paid, those
15 kinds of things, that kind of career advice?

16 A. It wouldn't go like that. It would be more
17 about the specific opportunities and what I thought we
18 could get for them.

19 Q. Did -- I don't know if this expression will make
20 sense, but was there money that Johnny left on the table
21 -- in other words, were there opportunities you had for
22 him that were available to him where he could have made
23 money, and he decided to pass for some reason on those?

24 A. I'm sure there were.

25 Q. Okay. Can you -- can you quantify those at all?

1 In other words, there were -- I remember this movie I
2 had ready for him to go, and he decided to pass on it
3 for some reason?

4 A. Yes.

5 Q. Okay. What is that? Do you recall?

6 A. He -- do you want the specifics?

7 Q. Sure.

8 A. He was set to do a movie called Grand Budapest
9 Hotel that Wes Anderson was directing. The money was
10 very low, but we were able to get him ownership of the
11 movie split with Wes, and he used the excuse of the
12 separation with Vanessa, but he didn't want to do it
13 because there was so little money up front. So I pulled
14 him out of it, and he ended up taking a movie I begged
15 not to do called Transcendence.

16 Q. And do you know how that -- the -- Wes' movie
17 turned out?

18 A. Yeah, it made \$200 million. It's his biggest
19 movie ever.

20 Q. And if that deal had been done, Depp would have
21 shared in that --

22 A. He would have made approximately \$12 million
23 more.

24 Q. At the time that -- but that's his decision -- I
25 mean, in other words, you recommended he do it, and he

1 ultimately passed on it; correct?

2 A. Correct.

3 Q. Did -- how about with respect to, do you ever
4 recall him complaining to you about advice that had been
5 given to him or something that Joel Mandel had asked him
6 to do that he didn't want to do?

7 A. Yes.

8 Q. What was that?

9 A. Selling his boat.

10 Q. And what did Johnny tell you about that?

11 A. He was very angry at Joel that he had to sell
12 his boat.

13 Q. And what did he say -- I mean, did he tell you
14 why he had to sell the boat?

15 MR. CHEW: Objection to the form of the
16 question.

17 BY MR. KUMP:

18 Q. Well, let me put it this way. What do you
19 recall Johnny saying to you about that incident?

20 A. Joel told me I had to sell the boat, I needed
21 the money, and I -- it's the one thing I don't want to
22 sell.

23 Q. And he -- he ultimately sold it, is that your
24 understanding?

25 A. Yes.

1 Q. And when was it that -- did Joel Mandel also
2 tell you at some point in time that Johnny was in
3 financial difficulty?

4 MR. CHEW: Objection to the form of the
5 question.

6 MR. KUMP: Let me rephrase it, then.

7 BY MR. KUMP:

8 Q. You testified earlier that starting around in
9 2005, both Johnny and Christi told you that he needed
10 money, that he was under financial pressures.

11 Did Joel Mandel also tell you that at some point
12 in time?

13 A. Yes.

14 Q. Okay. And do you know when it was,
15 approximately, that Joel told you that for the first
16 point in time?

17 A. It would have probably been around that time.
18 But there was more than one conversation about it.

19 Q. Were there ever conversations between you and
20 Jake and Joel and Christi -- not necessarily all at
21 once, but around the same periods of time in which all
22 of you discussed the fact that Johnny was having
23 financial issues?

24 MR. CHEW: Objection to the form of the
25 question; vague.

1 MR. FREEDMAN: You can answer.

2 THE WITNESS: Yes.

3 BY MR. KUMP:

4 Q. Okay. Did Johnny know he was having financial
5 problems?

6 MR. CHEW: Objection to the form of the
7 question.

8 MR. KUMP: Let me put it to you this way.

9 BY MR. KUMP:

10 Q. Based on what he said to you, did Johnny know
11 that he was having financial problems?

12 A. Yes.

13 Q. Okay. And that started as early as 2005?

14 A. Yes.

15 Q. And during that period of time, 2005 to 2015 or
16 '16, did he ever blame that on -- on you?

17 A. No.

18 Q. Did he ever blame it on Jake?

19 A. No.

20 Q. Did he ever blame it on Joel and what he said to
21 you?

22 A. Not until the boat.

23 Q. The boat, okay. And, again, he was upset that
24 he had to sell the boat; correct?

25 A. Yes.

1 Q. And other than the fact that he was upset, did
2 he tell you that he -- and he blamed Joel for the advice
3 to sell the boat, but with respect to the financial
4 problems he was having, did he blame Joel for that?

5 A. No.

6 Q. It was the boat. He didn't want to sell the
7 boat?

8 A. Correct.

9 Q. Okay. Did you have -- around the time of the
10 boat, when he told you, selling the boat, did you have
11 any understanding as to whether or not he was spending
12 more than he was earning?

13 A. No.

14 Q. Okay. Did you have any understanding about
15 whether or not he was able to pay his taxes?

16 A. No.

17 Q. Okay. Did you have any understanding about
18 whether or not he was borrowing money to pay for his
19 lifestyle?

20 A. No.

21 Q. But is it fair to say that there was always --
22 there was always pressure during this period of time on
23 you to go out and find good paying jobs for him to do?

24 A. Yes.

25 Q. Okay. And that was pressure that came both from

1 Johnny and from Christi; correct?

2 A. Yes.

3 Q. Did it become harder for you to find good paying
4 jobs for him at some point in time while you were still
5 his talent agent?

6 A. Yes.

7 Q. And when did that start?

8 A. That started -- I would say, approximately,
9 2010, '11.

10 Q. Okay. And give me an example of how you
11 experienced that.

12 A. When I'd call to talk to a studio head, or a
13 director, or a producer, I was questioned about certain
14 things.

15 Q. And what were those things that you were
16 questioned about?

17 A. Lateness, complicated, unavailable. And it
18 seemed that there was a reputation that he had.

19 Q. And you had to directly deal with that; correct?

20 A. Yes.

21 Q. Did you talk to Johnny about that?

22 A. Many times.

23 Q. And what did you -- in substance, what did you
24 say to him about this issue?

25 A. You're late, people have a hard time with that,

1 movies are very expensive, they'll move on to someone
2 else unless you can be more responsible.

3 Q. And what was his response?

4 A. I don't recall.

5 Q. Did -- do you believe that there were -- that
6 there were opportunities and jobs that he didn't get
7 because of these issues?

8 A. I don't recall a specific, but quite possibly.

9 Q. Okay. And did you ever talk to Christi about
10 this issue?

11 A. All the time.

12 Q. Okay. Was there concern?

13 A. Well, Christi always defended Johnny, so there
14 was never an instance where she didn't defend him no
15 matter what the issue was.

16 Q. So if, for example, he didn't show up for
17 filming some day on a set, and, you know, 100 extras
18 were sitting around, she would not necessarily blame her
19 brother for that?

20 MR. CHEW: Objection to the form of the
21 question.

22 THE WITNESS: Can I answer that?

23 MR. FREEDMAN: Yes.

24 MR. KUMP: Sure.

25 THE WITNESS: She would usually blame someone

1 else, like the producer, the first AD. She would never
2 hold her brother accountable, ever.

3 BY MR. KUMP:

4 Q. Was she concerned about the fact, though, that
5 it was potentially hurting his commercial abilities, and
6 his commercial opportunities?

7 MR. CHEW: Objection to the form of the
8 question; calls for speculation as to what another
9 person may have been feeling.

10 BY MR. KUMP:

11 Q. Just so it's clear, I don't want you to
12 speculate. I'm talking about what Christi said to you.
13 So did Christi say to you that she was concerned that
14 these issues, even if they weren't right, were
15 interfering with Johnny's ability to get -- you know,
16 get high-paying jobs?

17 A. No.

18 Q. Okay. Did the two of you talk about any steps
19 that should be taken so that this wasn't an issue for
20 Johnny going forward?

21 A. Yes, but it was a very difficult conversation to
22 have, because she was always defending him. So,
23 therefore, he didn't do anything wrong, so there was no
24 discussion, really, to be had.

25 Q. And did the issue of his substance abuse ever

1 become an issue with potential employers that you were
2 talking to?

3 MR. CHEW: Objection to the form of the
4 question.

5 THE WITNESS: Can I answer that?

6 MR. FREEDMAN: Yes.

7 THE WITNESS: Yes.

8 BY MR. KUMP:

9 Q. Okay. And was that, again, around this period
10 of time, 2010-ish, that concerns were --

11 A. 2010, 2011, yes, it became more noticeable.

12 Q. And there was a concern that it was both alcohol
13 and drug abuse?

14 MR. CHEW: Objection to the form of the
15 question.

16 THE WITNESS: That was stated to me sometimes by
17 potential buyers for him.

18 BY MR. KUMP:

19 Q. And, again, did you discuss that directly with
20 Johnny?

21 A. Yes.

22 Q. And what did you tell him?

23 A. I said there are questions about the drinking,
24 and whatever drugs you might be doing, and you're
25 showing up late, and the craziness with Amber. And so

1 there are rumors, and it makes people worried,
2 especially when your price is so high. It makes it that
3 much more difficult.

4 Q. And what was his response to that?

5 A. Nothing changed.

6 Q. So I understand that Johnny and Amber met on the
7 filming of the movie Rum Diary?

8 A. Yes.

9 Q. And that their relationship started then -- or
10 soon thereafter, and went on for some number of years
11 after that?

12 A. That's my understanding.

13 Q. Do you want to take just a short break?

14 MR. FREEDMAN: Sure.

15 THE VIDEOGRAPHER: The time on the video monitor
16 is 11:58 a.m. We are going off the record. This is
17 disc number one.

18 (Off the record.)

19 THE VIDEOGRAPHER: We are back on the record at
20 12:16 p.m. This is media number one in the deposition
21 of Tracey Jacobs. Please continue.

22 (Exhibit 47 marked.)

23 BY MR. KUMP:

24 Q. I'm going to show you a document. 47.

25 Ms. Jacobs, this, as you can see, is an e-mail

1 from you to a number of people, May 20th, 2008.

2 Do you see that?

3 A. Yes.

4 Q. And was Sweeney Todd one of Mr. Depp's movies?

5 A. Yes.

6 Q. Okay. Who is Danny? Was there a lawyer at
7 Jake's firm?

8 A. That's Jake's assistant.

9 Q. Oh, I see, all righty.

10 A. Because Jake doesn't have e-mail or didn't have
11 e-mail at that time.

12 Q. Okay. Probably a good idea. And in this -- in
13 this e-mail, you write, Joel has given me permission to
14 ask for advance per tax situation. We'll see what
15 happens.

16 Do you recall what that was about?

17 A. Well, it wasn't uncommon for me to ask for
18 advances. I don't recall what the tax situation was,
19 and I don't recall exactly what the advance was.

20 Q. Just to be clear, so what is an advance?

21 A. An advance can be a couple of different things.
22 It can be an advance against your front-end salary,
23 whatever that has been negotiated out. It can also be
24 an advance against your back end, your points. So I'm
25 not sure what this was for, or how much I was asking.

1 Q. And an advance would be something that you would
2 get from the studio?

3 A. Yes.

4 Q. Okay. And is that something that would have to
5 be negotiated?

6 A. Yes.

7 Q. And were there times when the studio would
8 decline to give you an advance?

9 A. Yes.

10 Q. And other times when they would give an advance?

11 A. Yes.

12 Q. Why would you typically -- or why did you ask
13 for an advance?

14 A. Because he needed the money.

15 Q. Okay. And did you ever get an advance against
16 his back end?

17 A. Yes.

18 Q. In connection with what films?

19 A. Pirates.

20 Q. And so you went to Disney and asked them for a
21 back end advance?

22 A. Yes.

23 Q. And do you remember the amounts of any of the
24 advances that you got?

25 A. No.

1 Q. Okay. How about with respect to -- do you
2 remember the amounts of any of the advances you got over
3 time?

4 A. Yes.

5 Q. What do you recall?

6 A. Well, the most recent one was for Fantastic
7 Beasts.

8 Q. Uh-huh.

9 A. And I went and asked Warner Brothers for a \$5
10 million advance against his \$13 million salary, and they
11 granted it.

12 Q. So that was a movie that you were representing
13 Mr. Depp in connection with?

14 A. And still do, yes.

15 Q. Okay. Was -- by the way, do you know if there's
16 any commissions or monies that Mr. Depp owes to UTA?

17 A. Yes.

18 Q. Do you know what the amount of that is?

19 A. Back ends on -- do you want me to be specific?

20 Q. Yes, please.

21 A. Could be any of the back-ends over the years,
22 plus the ones he's done since he's left Fantastic
23 Beasts, Murder on the Orient Express, Labyrinth, the
24 movie that comes out in September, and the remaining
25 three Fantastic Beasts that he will start up again in

1 2019. Those are all deals I negotiated.

2 Q. Okay. And so do you know what the amount of
3 commissions that are owed as of this date?

4 A. Does that include front-ends, as well?

5 Q. Let's --

6 A. Millions of dollars.

7 Q. Okay. Do you know if it's more or less than ten
8 million?

9 A. Somewhere in that area.

10 Q. Okay. And the movies that you just mentioned
11 are all movies that you negotiated on his behalf?

12 A. Yes.

13 Q. Okay. And is it your understanding that under
14 -- it's custom and practice for the talent agent to get
15 a commission on any deals that were substantially
16 negotiated while the client was still with the agency?

17 A. Yes.

18 Q. Okay.

19 MR. KUMP: Okay. Next exhibit.

20 (Exhibit 48 marked.)

21 BY MR. KUMP:

22 Q. Exhibit 48 is a series of e-mails.

23 And, Ms. Jacobs, you probably know this, but the
24 way you read e-mails is in reverse order. So in other
25 words the first one in time is at the bottom --

1 A. Yes.

2 Q. Okay, right, reading up. So -- and this appears
3 to be an e-mail from February of 2010 that indicates
4 that UTA had received a check in the amount of 194,763.
5 And then you were -- it was being passed along to you;
6 you indicated you were going to messenger this to Joel,
7 and then pass the information on to Christi.

8 Do you recall why people were saying yea or yeah
9 at the time?

10 A. I think, you know, everyone was always happy
11 when money came in. This comparatively is a small
12 amount.

13 Q. But, you know, the receipt of money was a good
14 thing?

15 A. Positive, yes.

16 Q. Okay. It's not like that in a law firm, but I
17 understand it may be at an agent. The -- and, again, is
18 this typically -- this is the information -- so if you
19 receive a check, you would typically send it to
20 Mr. Mandel's office?

21 A. Yes.

22 Q. Okay. And you would let everybody know that you
23 were sending money along?

24 A. Yes.

25 Q. When -- when the studio paid, for example, money

1 to Depp on his front-end salary, is that money that
2 would come to UTA first? Do you know?

3 MR. FREEDMAN: Objection, calls for speculation.

4 MR. KUMP: If you know.

5 THE WITNESS: Most of the time, yes. And then
6 I'd send it on to Joel.

7 MR. KUMP: Okay. All righty. Next.

8 (Exhibit 49 marked.)

9 BY MR. KUMP:

10 Q. And, Ms. Jacobs, you can see at the top, this is
11 an e-mail that you sent to CD@InfinitumNihil.com. You
12 understand that's Christi Dembrowski --

13 A. Yes.

14 Q. -- her e-mail address, okay. This is December
15 14th, 2012. Just read the e-mail to yourself and let me
16 know when you're done.

17 A. Okay.

18 Q. Do you recall what this was about?

19 A. No.

20 Q. Okay.

21 A. Usually I have it in the subject line.

22 Q. Okay. You say, "I told him not to blow up the
23 movie." Do you think you're talking about Johnny?

24 A. Yes.

25 Q. Okay. And you write on, you say, "But still

1 needs work. He seemed a bit too happy about P5, doing
2 it later than sooner. OMG."

3 P5 presumably relates to Pirates five?

4 A. Yes.

5 Q. Do you remember any discussions about the --
6 with Johnny about the timing of that movie and when he
7 wanted the filming to take place?

8 A. Yes.

9 Q. And he wanted it later than you wanted it?

10 A. No, he just -- I -- I don't recall what the
11 other films were, but he wanted it to fit in so that he
12 could do other things. I don't know who EH is,
13 unfortunately.

14 Q. Okay. When you say other things, you mean --

15 A. Other movies.

16 Q. Other movies, okay. And do you know why you --
17 you said "OMG" at the end of your e-mail?

18 A. Oh, my God?

19 Q. Yes.

20 A. Yes. I don't know why I said it.

21 Q. That doesn't ring -- that doesn't refresh your
22 recollection, okay.

23 (Exhibit 50 marked.)

24 BY MR. KUMP:

25 Q. This is an e-mail exchange between you and

1 Christi in February of 2013. You can read it to
2 yourself.

3 A. Uh-huh.

4 Q. Do you recall this e-mail exchange?

5 A. No.

6 Q. You say it must be -- it must be his happy day,
7 and then the last -- the -- Christi goes hahaha, you
8 say, I mean it.

9 Was that referring to some sort of, you know,
10 exchange you had had previously with Joel Mandel; do you
11 recall?

12 A. No. I think I know what this is about.

13 Q. Okay.

14 A. I think.

15 Q. Okay. What's that?

16 A. It's about this movie Mortdecai, because it --
17 it's right around the time that we were talking about
18 it.

19 Q. Okay. And the -- what was the movie Mortdecai?

20 A. Mortdecai was a movie that Christi and Johnny
21 were producing through Warner Brothers, but Warner
22 Brothers put it in the turnaround, so I had to get it
23 set up elsewhere.

24 Q. Okay. And were you able to do that?

25 A. Yes.

1 Q. And was that a movie that was being produced by
2 Johnny's production company?

3 A. Yes.

4 Q. And did he star in this -- the movie?

5 A. Yes.

6 Q. Do you recall what his front-end salary was?

7 A. Yes.

8 Q. What was that?

9 A. Fifteen million dollars.

10 Q. Okay. And the movie got made; correct?

11 A. Yes.

12 Q. Okay. Did he get any back-end on that; do you
13 know?

14 A. He had back-end, but the movie was a bomb, so,
15 no, he didn't get any.

16 Q. So the movie did not do well?

17 A. No. I have to turn off my phone, excuse me.

18 (Exhibit 51 marked.)

19 BY MR. KUMP:

20 Q. Okay. Do you recall this e-mail chain at all?

21 A. Vaguely.

22 Q. This is from May of 2013?

23 A. Uh-huh.

24 Q. At the bottom of the first page, there's an
25 e-mail from Christi where she says, "They aren't good

1 guys."

2 Do you recall who she was referring to at the
3 time?

4 A. I'm not sure.

5 Q. Okay. And she said, "If we didn't need to keep
6 on going, I'd tell them to take a hike. I would much
7 prefer another option, as much as I wish it would work,
8 to which you responded, don't have one now."

9 Again, is this -- does this have to do with a
10 movie that you're in the process of negotiating with?

11 A. It sounds like it's Mortdecai again, although
12 I'm not sure.

13 Q. Okay. And when Warner Brothers put that into
14 turnaround, where -- who ended up making the movie?

15 A. Lionsgate.

16 Q. So you had to negotiate with Lionsgate?

17 A. Yes.

18 Q. And was that a difficult negotiation?

19 A. No.

20 Q. Up at the -- second from the top is an e-mail
21 from you. It says, "It's not good. Trying to get offer
22 from Sony, ten to 15."

23 Again, does that refresh your recollection at
24 all if this was --

25 A. Well, I think she's talking about Houdini, which

1 is a movie that's been in development.

2 Q. Did Houdini ever get made?

3 A. No.

4 Q. Okay. Was that a movie that you were in the
5 process of trying to get made somewhere?

6 A. No, it was set up, and they were interested in
7 offering it to Johnny.

8 Q. They were not --

9 A. They were interested in offering it to him.

10 Q. Oh, excuse me. Was that Warner Brothers?

11 A. No, I believe it was Lionsgate.

12 Q. Okay. And was there a reason that that movie
13 didn't -- and Johnny didn't end up making that movie?

14 A. The movie has just been in development for years
15 and years. They just haven't made the film.

16 Q. It's still in development, as far as you know?

17 A. As far as I know.

18 Q. All righty.

19 (Exhibit 52 marked.)

20 BY MR. KUMP:

21 Q. I'm just going to ask you about the e-mails at
22 the very beginning -- or, excuse me, at the very top of
23 the first page.

24 A. Uh-huh.

25 Q. First of all, it appears that you're discussing

1 with Christi's traveling to Anaheim for something.

2 Was that a movie premier or something? Do you
3 know?

4 A. It sounds that way.

5 Q. Right. And you wrote and said, "He's testing
6 unknowns other than Colin."

7 Does that ring a bell?

8 A. I'm not sure what movie this is.

9 Q. Okay. At the very top is your e-mail where
10 you're writing back to Christi, and you said, "This is
11 our last option other than shitty Mark Foster movie."

12 A. Forster.

13 Q. Forster, excuse me.

14 And what was the Mark Forster movie?

15 A. I can't remember which one.

16 Q. Did it ever get made?

17 A. I don't know.

18 Q. Is this a -- this is a conversation that -- or,
19 I should say, an e-mail exchange between you and Christi
20 talking about possible roles for Johnny?

21 A. Yes.

22 Q. Okay. And is this typical of the kind of
23 communications you might have with Christi where you
24 would be going back and forth about various options that
25 are on the table?

1 A. Sometimes, yes.

2 Q. Okay.

3 (Exhibit 53 marked.)

4 BY MR. KUMP:

5 Q. This is an October of 2013 e-mail exchange
6 between you and Christi. You write to her and said,
7 "Also, don't forget to call Jerry B" -- Jerry
8 Bruckheimer, I assume?

9 A. Yes.

10 Q. "Re P5" -- Pirates five?

11 A. Yes.

12 Q. "And Jason Burns, re 22 Jump Street and J."

13 A. Yes.

14 Q. Did 22 Jump -- was that going to be a movie?

15 A. It was a movie.

16 Q. It was a movie?

17 A. Yes.

18 Q. Was Johnny in that?

19 A. Yes.

20 Q. Okay.

21 A. Maybe he was in the first one. He did a cameo.
22 So it was either the first -- they had two of them. I'm
23 not -- I think it was the second one. He did a cameo.

24 Q. All righty. And Christi writes back and says,
25 "On with Joel Mandel quickly." And then you said, "Be

1 glad he got the checks. So at least we don't have to
2 feel bad he turned the print ad down."

3 Do you recall what that's referring to?

4 A. I don't know what the checks were for.

5 Q. Right.

6 A. The print ad, he was always being offered print
7 ad campaigns. It could have either been for jeans -- a
8 Japanese jeans commercial or eyeglasses.

9 Q. Did -- he had some type of endorsement deal with
10 Dior; correct?

11 A. Yes.

12 Q. And was that something that was done while you
13 were his talent agent?

14 A. Yes.

15 Q. Was that something you negotiated?

16 A. Myself and a woman who no longer works at UTA
17 named Lisa Jacobson.

18 Q. Okay. And how long a deal was that for?

19 A. Four years.

20 Q. Did he have any other brand endorsement deals
21 through UTA during the time he was with you?

22 A. He had offers, but no other deals.

23 Q. Okay. That was -- that was the one -- the Dior
24 one was the one that got done; correct?

25 A. Yes. It's still ongoing.

1 Q. Right. And was there a reason why other
2 endorsement deals didn't get done, or was it just never
3 the right one came along?

4 A. Both.

5 Q. What was the reasons why they didn't get done?

6 A. Oh, I'm sorry. Ask the question again.

7 Q. Yes.

8 A. I apologize.

9 Q. No, no, that's fine.

10 Were there -- were there reasons why other brand
11 endorsement deals didn't get done while he was with UTA?

12 A. Usually, he turned them down.

13 Q. Okay. Is it -- as I understand it -- and
14 correct me if I'm wrong; this is your bailiwick -- but
15 oftentimes, actors or actresses in the United States,
16 will do endorsement deals in other countries, often like
17 Japan, for example, that pay very well but don't have
18 the exposure here; is that correct?

19 A. Yes.

20 Q. Do you know if Johnny had been offered any
21 endorsement deals in Japan?

22 A. Yes.

23 Q. For example, can you remember any of the --

24 A. I think there was a Japanese beer, and there
25 might have been a car.

1 Q. Okay.

2 A. Over the years.

3 Q. And do you know why he turned those down?

4 A. He didn't like the campaign.

5 Q. Do you ever tell him that you were in favor of
6 an endorsement which he decided not to do?

7 A. The only one I was in favor with was Dior.

8 Q. All righty.

9 (Exhibit 54 marked.)

10 BY MR. KUMP:

11 Q. Do you recall that in November -- roughly the
12 period of November 2013, that Mr. Depp was filming in
13 London?

14 A. Yes.

15 Q. Okay. And this is -- this is your e-mail to
16 Joel; correct?

17 A. Yes.

18 Q. You say, "I spoke to Christi yesterday, and we
19 talked about March, April. Realistically, if he doesn't
20 start until mid-April, we will get him an advance."

21 Do you remember what movie that was talking
22 about?

23 A. No.

24 Q. I assume March, April, was of the next year,
25 2014?

1 A. Yes.

2 Q. Okay. You said, "Christi and I both get it, and
3 we will figure it out. So far, I have two potential
4 opportunities. One I'm pretty sure for 15 to 20
5 million. She is going to talk to J. in London. I
6 understand and have accepted my marching orders, and we
7 will deliver."

8 Do you see that?

9 A. Yes.

10 Q. Okay. And was that you're talking to Joel --
11 had Joel asked you about getting movies lined up and
12 signed up, and you told him -- is that the marching
13 orders that you were referring to there?

14 A. I think so.

15 Q. Okay. And you said, again, you said, "We will
16 deliver."

17 You're talking both you and Christi are working
18 towards the same goal there; correct?

19 A. I could have meant UTA.

20 Q. Okay. Do you recall what happened on Christi's
21 trip to London to talk to Johnny at that time?

22 A. No.

23 Q. Okay. Do you remember she didn't -- you just
24 don't remember what she said or didn't say about the
25 trip?

1 A. No.

2 Q. Okay.

3 (Exhibit 55 marked.)

4 BY MR. KUMP:

5 Q. Exhibit 55 is an e-mail just two days later than
6 the one we just looked at. This is an e-mail exchange
7 between several people, including Christi and Joel
8 Mandel and Jake. At the bottom is your e-mail of
9 November 22nd, 2013. You write, "Not to be a pain, but
10 it is going to be important very soon to nail down very
11 specific dates. April 1-ish for Houdini, then Lynch.
12 We must confirm August-September for Alice 2, and
13 November for either P5 or another picture. It really
14 must run like clockwork to make all these movies work,
15 and the financials work that we were all trying to
16 solidify."

17 Do you see that?

18 A. Yes.

19 Q. Okay. And do you recall that at this point in
20 time in November of 2013, you were working with Christi
21 and Jake, in particular, to line up pictures for Johnny
22 to do over the next several months?

23 A. Yes.

24 Q. Okay. And it appears -- and correct me if I'm
25 wrong -- but it appears that you were trying to set up

1 kind of a sequence of who's going to do this movie,
2 followed by another movie, followed by another movie; is
3 that correct?

4 A. Yes.

5 Q. Okay. And in the last thing, you say, in your
6 last sentence, you say, quote, "To make all these movies
7 work and the financials work" -- excuse me, I apologize.
8 It says, "We really must run like clockwork to make all
9 these movies work and the financials work that we are
10 all trying to solidify."

11 So am I correct that there had been discussions
12 about the financial need for Johnny to make these movies
13 over a period of time?

14 A. Yes.

15 Q. Okay. And were those conversations to which
16 Christi was a party?

17 A. Yes.

18 Q. And were those conversations that Johnny was
19 aware of? Was Johnny --

20 A. Yes.

21 Q. -- Johnny was aware of the need that he needed
22 to make these movies. Correct?

23 MR. CHEW: Objection to the form of the
24 question.

25 ///

1 BY MR. KUMP:

2 Q. Was Johnny aware that he needed to make a series
3 of movies to get money?

4 A. I don't know that he was aware of a series of
5 movies, but he was aware that he needed and wanted to
6 work.

7 Q. And was it -- was it the role of the -- you and
8 Jake and Christi, to basically come up with a plan and
9 then, essentially, present it to Johnny?

10 MR. CHEW: Objection to the form of the
11 question.

12 BY MR. KUMP:

13 Q. Is that what you were trying to do here, I guess
14 I should say?

15 A. Yes.

16 Q. Okay. And do you recall -- what does Lynch
17 refer to?

18 A. I'm trying to remember, but what I think it is
19 -- I think it's David Lynch, and that was something
20 Johnny had talked to David about directly, and that he
21 had committed to. I don't think it ever happened.

22 Q. Okay.

23 A. But it was something he had done on his own.

24 Q. And -- and Alice 2, did that -- was there a
25 commitment for that?

1 A. Yes, and the movie got made.

2 Q. Yes, correct?

3 A. Yes.

4 Q. And then -- and then November for either P5,
5 again that's Pirates five?

6 A. Yes.

7 Q. And do you recall, when was -- when was Pirates
8 five filmed, approximately? Was that --

9 A. 2015, I believe.

10 Q. Right, okay. And then, in response to your
11 e-mail that we just looked at, Christi writes back,
12 "Fully aware. We've talked about the proposed year a
13 bunch. I got it."

14 Do you see that?

15 A. Yes.

16 Q. Again, and does that correspond with your
17 recollection that Christi was, you know, involved in
18 these conversations?

19 A. Yes.

20 Q. And that she was fully aware of all these
21 issues?

22 A. Yes.

23 Q. And at least according to her, she said, "We
24 talked about the proposed year a bunch."

25 Is that your recollection, as well, that all of

1 you had talked about this?

2 A. Yes.

3 Q. Okay. And was Joel Mandel part of those
4 conversations, as well?

5 A. I don't think so.

6 Q. Okay. He is copied on this e-mail.

7 A. Then he might have been of this particular
8 conversation.

9 Q. Okay.

10 A. Because what I was trying to do was lay out the
11 financials, the potential financials.

12 Q. For everybody who was on this e-mail?

13 A. Yes.

14 (Exhibit 56 marked.)

15 BY MR. KUMP:

16 Q. Exhibit 56 is an e-mail exchange between you and
17 Joel Mandel a couple of weeks after the e-mail we just
18 looked at. Now, do you recall that Joel was going to
19 make a trip to London to meet with Johnny to talk about
20 his finances?

21 A. Yes.

22 Q. Okay. And did you talk with Joel before that --
23 before that trip?

24 A. Yes.

25 Q. Okay. And you write, "Have a good trip to

1 London. My fingers are crossed that everything works
2 out for April. If it does, I'm not worried about the
3 rest of the year. Christi and I know what needs to be
4 done."

5 Do you see that?

6 A. Yes.

7 Q. And, again, do you remember what was special
8 about April?

9 A. No.

10 Q. That was presumably -- but it was some sort of
11 film commitment you were trying to get in place?

12 A. Yes.

13 Q. And you write, "Christi and I know what needs to
14 be done."

15 Again, does that refer to lining up movies for
16 Johnny to do over the next several months?

17 A. Yes.

18 Q. And what was your understanding from the
19 conversation you had with Joel about what he was going
20 to be telling Johnny when he was in -- in London with
21 Johnny?

22 A. He was going to talk to him about his financial
23 situation.

24 Q. And did you understand from Joel that his
25 financial situation was dire?

1 MR. CHEW: Objection to the form of the
2 question.

3 MR. KUMP: Well, let me ask it this way.

4 BY MR. KUMP:

5 Q. Based on what Joel told you, what was your
6 understanding about Johnny's financial situation at this
7 time?

8 A. That he was spending too much money.

9 Q. Okay. And that something had -- something had
10 to be done to stop the spending?

11 A. Yes.

12 MR. CHEW: Objection to the form of the
13 question.

14 BY MR. KUMP:

15 Q. "Yes"?

16 A. Yes.

17 Q. Sorry, okay.

18 And did you talk to Joel after his trip to
19 London; do you recall?

20 A. Yes.

21 Q. And what did Joel tell you?

22 A. That he had spoken with him.

23 Q. And did he tell you what -- did he tell you what
24 he said to Johnny; what Johnny said to him?

25 A. No, not specifically.

1 Q. In general, did he explain to you the tenor of
2 the meeting or what was accomplished at the meeting?

3 A. I can't recall exactly.

4 Q. I understand you can't recall exactly, but do
5 you have a general recollection -- for example, did Joel
6 think that he had made progress in his discussions with
7 Johnny --

8 MR. CHEW: Objection to the form of the
9 question; calls for speculation.

10 MR. KUMP: Can I finish my question first?

11 MR. CHEW: Sure, I just wanted to object before
12 she answered it.

13 MR. KUMP: Yeah, but not before I finish it.

14 MR. CHEW: I'll let you finish.

15 BY MR. KUMP:

16 Q. Did you have a conversation with Joel in which
17 he told you generally about what he and Johnny had
18 discussed when they were in London together?

19 A. I think so.

20 Q. Okay. And what did Joel tell you?

21 A. It didn't sound like anything had changed.

22 Q. In the sense of what, Johnny wasn't going to
23 change his spending?

24 A. I don't think we got into the granular
25 specifics, but it didn't sound -- yes, it didn't sound

1 like that.

2 Q. In other words, Johnny was going to continue to
3 lead the life that he wanted to live?

4 MR. CHEW: Objection to the form of the
5 question.

6 MR. FREEDMAN: You can answer.

7 THE WITNESS: I don't think it was stated that
8 specifically, but I didn't get the sense that Johnny was
9 going to change.

10 BY MR. KUMP:

11 Q. And in -- what was your -- what was your sense
12 on all of the information that you had as to what
13 Johnny's life was at that time, in terms of his
14 spending?

15 MR. CHEW: Objection to the form of the
16 question.

17 THE WITNESS: That he was spending too much
18 money.

19 BY MR. KUMP:

20 Q. And that was a message that people had given to
21 him; correct?

22 A. I don't know about people. I know that Joel
23 said he gave it to him.

24 Q. Did you ever tell Johnny that you -- that he was
25 spending too much money? Let me withdraw that. Did you

1 ever tell Johnny that you had had a conversation with
2 Joel in which Joel told you he was concerned about the
3 money that Johnny was spending?

4 A. I don't think it was -- when I spoke to Johnny,
5 it was not related to Joel. I think it was that once
6 again -- and I know I said this earlier -- I was
7 concerned about the choices he was making due to the
8 fact he was always under pressure to make more money.

9 Q. Okay. Next one.

10 (Exhibit 57 marked.)

11 BY MR. KUMP:

12 Q. In the middle of the first page is an e-mail
13 from Christi to you. It says, "Spoke to Jake. He had
14 me try Jeremy. Left word. Jeremy texted he will call
15 Jake."

16 Do you know who Jeremy is?

17 A. I'm not sure.

18 Q. Is it -- who is Jeremy Zimmer?

19 A. That's who it must be.

20 Q. Who is Jeremy Zimmer?

21 A. He's the CEO of the United Talent Agency.

22 Q. Okay. And you wrote back and said, "What did
23 Jake say?"

24 And then there's an e-mail from Christi above
25 that that says, "He will say 15 plus perks and talk

1 about Lionsgate. I can fill you in on producing idea;
2 not a fan. And hoping there are more things that we end
3 up hearing about, knowing you have looked at all."

4 And then you write, "Anything is possible. I'm
5 not willing to gamble on Johnny's financial future
6 knowing what I currently know about April."

7 And this is at the end of the year -- late
8 December of 2013. Do you recall what this exchange was
9 about?

10 A. Not exactly. Again, it might be about
11 Mortdecai, because that was at Lionsgate.

12 Q. Right.

13 A. Or it could have been about Houdini.

14 Q. Because that was also at Lionsgate?

15 A. Yes.

16 Q. Yes, okay. And do you recall what the producing
17 idea was? Was there some possibility about Johnny being
18 a producer --

19 A. Well, on Mortdecai, he and Christi did produce
20 in their production company, which makes me think it's
21 about Mortdecai.

22 Q. And did he get a separate producing fee in
23 addition to his acting fee?

24 A. Yes.

25 Q. Did Christi get a producing fee?

1 A. Yes.

2 Q. Do you know how they split that?

3 A. No.

4 Q. She also says, "And hoping there are more things
5 that we end up hearing about, knowing you have looked at
6 all."

7 So, again, is this another instance in which you
8 think they're looking to you for more work?

9 A. Yes.

10 Q. Was that pretty constant at some -- starting at
11 some point in time?

12 A. Yes.

13 Q. For years?

14 A. Yes.

15 Q. And that was both from Johnny and from Christi
16 directly?

17 A. Yes.

18 Q. And, obviously, since you were talking from
19 Christi, more from her?

20 A. Yes.

21 Q. And it was always -- not always -- often about
22 getting the highest paid job?

23 A. Yes.

24 Q. And that was because he was in need of money?

25 A. Yes.

1 Q. And that's what they told you; correct?

2 A. Yes.

3 (Exhibit 58 marked.)

4 BY MR. KUMP:

5 Q. This is an e-mail that's dated September 2nd,
6 2015 from you to Joel with a copy to Christi. And the
7 subject is, "Did you tell Johnny." And then it says,
8 "He needs to make 25 million by the end of the year?
9 What are you doing? I'm in Europe."

10 Do you recall what this was about?

11 A. Somewhat.

12 Q. Now, Depp's lawyers had quote [sic] this in
13 their complaint that they filed in this case.

14 A. Yes.

15 Q. And they quote that, and they say that this is
16 -- this is evidence that you are hiding from Johnny the
17 fact that he was in difficult financial condition --
18 hiding -- that Joel Mandel was hiding from you, and
19 Depp, and everybody else, and that this e-mail proves
20 that. Like, is that what this e-mail is about?

21 MR. CHEW: Objection to the form of the
22 question.

23 THE WITNESS: Can I answer that?

24 MR. FREEDMAN: Yes.

25 THE WITNESS: So what's the question again? I'm

1 sorry.

2 MR. KUMP: No, no.

3 BY MR. KUMP:

4 Q. What is this e-mail about?

5 A. This e-mail happened -- I was in Venice with
6 Johnny for the premier of Black Mass. That was
7 September -- I was there for about five days. And
8 somehow, I was told -- and I don't think it was from
9 Joel, because I -- this e-mail wouldn't make sense if it
10 was from Joel. It must have come from Christi, most
11 likely. But I was told he needed a job right away,
12 because I did say earlier that in 2015 he was not
13 working a lot.

14 Q. Uh-huh.

15 A. So, yes.

16 Q. But when you say, "What are you doing?" --

17 A. Why are you putting me in this position to find
18 him any job for \$25 million.

19 Q. Okay. As I said, the way they have
20 characterized this e-mail is that Joel was hiding from
21 you and Johnny the fact that he was in financial
22 straits, and this is you saying for the first time, oh,
23 my God, I now know -- I now find out that Johnny is in
24 financial trouble. That -- is that what this e-mail was
25 about?

1 MR. CHEW: Objection to the form of the
2 question.

3 THE WITNESS: Can you repeat the question,
4 please.

5 BY MR. KUMP:

6 Q. What they have said in their complaint that was
7 filed in this case is that this e-mail from you is proof
8 that Joel Mandel was hiding from Johnny Depp, and from
9 everyone else, the fact that Johnny was in financial
10 trouble at the time, and that they are saying that this
11 e-mail is proof that you had just found out for the
12 first time that Johnny is having any sort of financial
13 problem.

14 Is that what this e-mail is about?

15 MR. CHEW: Objection to the form of the
16 question. You may answer.

17 THE WITNESS: No. I already knew he was in
18 financial trouble. I think what I mean by this is it
19 was September, and basically, I was being told he needed
20 to make \$25 million by the end of the year. So doing
21 the math, it's September, December is the end of the
22 year. That gave me, like, zero time to find that kind
23 of paying job, but I knew he was in trouble well before
24 this.

25 ///

1 BY MR. KUMP:

2 Q. But, again, this was -- this was not something
3 that Joel had told you. In other words, Joel hadn't
4 told --

5 A. I think Christi told me.

6 Q. Okay. So Christi said, it's my understanding
7 that Joel has told Johnny X?

8 MR. CHEW: Objection, form of the question.

9 MR. KUMP: Let me --

10 THE WITNESS: I don't understand the question.

11 MR. KUMP: I agree. I didn't either.

12 BY MR. KUMP:

13 Q. Your best recollection is that Christi said to
14 you, I understand Joel told Johnny he needs to make \$25
15 million by the end of the year. Is that what -- is that
16 --

17 MR. CHEW: Objection to the form of the
18 question.

19 MR. FREEDMAN: If you recall.

20 THE WITNESS: I, honestly, my recollection is
21 that this is something Christi told to me that I was
22 saying to Joel.

23 MR. KUMP: Okay.

24 THE WITNESS: That I have, basically, ten
25 minutes to find a \$25 million paying job.

1 BY MR. KUMP:

2 Q. And how is it -- how easy is it to find a \$25
3 million paying job?

4 A. Next to impossible.

5 Q. Okay. And I think that you said you were in
6 Venice at the time for the premier of Black Mass?

7 A. Yes, I was.

8 Q. So is this around the time that Johnny told you
9 he was mad at his sister and didn't want you talking
10 with her?

11 A. It was either at the Venice Film Festival or
12 right after that he told me.

13 Q. And, again, did he say why that was?

14 A. I think he did. I wish I could recall the
15 specifics. All I know -- all I can remember is that he
16 was not speaking to her, and that all -- everything I
17 needed to discuss should be done with him directly --

18 Q. Okay.

19 A. -- from now on.

20 Q. And so starting after -- starting after he told
21 you that, whether it was September --

22 A. It was in September.

23 Q. September of 2015. Thereafter, did you talk
24 with him directly?

25 A. All the time.

1 Q. More so than in the number of years leading up
2 to that?

3 A. Almost every day.

4 Q. Okay. And you were able to get ahold of him?

5 A. Yes.

6 (Exhibit 59 marked.)

7 BY MR. KUMP:

8 Q. This says -- this is an e-mail from you to Joel.
9 It says, "With B of A? What about selling the
10 back-ends?" Do you remember what this was about?

11 A. No, it sounds like it was about a loan.

12 Q. Okay. Was there -- did there come at some point
13 in time when Johnny spoke to UTA about the possibility
14 of either getting a loan or some type of -- some type of
15 money from UTA?

16 A. Yes.

17 Q. Okay. And do you know when that arose, or when
18 that occurred --

19 A. 2016.

20 Q. -- that was in '16?

21 A. Yes.

22 Q. Okay. This e-mail, which is your e-mail, it
23 says, "With B of A?" Do you know if Bank of America is
24 UTA's bank?

25 A. It's one of the banks we do business with.

1 Q. Okay. And you said, "What about selling the
2 back-ends?"

3 Do you see that?

4 A. Yes.

5 Q. Do you recall -- did you ever have any
6 conversations with either Joel Mandel or Jake Bloom
7 about a loan that they had arranged for Johnny that was
8 going to be based upon his residual or back-end payments
9 from -- from various movies?

10 A. I'm not sure about the construct of it, but my
11 understanding was that some of his back ends --
12 specifically Pirates and Alice, all movies that,
13 essentially, performed to approximately a billion
14 dollars or more were pledged against getting some cash.
15 I don't know how those loans were done. I wasn't
16 involved.

17 Q. Okay. But either Joel and/or Jake told you
18 about that at some point in time?

19 A. Yes.

20 Q. And did they tell you why it was necessary to do
21 that; do you recall?

22 A. I think he needed the cash.

23 Q. Okay. Okay.

24 MR. KUMP: He has to change the tape.

25 THE VIDEOGRAPHER: The time on the video monitor

1 is 12:58. This is the end of media one in the
2 deposition of Tracey Jacobs. We are going off the
3 record.

4 (Off the record.)

5 THE VIDEOGRAPHER: Good afternoon. The time on
6 the video monitor is 1:39 p.m. This is the beginning of
7 media number two in the deposition of Tracey Jacobs.
8 Please continue.

9 BY MR. KUMP:

10 Q. Ms. Jacobs, if you could look at the documents
11 in front of you. The last two we were looking at, which
12 are Exhibits 58 and 59 -- not that one.

13 A. Oh, shoot.

14 Q. Do you have 58 and 59?

15 A. Hold on. Mine must be out of order, I guess. I
16 have 54, 55, 56 -- what do you need?

17 Q. 58 and 59.

18 A. Yes.

19 Q. During the lunch break, my observant colleague
20 pointed something out to me, which is that I don't know
21 how to read your e-mails. So if you look at Exhibit 58
22 --

23 A. Yes.

24 Q. -- so the e-mail actually starts on the subject
25 line, "Did you tell Johnny."

1 Do you see that?

2 A. Yes.

3 Q. And then it starts below, which I hadn't picked
4 up before, the letter, Y, which -- so it reads, "Did you
5 tell Johnny why he needs to make 25 million by the end
6 of the year?"

7 A. Can I say something? It's not like me to
8 abbreviate, so it's a typo. I don't do those things
9 where I do U, C -- so this has got to be a typo. I'm a
10 horrible typist.

11 Q. Okay. So did you -- but am I correct that your
12 -- the e-mail essentially starts on the subject line,
13 "Did you tell Johnny?"

14 A. Yes.

15 Q. And then -- okay. Either, "Why," or, "He needs
16 to make 25 million by the end of the year? What are you
17 doing? I'm in Europe."

18 And as you testified, you were in Venice at the
19 time --

20 A. Yes.

21 Q. -- at the film festival?

22 A. Yes.

23 Q. And so you felt that this e-mail was putting a
24 lot of pressure on you to go out and find something that
25 you thought was probably impossible to do at the end of

1 the year?

2 A. Yes.

3 Q. Okay. And that -- that -- that pressure was
4 coming, as I read this, from Christi, as much as anyone;
5 is that correct?

6 A. Yes.

7 Q. Okay. If you look at exhibit -- the next one,
8 Exhibit 59. Again, just reading it the way Suann
9 suggested. So it really says, "Any update with B of A?"

10 Do you see that?

11 A. Yes.

12 Q. Okay. And do you recall at that -- and we'll
13 see other documents, but do you recall, now, that at
14 that point in time, there was a discussion about UTA's
15 bank, Bank of America, loaning money, in some form or
16 another, to Johnny?

17 MR. CHEW: Objection to the form of the
18 question.

19 THE WITNESS: Can I answer?

20 MR. KUMP: Sure.

21 MR. FREEDMAN: Yes.

22 THE WITNESS: I'm a little confused, because I
23 recall the loan conversation in 2016. So I'm not sure.

24 MR. KUMP: Okay. Let me show you the next
25 document. That will -- maybe...

1 (Exhibit 60 marked.)

2 BY MR. KUMP:

3 Q. At the bottom is an e-mail from somebody named
4 Raul Anaya at the Bank of America.

5 Do you know who he is?

6 A. I think he runs the division of B of A as it
7 relates to, like, famous people's loans, and we do
8 business with him.

9 Q. Okay. And you see at the top of this e-mail is
10 your e-mail to Jake's assistant, to Joel, where you
11 said, "From our contact at Bank of America."

12 Do you see that?

13 A. Yes.

14 Q. Okay. And in the e-mail below -- by the way,
15 the subject is Paul D. Who is Paul D.? Is that one of
16 the -- is that one of the, what is it, nom de plume or
17 aliases that sometimes is used when they're referring to
18 Mr. Depp?

19 A. I've never heard Paul D. That doesn't mean it
20 isn't. I have never heard that before.

21 Q. Okay. Anyway, Raul Anaya writes to Andrew. And
22 who is Andrew Thau?

23 A. Andrew Thau is our COO; correct, Michael?

24 MR. FREEDMAN: He's not going to answer.

25 THE WITNESS: Oh, sorry.

1 MR. FREEDMAN: I instruct you not to answer.

2 THE WITNESS: Sorry. He's our COO.

3 BY MR. KUMP:

4 Q. He works at UTA?

5 A. Yes.

6 Q. And the gentleman from Bank of America was
7 saying, "We spoke to Joel on Friday and we are moving it
8 along. There may be a shortfall in value from his art
9 collection, so we are getting an appraisal on it. We
10 hope to have a better sense of what we can do once we
11 get the appraisals back. As we discussed, issue is he
12 is asset-rich, but CF-poor for now. We know it will
13 change so we are trying to figure out the right
14 structure for him. I will update you as we get more
15 info."

16 Does this refresh your recollection as to the
17 timing --

18 A. Yes.

19 Q. Okay.

20 A. Obviously, I was wrong that it happened in 2015,
21 at the end of 2015, not 2016. That's when the
22 conversations must have started.

23 Q. Okay. And what do you recall -- what were the
24 conversations about?

25 A. About him having us loan him money.

1 Q. "Him," being Johnny Depp?

2 A. Yes.

3 Q. And is that something that he proposed or that
4 UTA proposed?

5 A. He proposed.

6 Q. Okay. And did he talk to you about it first, or
7 somebody else --

8 A. No, he talked to me, Jim Berkus, Jeremy Zimmer,
9 Jake Bloom, I believe Michael Schenkman was in the
10 meeting. It was at his office.

11 Q. At Johnny's office?

12 A. Yes.

13 Q. And was Joel there; do you recall?

14 A. I believe so. I'm not 100 percent sure.

15 Q. And what was the purpose of that meeting?

16 A. He called the meeting, and I wasn't sure what
17 the purpose was, but it became apparent very quickly.

18 Q. And did he -- did Mr. Depp specifically ask that
19 the other people from UTA also be invited; do you
20 recall?

21 A. Either I asked for them to be there, or he did.
22 I asked, because I didn't exactly know what it was, but
23 I had an idea it was going to be about money.

24 Q. Okay. And what did Mr. Depp say at this
25 meeting?

1 A. He walked into the -- he walked into the room,
2 and he asked us to give him \$20 million.

3 Q. As a loan?

4 A. No, to give him \$20 million.

5 Q. And did he say why he wanted UTA to give him \$20
6 million?

7 A. Because he felt we should, because we had made
8 so much money together over the years.

9 Q. Was Christi at this meeting; do you recall?

10 A. I don't think she was there during this part,
11 no.

12 Q. And was that really how the meeting started --

13 A. I can't say is it exactly how the meeting
14 started, but it was very quickly right into it.

15 Q. Okay. And what was the response from UTA, any
16 of the UTA people?

17 A. Shock.

18 Q. What did Jim Berkus or anyone say to Johnny?

19 A. He said, Johnny, we're not in the position to
20 give you \$20 million. We can't do that.

21 Q. And what was Mr. Depp's response?

22 A. He was angry.

23 Q. Visibly angry?

24 A. Yes.

25 Q. And what did he say?

1 A. I've made a lot of money for all of you. I'm
2 having difficulty, and you should help me out.

3 Q. Was there a discussion, then, about any ways in
4 which UTA could help him out at that meeting?

5 A. We said we would try -- Jim or Jerry said, we
6 will try and figure out a way, if we can, to loan you
7 some money. And then he lowered his ask to 15 million.

8 Q. Again, just cash or loan?

9 A. Initially, it was just we should give it to him.

10 Q. Okay.

11 A. But we said we weren't going to give him money.

12 Q. Now, at this point in time -- this was in
13 November of 2015 -- how did you -- what did you think --
14 how did you think your relationship with Johnny was at
15 that time, professionally?

16 A. Complicated and difficult.

17 Q. Did you think that it was trending on a negative
18 -- in a negative direction?

19 A. Yes.

20 Q. And did you think that -- had he become more and
21 more difficult to deal with during this period of time?

22 MR. CHEW: Objection to the form of the
23 question.

24 THE WITNESS: Yes.

25 ///

1 BY MR. KUMP:

2 Q. This is, again, as you testified, starting in
3 September of that year, 2015, he had asked that you deal
4 with him directly; correct?

5 A. Yes.

6 Q. And so from September of 2015 until the time of
7 this meeting, you had been dealing with him a lot more
8 than you had in prior years; correct?

9 A. Yes.

10 Q. And how would you characterize those
11 communications that you were having with him in this --
12 in this period, this last --

13 A. Really good, accessible, responsive, either to
14 e-mails or phone calls.

15 Q. And with respect to discussions about his career
16 and things of that sort, was it collaborative?

17 A. I felt that way, yes.

18 Q. But it sounds as though, at this meeting, there
19 was a much darker tone.

20 A. Yes, I guess I didn't realize it was that short
21 a period of time. I thought it was longer.

22 Q. Okay. And how did the -- how did that meeting
23 end, at his office?

24 A. He was furious.

25 Q. And was there -- did it end with a discussion

1 that UTA would get back to him with some ideas?

2 A. Yes -- sorry.

3 Q. No. And do you recall anything else that
4 anybody else at that meeting said?

5 A. I think it was explained to him either by Jim or
6 Jeremy -- no one really said anything except for Jim or
7 Jerry, how we couldn't just give clients money, and we
8 couldn't be in the business of loaning clients 15 to \$20
9 million, and Jim and Jerry both said -- I don't recall
10 which one -- that, let us think about if there's
11 something else we can do and get back to you.

12 Q. Okay. And -- so from that meeting, did it
13 evolve to the possibility of UTA giving a loan or some
14 type of guarantee in connection with a loan?

15 A. Not in that meeting. They said they would think
16 about it, and they did, and got back to him very
17 quickly.

18 Q. Okay. And were you involved in those subsequent
19 communications with Johnny?

20 A. No.

21 Q. Those were directly from either Jim Berkus
22 and/or Jeremy Zimmer?

23 A. No, I think it was to Andrew Thau, who I just
24 described what he does.

25 Q. Okay. And what was the proposal that UTA went

1 back to Johnny Depp with?

2 A. I don't know, I wasn't involved with the
3 proposal.

4 Q. Were you continuing to talk to Mr. Depp during
5 this period of time about movies and things of that
6 matter?

7 A. Obviously, not as much as I thought I was.

8 Q. After -- after the meeting at which he was so
9 angry with UTA, did you -- did you talk to him about,
10 you know, what projects might be coming up and things of
11 that sort, or did his anger carry over to the
12 relationship?

13 A. As I recall, he was just very angry, and he was
14 also going through the divorce things. So he was very
15 angry.

16 Q. Okay. Did you ever talk to him about the
17 divorce?

18 A. Yes.

19 Q. And what did he tell you?

20 A. That he didn't hit her, and -- I don't really
21 remember much else; that it was a very difficult period
22 for him.

23 Q. And did Mr. Depp ever lie to you, that you know
24 of, at any time?

25 A. I believe so.

1 Q. Do you know what about?

2 A. I think drugs.

3 Q. Okay. You had conversations with him about his
4 drug use; correct?

5 A. Yes.

6 Q. You were concerned about it because of its
7 impact on his professional career?

8 A. More so because of the impact on his life and
9 his children.

10 Q. Right, right. And when is it that you first had
11 a conversation with him about his drug use?

12 A. How far back do you want to go?

13 Q. When is the first time that you had a
14 conversation?

15 A. Approximately 25 years ago.

16 Q. Okay. And did you have conversations with him
17 about his drug use during that 25-year period, off and
18 on?

19 A. Yes.

20 Q. Was it a -- was it a problem?

21 A. Yes.

22 Q. Was it ever not a problem?

23 A. Yes.

24 Q. Okay. There was a period -- did -- at some
25 point, did he go into a detox problem; do you recall?

1 A. I don't know.

2 Q. Okay. You weren't involved in efforts to get
3 him into a detox program --

4 A. I tried to get him into rehab. I don't know if
5 he ever went into detox.

6 Q. Okay. Did his -- from your perspective, in your
7 experience with him, did the drug use affect his moods
8 and his personality?

9 MR. CHEW: Objection to the form of the
10 question; calls for speculation.

11 MR. FREEDMAN: You can answer.

12 THE WITNESS: Yes.

13 BY MR. KUMP:

14 Q. Okay. In a negative way?

15 A. Yes.

16 Q. How so?

17 A. Anger, hostility, unwillingness to communicate.

18 Q. Did it affect -- did his drug use affect his
19 professional career, in terms of his performance, such
20 as his reliability, his showing up on time, things of
21 that nature?

22 MR. CHEW: Objection to the form of the
23 question; calls for speculation.

24 MR. FREEDMAN: You can answer.

25 THE WITNESS: Yes.

1 BY MR. KUMP:

2 Q. Okay. And do you know that from talking to
3 people who were directly involved with trying to get him
4 to perform, and otherwise appear on time?

5 A. Yes.

6 Q. And I think you testified previously that
7 starting in or around 2010, you had more and more
8 difficulty getting jobs for him, or, you know, movies
9 for him, because word was out that he was difficult,
10 things of that nature. Did the drug use figure into
11 those concerns, as well?

12 MR. CHEW: Objection to the form of the
13 question.

14 MR. FREEDMAN: You can answer.

15 THE WITNESS: Yes.

16 BY MR. KUMP:

17 Q. And are these issues -- the drug use, the
18 inability to show up on time, all of those problems also
19 things that you discussed with Christi during that
20 period of time?

21 A. Yes, but I also discussed it with Johnny
22 directly.

23 Q. Okay. And did you -- did you ever feel like you
24 broke through in talking to him, where he really got
25 what you were trying to tell him?

1 A. No.

2 Q. And that's true during this entire period of
3 time?

4 A. On and off. I can't say it was true
5 consistently. More on than off.

6 Q. More often than not?

7 A. Yes.

8 Q. Okay. How about alcohol abuse, was that also
9 part of the problem?

10 A. Yes.

11 Q. Could you tell from your own experience where,
12 when the issue was alcohol abuse versus drug abuse, or
13 did they kind of run together?

14 A. They --

15 MR. FREEDMAN: Objection to the form of the
16 question. You can answer.

17 THE WITNESS: I couldn't tell.

18 BY MR. KUMP:

19 Q. You just knew that there was obviously a problem
20 because he was abusing substances?

21 A. I think it was both.

22 Q. Okay. Did you believe him when he told you that
23 he hadn't hit Amber?

24 MR. CHEW: Objection to the form of the
25 question.

1 MR. FREEDMAN: You can answer.

2 THE WITNESS: Yes.

3 BY MR. KUMP:

4 Q. Okay. Since then, have you learned anything
5 that would make you believe that he did, in fact, hit
6 her?

7 A. Yes.

8 Q. Okay. Was it her testimony under oath in court?

9 MR. CHEW: Objection to the form of the
10 question.

11 MR. FREEDMAN: You can answer.

12 THE WITNESS: No.

13 BY MR. KUMP:

14 Q. What was it that made you believe that, in
15 fact -- that he did, in fact, hit her?

16 MR. CHEW: Objection, calls for speculation.

17 THE WITNESS: That it was his behavior, and his
18 inconsistencies, and violent outbursts that led me to
19 believe it was a possibility.

20 BY MR. KUMP:

21 Q. Did he ever have a violent outburst with you?

22 A. Do you mean toward me?

23 Q. Yes, thank you. Let me ask that again.

24 A. Physically?

25 Q. No, let me rephrase that.

1 Did Johnny Depp ever have an outburst of anger
2 towards you -- in other words, verbal anger?

3 A. Yes.

4 Q. Okay. On more than one occasion?

5 A. Yes.

6 Q. Did he raise his voice?

7 A. Yes.

8 Q. Was he clearly visibly angry?

9 A. Yes.

10 Q. I assume he never, you know, touched you --

11 A. No.

12 Q. -- in an inappropriate way, okay.

13 And over the -- over all of the years, can you
14 -- can you quantify or estimate the number of times that
15 he got angry to the point where it really concerned you
16 -- just to you, personally?

17 A. I can't quantify.

18 Q. Was it more than a couple of times?

19 A. Yes.

20 Q. Okay. And did these instances of his anger seem
21 to intensify as time went on?

22 A. Yes.

23 Q. Okay. And in the last part of your time with
24 him, 2015 and 2016, did the instances of his outright
25 anger towards you increase, as well?

1 A. Yes.

2 Q. Would it be -- is it fair to say that based upon
3 your personal experience with Mr. Depp, that in this
4 period of 2015 and '16, he was -- he was angry?

5 A. Yes.

6 Q. He was angry at everybody?

7 A. Yes.

8 Q. And that anger manifested itself in the way he
9 dealt with you; correct?

10 A. Yes.

11 Q. And did you see and observe that it manifested
12 in the way in which he dealt with other people around
13 him?

14 A. Yes.

15 Q. Was it a negative?

16 A. Yes.

17 Q. And did it hurt his career?

18 A. Yes.

19 Q. Since the time that you stopped being his talent
20 agent, what movies has Mr. Depp done?

21 A. Well, he's done a number of movies, but they
22 were movies that I put him in.

23 Q. Right. So I'm putting those aside. In terms of
24 movies --

25 A. That he's done at the other agency?

1 Q. Yes.

2 A. One very small movie.

3 Q. And what was that?

4 A. I don't know what it's called.

5 Q. Okay. How many -- do you know how many movies
6 you represented Mr. Depp in connection with during his
7 career?

8 MR. FREEDMAN: Objection, vague.

9 BY MR. KUMP:

10 Q. So do you know if it was 20 movies, 30 movies
11 that you negotiated on his behalf?

12 A. I would have to say, I believe, between 30 and
13 50.

14 Q. And do you know what -- again, approximately,
15 the amount of revenues and income that that generated
16 for Mr. Depp?

17 A. Yes.

18 Q. What was that?

19 A. Six hundred fifty million dollars.

20 Q. And that was based upon your representation of
21 him?

22 A. Yes.

23 Q. Okay. When was the last time you ever spoke to
24 Mr. Depp?

25 A. October 27th, 2016.

1 Q. You have not spoken to him since then?

2 A. No.

3 Q. And what occurred on that date?

4 A. He called me in London on the phone.

5 Q. You were in London?

6 A. Yes.

7 Q. Okay. And what did he say to you?

8 A. I have something to tell you.

9 Q. Okay. And what did he tell you?

10 A. I'm going to CAA.

11 Q. And what else did he say?

12 A. I just feel they're going to do a better job for
13 me and the company, which I don't think you've paid any
14 attention to. And I don't like UTA, and I'm not happy.
15 I don't remember exactly what I said, but you didn't ask
16 me, but I do remember the end of the conversation, he
17 slammed the phone down on me.

18 Q. He slammed the phone down?

19 A. Yes.

20 Q. When he said you hadn't done -- you hadn't
21 handled his company properly, you mean his production
22 company?

23 A. Uh-huh, yes.

24 Q. And had he complained to you before about what
25 he viewed as UTA's handling of his production company?

1 A. Yes.

2 Q. What had been his complaint?

3 A. That we weren't setting up these esoteric
4 projects that he either co-wrote or found scripts that
5 nobody wanted to make, and I got blamed for it.

6 Q. And did you tell him that he was -- he was
7 trying to, you know, make projects that were just
8 unmarketable?

9 A. Yes.

10 Q. And was that a message he wanted to hear?

11 A. No.

12 Q. And he blamed you for it?

13 A. Yes.

14 Q. And that went on over a number of years?

15 A. The last several years.

16 Q. Okay. Did UTA try to get projects for his
17 company made?

18 A. Yes, and we did, sometimes.

19 Q. Okay, okay. When you received the call on
20 October 27th, 2016 when you were in London, did you know
21 that that call was coming?

22 A. Well, yes, he had e-mailed me repeatedly during
23 the afternoon saying, I need to talk to you, honey, XX;
24 when will you be around, sweetheart, XX; can I reach you
25 later on? I'm at the studio right now, XX; hit me up

1 when you're available, XX.

2 Q. Well, did you think that was going to lead to a
3 negative conversation or a positive conversation, or did
4 you know?

5 A. Intuitively, I knew.

6 Q. Really?

7 A. Yes.

8 Q. Can you explain how?

9 A. Because Christi had been indicating for some
10 time that she loved CAA, and it was just out of nowhere,
11 and he was being overly nice in texts, and I was
12 suspicious.

13 Q. So Christi had said to you prior to that time
14 that she liked CAA?

15 A. Uh-huh.

16 Q. You have to say "yes" or "no," I'm sorry.

17 A. Yes, I'm sorry, yes.

18 Q. And did she say why she was having that
19 conversation with you?

20 A. Yes, the production company was -- that she
21 preferred the way they dealt with the production company
22 to the way we dealt with it.

23 Q. Well, was -- did CAA take over the production
24 company prior to Johnny firing you?

25 A. I'm not exactly sure. I think they did.

1 Q. Okay. But you weren't really sure whether or
2 not that was going on --

3 A. No, I think they were using it to sign him as an
4 actor.

5 Q. I see, okay. And do you recall anything that
6 you said to Mr. Depp during the phone conversation that
7 the two of you had on October 27th?

8 A. Yes.

9 Q. What did you say to him?

10 A. I said I would think after 30 years, you could
11 show me enough respect that I told you I was going to be
12 back in Los Angeles tomorrow, and that you had to wake
13 me up at 2:00 in the morning to tell me this, almost
14 gleefully, is an insult to me and to our relationship.
15 And it was really upsetting that this is how he felt he
16 had to do it.

17 Q. And what did he say to that? Did he have --

18 A. He started screaming at me. I don't recall
19 exactly what he said. And then he slammed the phone
20 down on me.

21 Q. And that was the last time you ever spoke to
22 him?

23 A. Yes. And then he texted me.

24 Q. Oh, what did he say in his text?

25 A. He -- I think you subpoenaed all my texts.

1 Q. Yes.

2 A. He said, if I recall, something along the lines
3 of, while I know that was difficult, and I wish it
4 hadn't been quite like that, in case I didn't say on the
5 phone, I wanted to let you know that I will be taking my
6 daughter with me, as well. She will be leaving UTA,
7 Johnny.

8 Q. And at that time, UTA had been representing his
9 daughter, Lily-Rose?

10 A. Yes, who he asked us to represent.

11 Q. Okay. And you had been representing her for
12 some period of time?

13 A. A year, maybe.

14 Q. Okay. Next.

15 (Exhibit 61 marked.)

16 BY MR. KUMP:

17 Q. This is an e-mail from you to Joel Mandel,
18 November 16th, 2015. It says, "Johnny said he is seeing
19 you at 1:00 p.m. today. Hope it goes well. I told him
20 to listen, and we are all here to help him."

21 Can you recall what this e-mail was about?

22 A. Not exactly, but it sounds like it was about
23 getting him some money.

24 Q. Right. And you said, "I told him to listen, and
25 we are all here to help him."

1 Do you recall -- you recall that conversation
2 with him?

3 A. No.

4 Q. Okay. But you have no reason to assume your
5 e-mail is not accurate?

6 A. No.

7 Q. Okay. Did you recall -- did you speak to either
8 Johnny or Joel Mandel after they met on that -- on that
9 -- at that time?

10 A. I don't recall.

11 Q. Okay.

12 (Exhibit 62 marked.)

13 BY MR. KUMP:

14 Q. These are e-mails from January 19th, 2016
15 between you and Joel Mandel. And I take it this is
16 about the potential loan or guarantee that UTA was
17 trying to arrange with Bank of America?

18 A. Yes.

19 Q. Okay. And, again, you were not directly
20 involved in those efforts; correct?

21 A. Correct.

22 Q. Okay. At the top, you say -- you're referring
23 to what Andrew Thau said below in his e-mail to you
24 where he was explaining to you the status of things.
25 You said, "This is good news. Also, I may have two

1 other offers in the next week."

2 Do you see that?

3 A. Yes.

4 Q. Okay. And, again, did you feel at this point in
5 time there was pressure on you to find paying jobs for
6 him?

7 A. Yes.

8 Q. But that had been true for the last few years;
9 correct, or number of years?

10 A. Yes.

11 (Exhibit 63 marked.)

12 BY MR. KUMP:

13 Q. This is an e-mail, Ms. Jacobs, from you to
14 several people on January 21st, 2016 regarding Johnny.
15 And it says, "My office is going to be setting a meeting
16 for next Thursday, January 28th, with Johnny at his
17 office. Please allocate two hours' time for the meeting
18 so we have enough time. Thank you."

19 Is that the meeting that you told us about, or
20 is that a separate meeting?

21 A. I'm a little confused by the time frame.

22 Q. Okay.

23 A. I think this -- I guess I'm a little confused,
24 because we seemed to be talking about the loan before
25 this, but I think this is the meeting where he said what

1 I earlier testified to, where the \$20 million came up,
2 because Jake -- sorry, Jake, Jim, Jeremy, and I believe
3 Joel and myself, were all there.

4 Q. The meeting -- do you recall a meeting that took
5 place with all of those people at UTA?

6 A. No, there was one that took place at Infinitum
7 Nihil at Johnny's office on Melrose.

8 Q. Right. But you don't remember an additional
9 meeting with those same people at your UTA office?

10 A. No, I think it was at his office.

11 Q. Okay.

12 (Exhibit 64 marked.)

13 BY MR. KUMP:

14 Q. Exhibit 64 is an e-mail a couple of days later,
15 again from you, where you said, "On Thursday, Joel will
16 walk him through the math of what he has to do to be
17 financially okay. He needs to do two big movies this
18 year, plus commercials, and selling the French house."

19 Do you see that?

20 A. Yes.

21 Q. Now, do you recall where you got the information
22 that Johnny needed to do two big movies this year, plus
23 commercials, and selling the French house?

24 A. Sounds like I got that information from Joel.

25 Q. Okay. And there was a meeting -- so this is

1 January 26th. There was a meeting on -- two days later,
2 on January 28th, and that's, you think, the meeting that
3 took place at Johnny's office?

4 A. Yes.

5 Q. Now -- and you've told us everything that you
6 can remember about that meeting?

7 A. Yes.

8 Q. Was there ever any point in time where either
9 Johnny or his sister, Christi, told you or anyone else
10 at UTA that you guys -- or that UTA should loan him
11 money because the Mandels had also loaned him some
12 money?

13 MR. CHEW: Objection to the form of the
14 question.

15 MR. FREEDMAN: You can answer.

16 THE WITNESS: Christi had told me that Joel had
17 loaned Johnny \$8 million sometime before. I don't
18 exactly know when.

19 BY MR. KUMP:

20 Q. And in -- was that a -- do you recall, was that
21 a conversation face to face with Christi, over the
22 phone?

23 A. I believe it was on the phone.

24 Q. Okay. And was that prior to this meeting that
25 took place?

1 A. Well before.

2 Q. Okay. So it was sometime back in 2015?

3 A. I believe so.

4 Q. Okay. And do you recall what it was that --
5 what did you say in response to her when she said that?

6 A. Wow.

7 Q. And did you -- did she -- did it come up in the
8 context of her saying, you know, you guys should loan
9 money because Joel also gave us money? Or do you recall
10 the context --

11 MR. CHEW: Objection to the form of the
12 question.

13 THE WITNESS: Do you want to restate the
14 question for me?

15 MR. KUMP: Sure.

16 BY MR. KUMP:

17 Q. When Christi told you that the Mandels had
18 loaned Johnny \$8 million, did that just come out of the
19 blue, or was it in the context of a conversation about
20 what UTA should be doing?

21 A. I think it was in the context of Johnny's
22 financial situation, because we spoke often about it.
23 And I don't remember exactly how it came up, but it came
24 up that Joel had loaned him \$8 million. I was shocked.
25 You know. And I said to Christi, was this Joel -- or

1 Joel and Rob, personally? And she said yes. I said,
2 I've never heard of a business manager doing that.

3 Q. Was there any discussion about whether Jake had
4 loaned any money --

5 A. I said to her, has Jake loaned him money? And
6 she said no.

7 Q. Do you know -- do you know if they had asked
8 Jake to loan any money?

9 A. I don't know.

10 Q. Okay. She didn't say that?

11 A. No.

12 Q. And did -- did the -- did the topic of the
13 Mandels loaning money to Johnny come up again with
14 Christi after that one time?

15 A. Yes.

16 Q. Okay. When else did it come up?

17 A. I don't recall specifically, but at some point,
18 not far from this meeting, it was brought up in the
19 context of, that we would be expected to do something
20 similar. There was never an amount discussed.

21 Q. Okay. And was that -- was that also something
22 that Johnny said to you, versus to UTA?

23 A. No, not until the meeting.

24 Q. Okay. But prior to the meeting, Christi had
25 said it?

1 A. Yes.

2 Q. And at the meeting, when Johnny was asking for
3 money, did he also mention the fact that the Mandels had
4 loaned him money?

5 A. No.

6 Q. Okay. Did you say at some point, did Christi
7 join the meeting; do you recall?

8 A. I don't think she did.

9 Q. Okay. Next.

10 (Exhibit 65 marked.)

11 BY MR. KUMP:

12 Q. This is an e-mail exchange -- by the way, I note
13 that one of the people who's copied on this e-mail is
14 Christi. So at this point in time, she was presumably
15 back in the picture?

16 A. Yes.

17 Q. Okay. And this is an e-mail on February 12th,
18 2016 from you to Joel and several other people. It
19 says, "Joel, you really need to speak to him Tuesday to
20 explain the need for him to do a film, even if not this
21 one. I just spoke to the business manager, who told me
22 Johnny may gross 100 grand a week for a couple of weeks,
23 maximum."

24 And then there's another e-mail from you above

25 --

1 MR. FREEDMAN: Just to interrupt you for a
2 second. You said business manager.

3 MR. KUMP: Thank you. "I just spoke" -- I have
4 it on the brain.

5 BY MR. KUMP:

6 Q. "I just spoke to the music manager, who told me
7 Johnny may gross 100 grand a week for a couple weeks,
8 max."

9 Do you see that?

10 A. Yes.

11 Q. Then a couple of minutes later you also added,
12 you said, "Also, she wants to know next week that she
13 can book more July dates, and into August. This will
14 render him unavailable for potentially any movies this
15 year."

16 Do you see that?

17 A. Yes.

18 Q. Now, was this -- is the music manager somebody
19 who was booking him for his rock and roll career?

20 A. This was Trudy Green that I was referring to.
21 She manages Joe Perry, who's part of the Hollywood
22 Vampires -- yes.

23 Q. Excuse me. So at this point in time in February
24 of 2016, Mr. Depp was playing with that band -- was
25 going to play with them?

1 A. Yes.

2 Q. And what was your concern about him playing with
3 the band?

4 A. Because he was just booking dates left and right
5 with no concern -- after me being yelled at about the
6 money and how much he needed to earn, that he was
7 booking dates for months with no concern for movies,
8 which is what provided him his real income. He didn't
9 care.

10 Q. And so you said, "I just spoke to the music
11 manager" -- and that was Trudy Green?

12 A. Yes.

13 Q. Who told me Johnny may gross 100 grand a week
14 for a couple weeks max?

15 A. Uh-huh.

16 Q. That's the only income he could be looking at if
17 he pursued this rock and roll career?

18 A. Yes.

19 Q. And in your e-mail above, which went to Joel and
20 Christi and the folks at Bloom Hergott, you said this
21 will render him unavailable for potentially any movies
22 this year. And why was that a concern?

23 A. Because he was blocking out huge money-earning
24 months in terms of when movies were being green-lit.
25 And I explained this to Christi, and Christi essentially

1 threw me under the bus with Johnny, saying I was trying
2 to interfere with his music playing, and trying to screw
3 up the tour, which, I guess, meant more to him than
4 making money on a movie.

5 Q. And did that anger him?

6 A. Yes.

7 Q. And did he voice his anger to you?

8 A. Yes.

9 Q. And he thought you were trying to sabotage or
10 somehow interfere with his music career?

11 A. Yes.

12 Q. Okay.

13 (Exhibit 66 marked.)

14 BY MR. KUMP:

15 Q. And this is also your e-mail of March 7, 2016.

16 A. Yes, I read it.

17 Q. "Christi just told me J is doing the tour until
18 August."

19 This is to Joel Mandel. Did you ever e-mail or
20 text him? This flies in the face of what we discussed
21 last week.

22 Do you recall what it was that had been
23 discussed last week?

24 A. Yes, taking a movie, because he was in desperate
25 straits for money, and at the same time, he was booking

1 himself, between Trudy Green, Christi, and Shep Gordon,
2 for this tour that the Hollywood Vampires were doing.

3 Q. When you say this flies in the face of what we
4 discussed last week, was Johnny part of these
5 discussions; do you recall? Or Christi?

6 A. It was Christi.

7 Q. And the discussions you had had the prior week
8 with Christi, did you think there was a consensus
9 reached that Johnny needed to book a movie?

10 A. Yes.

11 Q. And so this -- you viewed this as, obviously,
12 inconsistent with that?

13 A. I viewed it as she threw me under the bus.

14 Q. Okay. And, basically, she told Johnny what he
15 wanted to hear?

16 A. Yes.

17 Q. And used you as the scapegoat?

18 A. Yes.

19 Q. This is -- by the way, this e-mail is one week
20 before Johnny terminated Joel Mandel as his business
21 manager, which occurred on March 14th, 2016.

22 Did you know that Johnny was going to terminate
23 Joel Mandel as his business manager?

24 A. No.

25 Q. And how did you find out about it?

1 A. I think either Christi or Johnny told me.

2 Q. And what did they tell you?

3 A. That he fired Joel Mandel.

4 Q. And did they tell you why?

5 A. No.

6 Q. Did you ever have a conversation with Johnny
7 after that as to why he fired Joel Mandel?

8 A. No.

9 Q. Did -- okay. When was the first time you met Ed
10 White -- well, let me rephrase that. When was the first
11 time you had any communications of any sort with Ed
12 White?

13 A. Pretty soon after Johnny hired him. I don't
14 know exactly when he hired him.

15 Q. Okay. And did you ever meet Ed White face to
16 face?

17 A. Yes.

18 Q. Okay. On more than one occasion?

19 A. Yes.

20 Q. And did you have regular communications with Ed
21 White from the time that he was hired until you were
22 terminated?

23 A. Fairly regular.

24 Q. Okay. And what -- generally, what were those
25 communications about?

1 A. Money, and doing movies, and that he needed
2 money, and that Ed had was going to get him a big loan
3 from the Bank of California.

4 Q. Did you play any role in getting the loan from
5 Bank of California?

6 A. No, I don't think Johnny got the loan through
7 Bank of California through Ed White, either.

8 Q. Who did he get the loan through?

9 A. I don't know.

10 Q. Did you ever hear anything about a gentleman by
11 the name of Sheikh Farhad [sic]?

12 A. It's not Sheikh Fahad -- Fahad -- I believe I'm
13 saying that correctly -- somehow Johnny met a couple
14 years earlier in London. And I guess his sole purpose
15 for his existence was to introduce Johnny to Eric
16 Princes.

17 Q. And did he loan money to Johnny; do you know?

18 A. He had no money to loan.

19 Q. Okay. What did he -- did he and Johnny pal
20 around together?

21 A. Yes.

22 Q. I think I've seen -- were they on some yacht
23 together?

24 A. Yes.

25 Q. Do you know what it was that -- did Johnny get

1 advice from this guy?

2 A. Yes, I -- I believe he was the motivator for
3 Johnny to fire Joel Mandel.

4 Q. Okay.

5 A. And probably me, as well.

6 Q. And was he also the go-between with Bank of
7 California; do you know?

8 A. He acted as though he was.

9 Q. Okay. Did you ever meet this -- this Arab
10 gentleman?

11 A. Yes. He's not Arab. He's Pakistani.

12 Q. I'm sorry, that doesn't sound right. I didn't
13 mean to mischaracterize him.

14 Where did you meet him?

15 MR. FREEDMAN: You're going to get fired before
16 the end of this depo.

17 THE WITNESS: I met him for lunch. Jim Berkus
18 and I had lunch with him at the Polo Lounge.

19 BY MR. KUMP:

20 Q. At Johnny's request?

21 A. Yes.

22 Q. Okay. And what was -- do you recall when that
23 was, approximately?

24 A. It would have been near this time.

25 Q. Okay. And what was discussed at lunch?

1 A. How he was raising money for Johnny, and he was
2 going to produce all of his movies, how he had access to
3 a lot of foreign money and investments, and he was going
4 to be involved in every aspect of Johnny's professional
5 life.

6 Q. And what was your reaction to that?

7 A. I thought he was full of shit.

8 Q. Did he ever raise any money?

9 A. None.

10 Q. Did he ever put Johnny in any movies?

11 A. Never.

12 Q. Okay. Did -- after your meeting with him, did
13 you ever talk to him again?

14 A. Yes.

15 Q. And what were the circumstances of that?

16 A. Just to ask him how it was coming on raising
17 money for this script Johnny had, that he said he had
18 all the money for; he never had a dime for it. And he
19 -- he was just an absolute con man. I looked up all of
20 his producing credits. He had one of some movie that I
21 had never heard of.

22 Q. Did you ever mention any of this to Johnny about
23 your reactions or impressions of this gentleman?

24 A. I don't think that specifically, but I did say I
25 didn't trust him.

1 Q. Okay. And did Johnny continue to rely upon him?

2 A. Yes.

3 Q. Okay. Do you know if he was relying upon him at
4 the time that you were terminated?

5 A. Yes.

6 Q. Okay. And do you think -- you think this guy
7 played some role in your termination?

8 A. Yes.

9 Q. Did he have some sort of relationship with
10 another agency that he wanted to move Johnny to?

11 A. I don't know.

12 Q. Okay.

13 (Exhibit 67 marked.)

14 BY MR. KUMP:

15 Q. This is an e-mail dated March 9, 2016 from you
16 to Gueran Ducoty?

17 A. Gueran Ducoty.

18 Q. And who is that?

19 A. He's a commercial agent at UTA.

20 Q. And is this regarding a possible commercial or
21 endorsement of some type with Turkish Air?

22 A. Yes, he had an offer.

23 Q. Okay. You write, "We must get red line contract
24 so Christi can get Johnny. And we have to get signed
25 ASAP. We need to get the four million immediately.

1 Please."

2 Is that what he was being offered?

3 A. He was offered \$15 million.

4 Q. For a Turkish Air commercial?

5 A. Yes.

6 Q. And how much work was that going to be?

7 A. I think a couple of personal appearances, as I
8 recall, and one commercial, and one print ad.

9 Q. Okay. And did Johnny turn it down?

10 A. Ultimately.

11 Q. When you say ultimately, you mean sometime after
12 this?

13 A. I went to his house because he would refuse to
14 answer me, and he needed the money, and so I went to his
15 house after work one day. I brought the story boards
16 with me and went through it with him. He couldn't have
17 been less interested, but I felt like I had turned him
18 around. I said, look, it's \$15 million, you need the
19 money. It's not the ideal situation, but it's there,
20 now, and I'll do everything I can to protect you.

21 Q. And did the deal get made?

22 A. No.

23 Q. Why is that?

24 A. It fell apart. He'd never give an answer, and
25 they ended up going with someone else.

1 Q. And so you could just never put it together?

2 A. Correct.

3 Q. Okay.

4 (Exhibit 68 marked.)

5 BY MR. KUMP:

6 Q. Ms. Jacobs, you were not on these e-mails, so I
7 -- but what I wanted to do was direct your attention to
8 what starts on Page 37.

9 A. Thirty-seven?

10 Q. Do you see in the right-hand corner, it says UTA

11 --

12 A. Oh, yes.

13 Q. -- those numbers?

14 A. Sorry.

15 Q. No, no.

16 A. Yes.

17 Q. So this -- this is -- it's titled Agreement in
18 Consideration of Guaranty. It says, "This Agreement in
19 Consideration of Guaranty is entered into as of February
20 5, 2016, among Johnny" -- "John C. Depp, borrower, and
21 United Talent Agency, LLC."

22 Do you see that?

23 A. Yes.

24 Q. And if you turn to the last two pages of this
25 document, you'll see --

1 A. Forty-one and 42?

2 Q. Yes. You'll see this agreement is signed by
3 Jeremy Zimmer on behalf of UTA. And then on the last
4 page by Mr. Depp.

5 Do you generally recognize his signature?

6 A. Yes.

7 Q. And is it your understanding that this was the
8 written agreement that was ultimately entered into
9 between UTA and Johnny Depp?

10 A. I've never seen it before.

11 Q. Okay. Do you understand -- do you have an
12 understanding that at some point an agreement was
13 reached between the parties?

14 A. Yes, but I wasn't apart of it, nor did I see any
15 of this.

16 Q. And -- I understand. Did you -- do you know
17 what the basic terms of the deal were?

18 MR. CHEW: Objection to the form of the
19 question, that it calls for speculation. She says she's
20 not aware of it.

21 BY MR. KUMP:

22 Q. Did you have an understanding that UTA agreed to
23 guarantee a \$5 million loan that Bank of America was
24 going to make to Mr. Depp?

25 MR. CHEW: Same objection.

1 MR. FREEDMAN: Calls for speculation. If you
2 know.

3 THE WITNESS: Yes.

4 MR. KUMP: Okay.

5 BY MR. KUMP:

6 Q. And that there was going to be a loan that was
7 secured by his artwork?

8 A. Well, I was never clear on that.

9 Q. Okay. Did you ever -- did anyone ever tell you
10 that in connection with this guarantee, Johnny had
11 promised that he would put up some of his artwork to
12 secure a loan from the bank, and that he didn't follow
13 through on that?

14 A. How I found out was that Johnny and Christi both
15 called me separately to yell at me about the fact --
16 excuse me, I don't know what's going on I'll turn this
17 off.

18 Both of them separately called to yell at me
19 that we were screwing them over by asking him to use his
20 art as collateral for a loan.

21 Q. And they personally called you?

22 A. Yes.

23 Q. And both Johnny -- did they call you separately?

24 A. Separately.

25 Q. Okay. And what did Johnny say to you?

1 A. Essentially -- I don't recall his words exactly

2 --

3 Q. Sure.

4 A. -- but how dare we use his art as collateral to
5 loan him \$5 million -- which wouldn't last the month
6 anyway, is what he said to me.

7 Q. And did Christi say, essentially, the same
8 thing?

9 A. A variation.

10 Q. And how did those phone calls end?

11 A. I said, that's not my understanding. You should
12 have Ed White explain it to you.

13 Q. And what did he say?

14 A. Nothing. And then I called Ed White and said, I
15 don't think your client understands the conditions of
16 this loan.

17 Q. And what did Mr. White say?

18 A. I don't recall exactly.

19 Q. Okay. Okay. We're done with that exhibit.

20 (Exhibit 69 marked.)

21 BY MR. KUMP:

22 Q. Exhibit 69 is a series of e-mails between you
23 and Christi regarding a Dr. Kipper. Do you know who
24 Dr. Kipper is?

25 A. Yes.

1 Q. And who is Dr. Kipper?

2 A. He's an internist who also has worked in helping
3 people detox and rehab outpatient.

4 Q. And was there discussions underway in this
5 period, November of 2013, about Johnny potentially
6 hiring Dr. Kipper?

7 A. Yes.

8 Q. Okay. And this is you having an e-mail exchange
9 with Christi about that possibility; correct?

10 A. Yes.

11 Q. And you wrote up above, you said, "Internist and
12 drug specialist. He has helped a lot of people get
13 sober."

14 Do you see that?

15 A. Yes.

16 Q. And do you know if -- if Mr. Depp did, in fact,
17 hire Dr. Kipper?

18 A. Yes.

19 Q. He did?

20 A. Yes.

21 Q. Okay. And do you know for what period of time
22 Dr. Kipper worked with Mr. Depp?

23 A. I'm not exactly sure.

24 Q. Okay. From -- from your firsthand personal
25 experience, did Dr. Kipper help Mr. Depp with sobriety?

1 MR. CHEW: Objection to the form of the
2 question; calls for speculation.

3 THE WITNESS: I'm not sure.

4 BY MR. KUMP:

5 Q. In the period of 2013/'14, '15 -- well,
6 2013/'14, '15, and '16, did you think that there was
7 still -- that Mr. Depp was still having problems with
8 substance abuse?

9 A. Yes.

10 Q. Okay.

11 (Exhibit 70 marked.)

12 BY MR. KUMP:

13 Q. Exhibit 70 appears to be something that was
14 e-mailed to you by The Wrap, which is an online
15 periodical. It says, "Watch Johnny Depp's Bizarre
16 Hollywood Film Awards Speech That Set Social Media
17 Abuzz." And then you forwarded this on to Christi;
18 correct?

19 A. Yes.

20 Q. And what was it that this was depicting?

21 A. He was giving an award to -- oh, my God, I can't
22 remember. He was giving an award to -- literally to
23 someone at this moment that I can't recall. And he
24 walked on the stage -- and it was televised for the
25 first time, and every studio head in town and a lot of

1 other actors were there. And he was wavering and
2 swaying from side to side, and looked completely out of
3 it.

4 Q. Do you think that most people who looked at it
5 would conclude that he was under the influence of
6 something?

7 MR. CHEW: Objection to the form of the
8 question. It clearly calls for speculation.

9 MR. FREEDMAN: If you know.

10 THE WITNESS: Yes.

11 MR. KUMP: Okay.

12 BY MR. KUMP:

13 Q. And why did you send it to Christi?

14 A. It's her brother. I wanted her to see what
15 people were talking about. Everybody in town was
16 talking about it. I got a lot of calls. I was sitting
17 with another actor of ours who couldn't believe what he
18 was watching, and it was sad.

19 Q. Other people commented on this to you?

20 A. Yes.

21 Q. And in your experience as a talent agent of many
22 years, is this type of publicity good for one's career?

23 A. No.

24 Q. Why is that?

25 A. I think the answer is somewhat obvious.

1 Q. Yes, okay.

2 A. It's not good to see someone high that you're
3 paying millions of dollars to that's being televised on
4 national TV, and everyone is talking about it.

5 Q. Did you ever talk to Johnny about this event
6 after it happened?

7 A. Yes.

8 Q. And what did he say?

9 A. I don't recall exactly, but I spoke to his
10 publicist as well, and she said that he had smoked some
11 pot and taken a Xanax before he walked on the stage.

12 (Exhibit 71 marked.)

13 BY MR. KUMP:

14 Q. These are a series of e-mails from February of
15 2015 -- late February. On the second page, Ms. Jacobs,
16 is the first e-mail, which is an e-mail from you on
17 February 26th. It says, "Sean Bailey did call me."

18 And who is Sean Bailey?

19 A. The president of Disney.

20 Q. Okay. He said, "There were 300 extras
21 yesterday. Disney is going to give him two days-ish to
22 correct the lateness, and then there will be problems.
23 Was he with the Foo Fighters last night?"

24 And is this referring to Mr. Depp on the set of
25 the Pirates five filming?

1 A. Yes.

2 Q. And what -- what did -- I mean, I can tell from
3 this, but Mr. Bailey was upset, I take it?

4 A. Yes.

5 Q. Concerned?

6 A. Yes.

7 Q. I guess, presumably, 300 extras sat around
8 waiting for Johnny to show up?

9 MR. CHEW: Objection to the form of the
10 question.

11 BY MR. KUMP:

12 Q. Again, the question is, what did Mr. Bailey tell
13 you?

14 A. That he was four to six hours late; that the
15 crew and 300 extras sat for hours waiting for him, and
16 he finally showed up. But this was not the first time,
17 and it wasn't going to be tolerated.

18 Q. And in a later e-mail on the first page, you
19 say, "Sam Dickerman also just called me."

20 And who is Sam Dickerman?

21 A. He's the vice president of Disney. His -- he
22 was overseeing the movie, below Sean.

23 Q. Okay. So Sean would have been his boss?

24 A. Yes.

25 Q. Okay. And Sean -- they were filming in

1 Australia at that time; is that correct?

2 A. Yes.

3 Q. And Sean made it clear that he was not going to
4 put up with this?

5 A. Yes, but they couldn't fire him.

6 Q. Right, right. What could they do?

7 A. Well, they could have imposed financial
8 penalties, but they didn't.

9 Q. And did you ever -- did you try to get ahold of
10 Johnny to talk to him about this?

11 A. Yes.

12 Q. And were you able to?

13 A. No.

14 Q. Did you talk to Christi about it?

15 A. Yes.

16 Q. And what did you tell her?

17 A. Exactly what the e-mail said, which is exactly
18 the circumstances. I didn't mince words.

19 Q. And what did she say? Did she understand the
20 seriousness of it?

21 A. I don't know.

22 Q. Okay. Do you recall what she said in response
23 to you?

24 A. No. I'm sure it was a defense.

25 (Exhibit 72 marked.)

1 BY MR. KUMP:

2 Q. So this is -- you can see, there's an e-mail at
3 the very bottom, the next day, February 27th, to you
4 from John Bailey, and said, "Eight hours late yesterday.
5 We're a day behind on our schedule. I've LW" -- left
6 word -- "for Christi."

7 Do you see that?

8 A. Yes.

9 Q. And then you wrote -- Christi says, "Yeah, I
10 will call him."

11 You say, "Bruckheimer just called me and said if
12 he's not on time Monday, we have a real problem. I
13 don't know what to do. Jerry isn't there" -- "isn't
14 there on location, so I don't know who will be speaking
15 to him."

16 Do you see that?

17 A. Yes.

18 Q. Okay. And, again, this is just more of the
19 same? I mean, more -- this studio is upset, he's being
20 late, he's not showing up, and they're trying to put
21 pressure on you to get this corrected, I take it?

22 MR. CHEW: Objection to the form of the
23 question.

24 THE WITNESS: What's the question?

25 ///

1 BY MR. KUMP:

2 Q. The question was -- well, again, just looking,
3 Christi writes, "I will see what we can do to make sure
4 he knows and understands. I know he felt bad about the
5 other day, so he was mindful of needing to turn" -- "to
6 get turned around."

7 And then you wrote, "Jerry has said he's been
8 late every day at least two hours. He also referenced
9 his lateness on Alice 2 and Mortdecai, which clearly is
10 out there. Is there anything I can do?"

11 Does this go back to the point you made earlier,
12 which was that there were -- that there was word among
13 the people in the entertainment industry that he was
14 becoming increasingly unreliable?

15 MR. CHEW: Objection to the form of the
16 question.

17 MR. FREEDMAN: You can answer.

18 THE WITNESS: Yes.

19 BY MR. KUMP:

20 Q. Okay. And that there had been issues regarding
21 his -- as you said, his lateness?

22 A. Yes.

23 Q. And now this was P3 -- P5, Pirates five?

24 A. P5.

25 Q. Christi, in response to you, she said, "The

1 everyday time frame seems to grow. He told me one to
2 one and a half, but not two hours. Yes, he was two and
3 a half hours late one day, and seven hours recently."
4 She goes, "I know all of it, and what he needs to do. I
5 think he knows, also. Working on how to get him there,
6 but I don't know what to tell you to do to help. I know
7 you could call or e-mail, or go through the guys, but
8 not sure how that would go over if it's just telling him
9 what he needs to do to be better. That's not always
10 helpful with all people, to be honest."

11 Do you see that? Is that consistent with the
12 types of conversations --

13 A. Yes, it's consistent to the point that I made
14 earlier that she would always defend him, and never say,
15 you're right, we've gotta deal with this, and she was no
16 help whatsoever, because she'd be too busy defending his
17 behavior.

18 Q. And what eventually happened on the filming of
19 P5? It obviously got done.

20 A. Well, they shut it down for over a week because
21 he cut his finger off.

22 Q. And that shut down the whole production?

23 A. Yes.

24 Q. And do you have any idea what that would cost
25 the studio, to shut a production of that size down for a

1 week?

2 A. Millions and millions of dollars.

3 Q. Okay. And at the end -- and, again, did the
4 studio voice its frustrations with you about that event?

5 A. Yes.

6 Q. And what was your response?

7 A. I'm sorry. I flew to Australia twice within
8 three weeks to see him. The first time I got there, he
9 had left on his way back for Los Angeles to get his
10 finger fixed. So I had just arrived, and he was gone,
11 so he came three weeks later to address the issue in
12 person.

13 Q. And what did he say?

14 A. He was sweet, he laughed, Amber was on the set,
15 and everything was hunky-dory and fine.

16 Q. And then did the movie go on from there and get
17 made?

18 A. Yes.

19 Q. Okay. Without -- were there further incidents
20 at that point?

21 A. Yes.

22 Q. Okay. More -- more lateness and tardiness?

23 A. Yes.

24 Q. But eventually, it got done?

25 A. Yes.

1 Q. Did you continue to have conversations with him
2 as the studio would bring these problems to your
3 attention?

4 A. Yes.

5 Q. Were you able to get ahold of him?

6 A. Occasionally.

7 Q. Okay. And what would he say?

8 A. Not much.

9 Q. In your experience -- again, for as many years
10 as you've been a talent agent, when you have this kind
11 of conduct and repeated behavior, over and over, over a
12 period of years, what does that do to one's career?

13 MR. CHEW: Objection, form of the question.

14 MR. FREEDMAN: You can answer.

15 THE WITNESS: It certainly doesn't help one's
16 career progress in the right direction. It makes it
17 more and more difficult to procure employment, to keep
18 his price rate up, and to give him the opportunities
19 that I wanted him to have.

20 BY MR. KUMP:

21 Q. And is that what you saw increasingly over the
22 years?

23 A. Yes.

24 Q. Okay. And by the time that you -- by the time
25 that he terminated you, was it at a crisis point, in

1 your mind?

2 A. Yes.

3 MR. CHEW: Objection to the form of the
4 question.

5 THE WITNESS: Yes.

6 (Exhibit 73 marked.)

7 BY MR. KUMP:

8 Q. Exhibit 73 is a few weeks later. Who is John
9 Leshner?

10 A. Pressure of Black Mass, the movie he shot.

11 Q. Okay. And he writes to you -- and who is Scott
12 Cooper?

13 A. The director of Black Mass.

14 Q. He writes -- writing to you on April 14, 2015,
15 "I called you. He didn't show up; very upsetting.
16 Hopefully we will be there tomorrow. We have to pay for
17 the stage time even if he doesn't come."

18 Do you see that?

19 A. Yes.

20 Q. Was this after the filming for Pirates five had
21 concluded?

22 A. I believe so. It this might have been for a
23 make-up test.

24 Q. I see, okay. And do you recall that there were
25 issues during the filming of Black Mass --

1 A. Yes -- sorry.

2 Q. Do you recall there were issues during the
3 filming of Black Mass with his being late and tardy?

4 A. Yes.

5 Q. And was it a problem that you, again, tried to
6 step in and tried to resolve?

7 A. Yes.

8 Q. I asked you earlier about Mr. Depp's penchant
9 for not telling the truth. Do you know that -- if he
10 ever made any false statements or untruths to any
11 studios that he was dealing with?

12 MR. CHEW: Objection to the form of the
13 question.

14 BY MR. KUMP:

15 Q. Do you know?

16 A. I don't know.

17 Q. How about in connection with his dealings with
18 the press, do you know whether he made any false or
19 untrue statements to the press?

20 A. I would imagine so. But so do a lot of other
21 actors.

22 Q. And how about in connection -- do you know
23 whether, or not Mr. Depp made any false or untrue
24 statements to authorities who were investigating
25 anything?

1 A. Yes.

2 Q. And what did -- what's your knowledge in that
3 regard?

4 A. Can you rephrase the question?

5 Q. Yes. To your knowledge, did Mr. Depp ever make
6 any false statements to authorities who were
7 investigating either his conduct or anything involving
8 his family?

9 A. Yes.

10 Q. And what is that?

11 A. Relates to his daughter.

12 Q. His daughter, Lily-Rose?

13 A. Yes.

14 Q. And what was the -- what was the investigation
15 about?

16 A. He was being investigated by the Department of
17 Family Services and the LAPD. I don't know what the
18 charges were specifically, but she was 15, and the
19 boyfriend, I believe, was 23, and they were living next
20 door to him in one of his condos downtown.

21 Q. And was somebody making a claim that there might
22 be a charge of statutory rape involved in the case; do
23 you know?

24 MR. CHEW: Objection to the form of the
25 question.

1 THE WITNESS: I don't know.

2 BY MR. KUMP:

3 Q. Okay. And do you have reason to believe that n
4 connection with that investigation, Mr. Depp made false
5 statements to the authorities?

6 MR. CHEW: Objection to the form of the
7 question.

8 MR. FREEDMAN: You can answer.

9 THE WITNESS: Yes.

10 BY MR. KUMP:

11 Q. And what is your knowledge based upon?

12 A. That he met with both the LAPD and the
13 Department of Family Services, and no charges were
14 filed, and I asked him afterwards. I said, it must have
15 gone pretty well, and he said, yeah. I said, well, you
16 couldn't have told them the truth. And he just smiled.

17 Q. And do you know whether or not Mr. Depp, in
18 connection with that -- those investigations, pressured
19 any of his employees or people who worked for him to
20 make false statements to the authorities?

21 A. I don't know.

22 Q. Okay. I'm going to -- and this is the last
23 thing we're going to do. I'm going to just show some of
24 your text messages that you had produced to us.

25 (Exhibit 74 marked.)

1 BY MR. KUMP:

2 Q. Okay. Ms. Jacobs, if you see, in the right-hand
3 corner, you see a little number that says UTA, and then
4 some numbers after that?

5 A. Yes.

6 Q. That means that these are documents that UTA had
7 produced to us. So these come from UTA?

8 A. Yes.

9 Q. Okay. So this is a set of text messages that
10 begin in September of 2016, and go to -- well, really,
11 go to the time that you were terminated. And so I just
12 want to take you through a couple of these and ask you
13 some questions. Excuse me. The very first page, Page
14 157, it starts off with a text between you and Ed White.
15 You said, "Ed, do you have any idea when Johnny is
16 coming back to LA? No one seems to know. Thanks,
17 Tracey."

18 Do you see that?

19 A. Yes.

20 Q. After Mr. Ed White replaced the Mandels as the
21 business manager, did you continue to -- was it a
22 continuing problem getting in contact and communicating
23 with Mr. Depp?

24 A. Yes.

25 Q. And Mr. Ed White writes back to you, "He texted

1 me yesterday and indicated he was uncertain when he
2 would return to Los Angeles. My guess is he will be
3 home next week; however, it's only a guess."

4 Do you see that?

5 A. Yes.

6 Q. And did -- if you turn to the next page, at the
7 very top, you said, "Is he still in Spain? It doesn't
8 seem he wants to come back to LA."

9 And Mr. White responds, "I would suggest you do
10 not ask for a call. Instead ask for a response. He
11 accepted the role. The only issue is the financial
12 terms."

13 And this was in connection with the movie
14 Labyrinth?

15 A. Yes.

16 Q. Okay. Was that a movie that was made by his
17 production company?

18 A. No.

19 Q. What studio made that?

20 A. It was done independently.

21 Q. Okay. And do you know what his salary was for
22 that?

23 A. The original salary I negotiated was \$8 million,
24 plus the back-end for six consecutive weeks. And it
25 turns out the estimates they had made to sell it -- to

1 presell it were too high, and they could only afford to
2 pay him \$6 million for six consecutive weeks. That's
3 why I was trying to reach him.

4 Q. To give him that information?

5 A. Yes.

6 Q. Okay. And a couple of texts down from that, you
7 write, "He texted me back. He doesn't want to reduce
8 his fee, which means the film goes away."

9 Do you see that?

10 A. Yes.

11 Q. Okay. Were you -- did you have that
12 conversation with him?

13 A. With who?

14 Q. With Johnny.

15 A. He would never respond to my texts.

16 Q. Okay. And eventually, did he agree to a lower
17 fee?

18 A. Well, I think if you go through these texts,
19 you'll see what he does.

20 Q. Okay, all right, we will do that. Ed White
21 writes, then, on September 3, goes, "The following is a
22 text I received today from Fahar. If you have any
23 thoughts, please contact me." And then it says, "JD met
24 the uncles of the prince. I will call you Monday and
25 brief you. We are now leaving UK back to Spain, as we

1 came here for 24 hours. The prince got him a jet to go
2 finish Sherlock role. Best, Fahar."

3 Do you know who the prince is that he's
4 referring to?

5 A. The prince of Saudi Arabia. I don't know his
6 name.

7 Q. And what was the Sherlock role?

8 A. He did a voiceover for Elton John and David
9 Furnish for which he got paid -- well, you didn't ask
10 me, so...

11 Q. How much did he get paid?

12 A. \$250,000.

13 Q. So was it, like, a gratuity?

14 A. Basically.

15 Q. You responded, you said, "I don't know what that
16 means. Are they giving him money? I don't understand
17 what Fahar does."

18 This was before you had met with him?

19 A. No, after.

20 Q. Okay. So you were still saying, "I don't know
21 what he does"?

22 A. Yes, correct.

23 Q. Okay, I understand. And then Ed White is asking
24 you about the Sherlock role. And you said, your office
25 has all the information.

1 Do you see that?

2 A. Yes.

3 Q. On the next page you write to him and you said
4 -- this is to Ed White -- "We sent you an invoice when
5 you first started with Johnny. He was supposed to
6 finish months ago, although we are going to invoice them
7 for payment on Tuesday."

8 And you said, "So what is Fahar giving him other
9 than the planes and trip to Spain with the prince?" And
10 White said, "Nothing to date."

11 Do you see that?

12 A. Yes.

13 Q. And is it your understanding that that was the
14 sum total of what Fahar got him, was nothing?

15 A. Yes.

16 Q. And you wrote, and you said, "The prince likes
17 movie stars. He has a history of other actors" --
18 excuse me -- "he has a history with other actors.
19 Pretty sure nothing has ever come out of it."

20 And that, as you said, is what happened here;
21 correct?

22 A. Yes.

23 Q. You said, "By the way, Johnny won't do that
24 movie for six million. Which means it's not going to
25 happen, which I told him. They can't try and put

1 financing together now."

2 Do you see that?

3 A. Yes.

4 Q. And then Ed White sends you a couple of pictures
5 of Johnny, and says, "Current photos of Johnny from
6 Fahar. He looks healthier and rested. Maybe Spain was
7 the perfect hiatus." To which you say, "I hope so."

8 If you go to Page 161 -- again, at the top of
9 your text -- you know, "He texted me this morning he
10 would call me, but never did. I also left word for him
11 twice."

12 Do you see that?

13 A. Yes.

14 Q. And, again, was that pretty typical of your
15 attempts to try to get ahold of him?

16 A. Yes.

17 Q. You were constantly texting him, making calls --

18 A. It wasn't just texting him. It was calling
19 everyone in his orbit and no one helped me.

20 Q. Including Christi?

21 A. Correct.

22 Q. Ed White?

23 A. Correct.

24 Q. Nobody could get ahold of him?

25 A. No, I didn't say that. I said they didn't help

'1 me.

2 Q. Okay. Do you know if they were able to get in
3 touch with him?

4 A. I don't.

5 Q. But they weren't able to help you get in touch
6 with him?

7 A. Correct.

8 Q. Okay. On September 19th, again, you're saying,
9 "Need to close the deal at Fox."

10 Is that for LAabyrinth?

11 A. No, that was for Murder on the Orient Express.

12 Q. Okay. "Johnny isn't texting me back. I
13 e-mailed him yesterday about the specifics of back-end.
14 Can you please text him to get back to me today?"

15 Then you write later, "He texted me back saying
16 he would accept back" -- excuse me, "back-end, but I am
17 going back one more time to see if I can do better."

18 Ed White says, "Great, keep me posted."

19 Then you -- now, it goes from September 19th to
20 October 6th, so two or three weeks. "Ed, I need to
21 speak with you, please call me."

22 So do you think you heard from Johnny at all
23 during that period of time?

24 A. No.

25 Q. If you go to the next page, 162, on October 7th,

1 you texted to Ed White and you said, "We have a Johnny
2 issue. He sent me a very angry text about money. I
3 don't want to text about this. Please call me when you
4 can, thanks."

5 And by the way, there's another set of text
6 messages that we'll get to. Do you remember what this
7 specific text was that you're referring to?

8 A. Yes.

9 Q. What was it that he said?

10 A. Fantastic Beasts advance.

11 Q. He wanted an advance?

12 A. I got him an advance, which I testified to
13 earlier, and then he didn't want to pay commission on
14 it.

15 Q. He didn't want to pay UTA a commission on it?

16 A. There's a text specifically about it. He didn't
17 want to pay us, period.

18 Q. Right, okay. Yes, and then you said, "Johnny
19 made it clear to me he didn't want to pay commissions.
20 I'd like to discuss, thanks." Then if you go down to
21 the longer text you said, "I wold say very little to
22 Johnny until he is back in LA. I don't think it helps.
23 Hard to convey in text. Best way to handle is what you
24 suggested, a meeting with you, Johnny, Jim, and I. I
25 have been with him for 30 years, and I'm sure we can

1 figure it out. Thanks, Ed, have a good time at the
2 Lakers."

3 Do you see that?

4 A. Yes.

5 Q. Did that meeting ever take place?

6 A. No.

7 Q. Did you try to make it happen?

8 A. Yes.

9 Q. And did Ed White tell you why it didn't happen?

10 A. He said Johnny didn't want it to happen.

11 Q. Okay. Did he say why Johnny didn't want it to
12 happen?

13 A. He didn't need to. Now we know why, because two
14 weeks later, he fired me.

15 Q. Right. If you go to the next page, 163, you
16 said, at the top, "No one updates me. He is supposed to
17 go to work in three weeks, and needs to do some work
18 before filming begins."

19 Ed White goes, "If I receive additional
20 information, I will share with you."

21 So do you think at this point in time, which is
22 a couple of weeks before you're terminated, do you think
23 they already knew they were going to terminate you?

24 A. Yes.

25 Q. And so they were -- they were slow-rolling you

1 or something -- whatever. You write back and said,
2 "Thanks. I got a call from Disney last week saying he
3 showed up five hours late for ADR work in London for
4 Pirates five. I really need to speak to him before he
5 starts work on this next project in Los Angeles, in LA."

6 And ADR work is what?

7 A. Looping -- I forget what it stands for, but it's
8 where you go in and record your lines for picture.

9 Q. Okay. But it's something that would need to
10 take place before the film could be released?

11 A. Of course, yes.

12 Q. And Ed White wrote back and said, "All you can
13 do is continue to reach out in a thoughtful and
14 professional manner. When feasible, I will attempt to
15 assist you."

16 What was your response -- what was your reaction
17 to that response?

18 A. I thought it was bullshit.

19 Q. Yeah. And then you wrote back and said, "I'm
20 always thoughtful and professional. You're the only one
21 I get information from. There are three international
22 commercial campaigns we have real potential for on
23 Johnny."

24 Again, you got no response; correct?

25 A. Correct.

1 Q. And if you can turn to the next page. Again, at
2 the top -- now we're at October 19th. You say, "Just to
3 let you know, I texted Johnny all the details and told
4 him we made a decision" -- we need a decision
5 immediately or the film goes" -- "November goes away.
6 They are three weeks away from starting. It would have"
7 -- "it would be helpful if you reached out to Johnny,
8 too. We are in a time crunch."

9 Ed White goes, "Please continue to pursue JD and
10 request a response by a specific date and time."

11 Again, your same reaction to that e-mail as
12 previously stated?

13 A. Yes.

14 MR. CHEW: Objection, form of the question.

15 BY MR. KUMP:

16 Q. And then October 20th, you write, "Just to let
17 you know, his November movie is about to fall apart. No
18 one can reach him. And if it doesn't close today, the
19 financing falls apart. Giving you the heads up."

20 Ed White: "I sent a follow-up text to JD and
21 requested he contact you." And then at the bottom, you
22 said, "I am now out" -- because you were in a meeting.
23 "Christi has all the details. I put her" -- "put her in
24 writing with him yesterday."

25 Ed White: "Apparently Johnny asked for the

1 producer's number. Did you supply the number to him?"

2 You said, "I gave it to him three times, and he just
3 kept asking for it. I don't understand."

4 Ed White: "Send it again." Ed White: "Send it
5 to me and I will send it to him."

6 You said, "He has it. He says he does not" -- I
7 mean, this was going on, back and forth, back and forth,
8 and you had sent it to him how many times at this point
9 in time?

10 A. Three times, and he kept screaming at me in the
11 text, which you should have a copy of; I supplied it.

12 Q. Okay. And then again, at the bottom, Ed White
13 says, "No, according to him, I will send it to him now."
14 On the next page, 166, you write in the middle text, "I
15 don't know what is going on here. He was texting me
16 from same number earlier. Again, there's supposed to be
17 some sort of mixup on the numbers."

18 If you go over to Page 168 --

19 A. You're skipping --

20 Q. Oh, I'm sorry -- no, no, you're right.

21 A. Here's the evidence.

22 Q. On Page 166 -- on the next Page 167, you
23 basically cut and pasted your various -- your text
24 messages --

25 A. Three in a row within four minutes' time.

1 Q. Right. "Ed, did you receive the text messages I
2 sent?" "Yes." "And I sent Johnny the telephone
3 numbers."

4 Then -- then the following day on Friday,
5 October 21st, you said, "Johnny has never called me. We
6 have no idea what he wants to do. By end of today, I
7 think the movie will be over unless he wants to make the
8 deal today for six million."

9 And you go on from there, "Ed, I would like to
10 speak to you soon."

11 And then the third text, you say, "Ed, I just
12 want" -- "I just want what is best for Johnny. I have
13 always fought for him and been honest and direct. At
14 the end of the day, that is what matters. And the
15 results are there. He is more than welcome to speak to
16 Jim Berkus, too. Have a nice weekend, Tracey."

17 Then you -- a few days later, you say, "How did
18 the meeting with Johnny go? Can Jim and I set up the
19 meeting we discussed?"

20 Ed White responds, "The meeting was financially
21 oriented, and JD did not commit to any additional
22 meetings. Please converse with JD."

23 And then the next day is your e-mail at the
24 bottom. "I called you. Johnny fired me. He said you
25 knew. It was very unpleasant and angry from him. We

1 will be speaking very soon."

2 Do you see that?

3 A. Yes.

4 Q. And Ed White responds, "Tracey, Johnny informed
5 me on Monday during our meeting. You are welcome to
6 call me tomorrow, respectfully."

7 Did you talk to Ed White after that?

8 A. Yes, and I found out this was true because of a
9 later article I read in Vanity Fair where it described
10 the meeting Ed and a group of people were having where
11 it mentioned he was terminating us in the article.

12 Q. Okay. And again, I think you've previously
13 testified about the phone call you had with Johnny in
14 which he terminated you; correct?

15 A. Yes.

16 Q. Anything else to add to that?

17 A. No.

18 Q. Okay. The next set?

19 (Exhibit 75 marked.)

20 BY MR. KUMP:

21 Q. Ms. Jacobs, before I ask you about that, did you
22 ever -- were you ever involved in an attempted
23 intervention with Mr. Depp respect to his substance
24 abuse?

25 A. Yes.

1 Q. And what role did you play in that?

2 A. As one of the four people that were going to do
3 it. And we met with a doctor/interventionist at
4 St. John's Hospital to learn what is required in an
5 intervention, since we didn't have experience.

6 Q. And do you recall what year this was in?

7 A. I'd say it was approximately 25 years ago.

8 Q. Oh, okay. And who were the people who were
9 going to be involved in the intervention?

10 A. Myself, Christi, his stepfather, his mother,
11 some friends of his. There were about ten people.

12 Q. And did that intervention ever take place?

13 A. Yes.

14 Q. And what was the outcome of it?

15 A. It took place at my house, and the outcome was
16 he left yelling and saying, I'm not going to rehab. And
17 he didn't.

18 Q. Okay. If you could look at exhibit -- what is
19 it?

20 MS. MACLSAAC: 75.

21 MR. KUMP: -- that has been handed to you.

22 BY MR. KUMP:

23 Q. These are additional text messages you gave.

24 These are -- some of these are actually earlier in the
25 time than what we just looked at. I apologize for doing

1 that out of order. These are text messages with someone
2 named Jacques Hughes.

3 Is that Mr. Depp?

4 A. Yes.

5 Q. So on the first page, 171, you were trying to
6 send him a script, it looks like, for the movie
7 Labyrinth?

8 A. Yes.

9 Q. Okay. And if you go over to the next page, Page
10 172, near the bottom, you say, "I set a meeting for you
11 on Labyrinth. I've told you we need more money. We are
12 working on that now."

13 And Mr. Depp writes, "There's no need for a
14 meeting if there is no money. You know what I fucking
15 need better than I do."

16 And you said, "I am working on getting you more.
17 They know. I told them you would meet, and it helps me
18 get you more. You can't know if you want to do it
19 unless you meet the director. You said you would meet,
20 and you should."

21 And then he said, "Give me the numbers, Tracey."
22 And there's an exchange back and forth.

23 He says, "I'm calling you in a second."

24 And you write, "Johnny, I felt so bad after our
25 conversation and I love you so very much. I want you to

1 know I'll never stop fighting for you. It will all be
2 good again. I promise. Tracey."

3 And then he said, "It ain't looking good."

4 Do you recall what happened in that
5 conversation, that phone conversation?

6 A. I think he was referring -- not exactly. But I
7 -- not exactly, but I think -- I know what he was
8 referring to.

9 Q. Well, you write to him, you know, "I felt so bad
10 after our conversation." I take it that the
11 conversation didn't go well, or...

12 A. I think he was talking about both his career and
13 Amber.

14 Q. And saying that that --

15 A. Things were not going well on either front.

16 Q. I see, okay. And was he also talking to you
17 about his financial situation in those calls?

18 A. Indirectly, yes.

19 Q. And he certainly understood at that point in
20 time that he was in financial difficulty; correct?

21 A. Yes.

22 Q. Okay. If you go -- if you go to the bottom of
23 Page 175, the last two text messages, you say, "I'm at
24 home. You can reach me here or on Face Time, if you'd
25 like. I got a call from the producer this morning

1 saying how excited Brad is. Let you know."

2 And then you said, "Just want you to know I'm
3 texting you to follow up. Don't want to bother you, and
4 I'm sure I am."

5 And Johnny writes back and he says, "I think
6 there's decent work to be done, and he seems a good guy.
7 If it can bring some truth to the tragedy of these
8 ignorant murders, I'll try. Plus ain't no other offers,
9 so I'll do it."

10 Do you see that?

11 A. Yes.

12 Q. And again, this is at a point in time in 2016 --
13 this is July 2016, where you testified earlier that it's
14 getting harder and harder for you to find roles for him;
15 correct?

16 A. Yes.

17 Q. Okay. If you go to the bottom -- if you go to
18 Page 177, at the bottom, you write, "Need to speak to
19 you regarding schedule on movie. Brad told me he wants
20 to hiatus for a couple of weeks for you to gain weight
21 for the role. I made a deal for six consecutive weeks,
22 but you may need time to get ready. Need to hear your
23 thoughts."

24 And he writes, "I'm going to stand my ground. I
25 will not sacrifice my health for a dim shot that pays me

1 peanuts and thinks that they are superior to raging bull
2 on their deals and power and prosthetics and some belly
3 and ass stuffing. Sorry. I've been doing this shit for
4 a lot longer than him. I know how it works. Find more
5 mom happy messages. Because, I need some space to do my
6 job, they'll need more dough, or to shut their traps.
7 Remember Scott Cooper."

8 And you wrote back and said, "The only reason I
9 asked is because Brad said you discussed; that's fine."

10 And he writes, "I told him that I would bulk up
11 on muscle and then we should do so M/U tests. When will
12 the cunts trust me." And then he goes on from there.

13 Again, what was the "remember Scott Cooper"
14 referring to?

15 A. He was talking about Black Mass. And when he
16 signed on, Scott wanted him to look closer to Whitey
17 Bulger and not really look more like Johnny Depp
18 himself. And Johnny wanted to play less prosthetics and
19 more himself, and Johnny won the argument.

20 Q. Okay. On Page 179, Johnny writes in the middle
21 of the page, he said, "I am not changing what I fucking
22 do for anybody. Would he or would anyone like to argue
23 my choices? Find another goddamned film and tell him to
24 keep making safe bullshit."

25 And then you wrote, "No one wants you to change

1 anything. He asked me and I said no."

2 What is he referring to there?

3 A. He is referring to the look that he wants to do
4 in this film, as well.

5 Q. Okay. And eventually he got his way, did you
6 say?

7 A. Well, I didn't represent him by the time he shot
8 the movie, so I'm not exactly sure.

9 Q. How did that look work for him in the movie?

10 A. I don't know.

11 Q. Okay. On the next page, 180, on Tuesday, August
12 16, 2016, or the day before, you said, "Just checking
13 in. Everyone is working on all of this. It will work
14 out. Love you."

15 And then you write, "I'm really happy for you
16 that this is settled so things will be better. I know
17 it's been awful, and now you can move on. We are
18 focused on work."

19 Is that referring to his divorce; do you know?

20 A. Yes.

21 Q. And you were also trying get him -- Brett Ratner
22 told you he had some scripts that he was interested in;
23 do you recall?

24 A. Yes.

25 Q. Okay. Did anything -- did any movies come out

1 of that?

2 A. There was one movie -- this is before Brett
3 became Brett. But there was one movie that he had given
4 him that we had really liked called The Libertine. But,
5 unfortunately, it was about a relationship between a
6 diplomat in New York and his raping the maid, which was
7 based on the story of Dominique Strauss. And after what
8 happened with Amber, Johnny couldn't do the movie.

9 Q. When you say couldn't do the movie, you mean --

10 A. Excuse me.

11 Q. -- bless you.

12 A. Shouldn't do the movie.

13 Q. Okay. Was that your recommendation to him?

14 A. Yes.

15 Q. Okay. And did he agree with that?

16 A. Yes.

17 Q. Okay. And shouldn't do the movie because the
18 subject matter, obviously, would remind people of what
19 happened with Amber?

20 A. Yes.

21 MR. CHEW: Objection to the form of the
22 question.

23 BY MR. KUMP:

24 Q. On Page 182, third -- your third text down, you
25 say, "They have asked if we would reduce fee from eight

1 to six million for six weeks, as the budget has been too
2 high to get the funds for financing."

3 That's -- is that -- is that Labyrinth, again,
4 you're talking about?

5 A. Yes.

6 Q. And Johnny goes, "It doesn't seem to be" -- "it
7 doesn't seem in my best interest to reduce my fee at
8 this time. I'm sure you understand. What kind of film
9 do they want? Something that will rattle folks, and
10 that's the very beginning of your audience."

11 And, again, you indicated that, ultimately, he
12 did do the movie for six million?

13 A. Yes.

14 Q. But did it take a long time to get there?

15 A. Yes.

16 Q. If you go to the bottom of Page 183. Excuse me,
17 in the middle of 183, he writes, "I will be in Spain.
18 Aside from dropping Lily-Rose, I will then finish up my
19 ADR for Sherlock Holmes and come back to Spain
20 afterwards."

21 Do you see that?

22 A. Yes.

23 Q. And at the very -- on the next page, on 184, he
24 writes back to you --

25 A. I'm sorry?

1 Q. -- I'm sorry, I said -- so -- excuse me. On the
2 -- as we go down from there, you also wrote to him that
3 Warner's had a great test of Fantastic Beasts last night
4 and Sue Krill -- I'm sorry, Sue Kroll said you are
5 terrific.

6 Do you see that?

7 A. Yes.

8 Q. And who is she?

9 A. She was then president of distribution and
10 marketing.

11 Q. Right.

12 A. At Warner's.

13 Q. And you said -- and Johnny said, she likes the
14 character, and you said loves. She wants to talk to you
15 directly. She said she texted and called. I told her
16 you had been traveling. Warner is very happy. Also,
17 Brett called me last night about his movie.

18 Do you see that?

19 A. Yes.

20 Q. And then at the bottom, the name is blocked out,
21 but somebody called and asked how you were, and wanted
22 to send you his best. And then on the -- and I don't
23 know who that is. But on the next page, he writes,
24 "Please tell them that I'm hanging in there. Much
25 appreciation for his concern. Tell him that I said,

1 quote, 'One day it will make for a very funny book.'"
2 And he goes on from there -- you can read that to
3 yourself. Near the end, he says, "Looking forward to
4 selling my fucking book with my fucking words and only
5 truth. Not going to pretty up anything. Words and all
6 as they said. When will I work? Need money! X."

7 Do you see that?

8 A. Yes.

9 Q. Had you negotiated a deal for him to write a
10 book?

11 A. No.

12 Q. Do you know, had anybody else at UTA?

13 A. No.

14 Q. You wrote in response to his request for work
15 and money, "I'm working on all fronts. We will find the
16 right job. Got you a \$5 million advance in October from
17 Warner's for Fantastic Beasts. Also, Berkus and I got
18 your Disney overhead extended an additional six months
19 while we figure out if China happens. I have no
20 intention of letting you down!"

21 And what is -- what is the benefit of having his
22 back-end extended for six months?

23 A. It's not his back-end. It's his overhead that
24 supports the company, because his overhead was almost \$3
25 million a year that paid all the employees, including

1 Christi, at his company. And we went to see Alan Horn,
2 whose the chairman of Disney, and Sean Bailey, the
3 president, and essentially groveled for an additional
4 year. There was no love between Johnny and Disney,
5 given the Pirates five situation. But, for us, they
6 agreed to extend it, so he wouldn't have no deal, and no
7 way to pay his people.

8 Q. So you got an additional six months --

9 A. An additional million dollars for him to
10 continue paying his staff.

11 Q. To keep the production company alive?

12 A. Yes.

13 Q. Okay. All right. If you go to Page 187 --

14 A. Can I take a break?

15 Q. Yeah.

16 A. Sorry.

17 Q. Yes. No, no, that's fine.

18 THE VIDEOGRAPHER: The time on the monitor is
19 3:16 p.m. We are going off the record. This is the end
20 of media two in the deposition of Tracey Jacobs.

21 (Off the record.)

22 THE VIDEOGRAPHER: Good afternoon. We are back
23 on the record. The time on the video monitor is 3:31
24 p.m. This is the beginning of media three in the
25 deposition of Tracey Jacobs. Please continue.

1 BY MR. KUMP:

2 Q. Ms. Jacobs, we're looking at Exhibit 75 in front
3 of you. If you could turn to Page 207.

4 And before this, has Mr. Depp ever told you that
5 he had been diagnosed as bipolar?

6 A. No.

7 Q. Okay. Looking at Page 207, at the bottom, this
8 is, again, early October of 2016. For example, on
9 Saturday, October 1st, you write, say, "How are you?
10 Will I see you soon?"

11 The next day, Sunday, October 2nd, you say
12 "Great teaser trailer for P5. Looks great. Disney
13 getting a great response."

14 And then turn to the next page, which is a few
15 days -- oh, excuse me, I guess, four days later, and he
16 writes to you, "Tracey, thank you for managing the
17 request and acquisition of a \$5 million advance for
18 Ferocious Beasts. It will go a long way to allow me to
19 dig myself out of this agonizing quagmire. Though, to
20 be honest, I'm somewhat taken aback that any commission
21 would be charged by anyone at this particular point in
22 my recent and agonizing struggles. As you, Jim, Jerry,
23 and Jake know, I have been slipping on a greasy razor's
24 edge. Myself, I would have expected that you would all
25 have waived it, or, at least, wait for it. It's been an

1 extremely worrying year for me. I'm surprised it wasn't
2 offered. I understand that business is business.
3 However, when I have been buried underground, would you
4 only dig up ten percent of the smothering dirt? X, J."

5 Do you recall receiving this text message?

6 A. Yes.

7 Q. What did you think when you received it?

8 A. I thought he didn't want to pay commission.

9 Q. Do you think he wrote that?

10 A. No.

11 Q. Okay. Any idea who did?

12 A. Yes.

13 Q. Who?

14 A. Ed White.

15 Q. All right. And you then wrote and said, "I
16 don't want there to be any misunderstanding. Can we
17 talk not over text?"

18 He writes back, "I don't know how my message
19 gave you the idea that I misunderstand. Seemed pretty
20 straightforward from my end."

21 Were you surprised at that response?

22 A. No.

23 Q. Okay. You say, "I don't know what was conveyed
24 to you. I'd rather talk on the phone when you can."

25 And then he wrote, "I'll speak to you when I

1 can."

2 Do you recall if you spoke to him after this
3 text message exchange with him before he terminated you?

4 A. No.

5 Q. Okay. And if you could turn to Page 211.
6 There's a -- I'm sorry, at the bottom of Page 210, you
7 say, "I think you were" -- "I think you are back. I'd
8 love to see you. Did you get my text about Donna
9 Langley?"

10 And then you said, "I need to speak to you re
11 LAabyrinth. A money issue came up today that we need to
12 discuss. This is an issue with the financing that came
13 up this afternoon."

14 And you go on to say, "Hopefully, you can reach
15 me by tomorrow so I can go through it with you."

16 And then he wrote back, "How much financing has
17 been lost?" And it goes on from there.

18 You respond, and he writes, "Just tell me who I
19 need to speak to, as I am sure that I can locate that in
20 a very short period of time."

21 You responded, "The producer Miriam Segal. Can
22 we speak?"

23 You then -- no response. You said, "I don't
24 want to cut your fee. I said no. I'd like to give you
25 details. I also don't want the movie to go down.

1 Christi said you were excited about this film. Can I
2 see you Friday afternoon, early evening? I miss you and
3 want to catch up. I'd also like to bring you the
4 Frances Bean Cobain painting."

5 And then on October 20th, which is the next day,
6 he writes, in capital letters, "Give me Miriam Segal's
7 number. I need it now." And then there's -- there's a
8 couple of text messages, I don't know what your response
9 is.

10 A. They're the numbers.

11 Q. They're the numbers. And he writes, "Give me
12 Miriam Segal's number," exclamation, exclamation,
13 exclamation.

14 "I just sent you both numbers." Then you sent
15 it again. "Got it. Do you have them?"

16 And he writes, "I need it now," exclamation.
17 You write, "I sent it twice." "Look on your texts."
18 Then probably the number again. "Did you get it?" You
19 have it three times." "Got it?" "I sent Ed the" -- "I
20 sent Ed the numbers." "Did you reach Miriam?" No
21 response on that day, which was the 20th.

22 The next day, the 21st, you write, "Did you ever
23 receive Donna Langley's text? She said she reached out
24 to you and didn't hear back. This is about Invisible
25 Man and Phantom. Hope P5 is great. I've heard it is.

1 Doug Brinkley called me today to see how you are doing."
2 "I hope" -- and then over the weekend, on the following
3 Monday, you say that, "I hope LAabyrinth works out. Hope
4 you are well. Miss you."

5 Tuesday, October 25th, "I've been thinking about
6 you a lot. We haven't seen each other for almost six
7 months. I'd really like to see you. I'm back Thursday.
8 Would it be possible this weekend? Please let me know."

9 And now you get a response that day, and this is
10 the day -- is this the day before -- or two days before
11 he terminated you?

12 A. Yes.

13 Q. He writes back, "Need to speak with you. I know
14 you're in London. Let me know when it's a good time to
15 call you."

16 You say, "Call me now if you'd like. And you
17 give him a number, I assume?"

18 A. Yes.

19 Q. He says, "Gimme 20 minutes." "Okay." And then
20 you write, "Isn't it early there?"

21 And he says, "Yeah, four a.m., call you in a
22 bit."

23 You said, "Okay, I'm going to lunch soon."

24 Again, you're in London; correct?

25 A. Yes.

1 Q. "I'll have my phone out ready to speak to you.

2 XX." "Whenever you're ready, I'll be there."

3 And he writes back, "Just hit me when your lunch
4 is over, sweetheart, not a problem."

5 And then you write, "Are we okay?" "I can speak
6 whenever."

7 And he said, "Just don't want to not interrupt a
8 lunch."

9 "You are more important." Right? "Don't worry
10 about that."

11 And he writes, "I'm in the studio."

12 You say, "This is way more important than any
13 fucking lunch, XXX."

14 And he writes, "Just hit me when you're
15 finished."

16 And you write and said, "I don't know if I'll
17 survive." And you go on a few more texts. "I'll be in
18 my room if you want to talk."

19 He said, "Are you in the room?" This is now
20 several hours -- some number of hours later. "Hit me
21 when you can talk."

22 You said, "I'm up." And then you send him a
23 number of additional e-mails, but there's no response,
24 and then we know you have a phone call with him.

25 I think you had testified earlier that he sent

1 you a number of text messages and you had a bad -- or
2 you thought something was up. Are those the text
3 messages we just referred to?

4 A. Yes.

5 MR. KUMP: Okay. I don't have -- I don't have
6 any further questions.

7

8

EXAMINATION

9 BY MR. CHEW:

10 Q. Hi, Ms. Jacobs. My name is Ben Chew, and I
11 represent Johnny Depp in the deposition. I just have a
12 few questions for you. I appreciate your time this
13 morning. I'm sorry, I had a problem with my cab driver
14 this morning, but I'm very sorry about that.

15 MR. FREEDMAN: Does it make sense to switch
16 seats?

17 MR. KUMP: He only has a couple of questions.

18 MR. CHEW: I just have a few.

19 THE VIDEOGRAPHER: I think it would be better.

20 MR. KUMP: Sure. That's fine.

21 THE VIDEOGRAPHER: Should we stay on the record
22 while you switch?

23 MR. FREEDMAN: Yeah, that would be great.

24 MR. KUMP: Yes, yes.

25 ///

1 BY MR. CHEW:

2 Q. Good afternoon, Ms. Jacobs. Are you an
3 attorney?

4 A. No.

5 Q. Did you or UTA ever provide any legal services
6 to Johnny Depp?

7 A. No.

8 Q. That wasn't part of the engagement for which UTA
9 received ten percent of \$650 million?

10 A. Correct.

11 Q. Are you a CPA?

12 A. No.

13 Q. Did you or UTA provide any accounting services
14 to Mr. Depp?

15 A. No.

16 Q. Did you or UTA prepare any financial statements
17 for Mr. Depp or his companies?

18 A. No.

19 Q. Did you or UTA prepare any tax returns for
20 Mr. Depp or any of his companies?

21 A. No.

22 Q. Were you or UTA responsible for filing any of
23 his tax returns?

24 A. No.

25 Q. I'm going to ask you a series -- short series of

1 yes-or-no questions.

2 You were not present when Mr. Depp's finger was
3 injured; correct?

4 A. Yes -- correct.

5 Q. Correct, you were not present when it was
6 injured?

7 A. Correct.

8 Q. And Mr. Depp never hit you or was physically
9 violent in your presence; correct?

10 A. Correct.

11 Q. And you never witnessed Mr. Depp hit anyone else
12 in your presence; correct?

13 A. Correct.

14 Q. What was the total amount -- and I think I can
15 do the math -- but what was the total amount that UTA
16 received for its work over the years for Mr. Depp?

17 MR. FREEDMAN: Objection, calls for speculation.
18 You can answer if you know what UTA received.

19 THE WITNESS: Ten percent of whatever it was he
20 made.

21 BY MR. CHEW:

22 Q. And I believe you testified it was --

23 A. Approximately \$650 million.

24 Q. So you would surmise it was approximately \$65
25 million?

1 A. Correct.

2 Q. Isn't it also true that Mr. Depp would buy you
3 gifts at holiday time?

4 A. Some holidays, yes.

5 Q. And you would often request -- suggest it to him
6 the kind of gift -- or the particular gift that you
7 wanted; correct?

8 A. Correct.

9 Q. Would he accede to your requests?

10 A. Sometimes.

11 Q. What were some of the things that he bought you
12 around the holidays?

13 A. Pens, a bracelet.

14 Q. Were these expensive gifts?

15 A. I don't know. It depends what you call
16 expensive.

17 Q. Were some of them more than \$5,000?

18 A. Yes.

19 Q. Were some of them more than \$10,000?

20 A. Yes.

21 Q. Would you say that Mr. Depp was generous to you?

22 A. Yes.

23 Q. And you did not -- I think -- I believe it's
24 fair to say you testified you did not like the way
25 Mr. Depp dismissed you; correct?

1 MR. FREEDMAN: Objection, misstates the
2 testimony. You can answer.

3 THE WITNESS: Yes.

4 BY MR. CHEW:

5 Q. You thought you deserved more after all those
6 years of service; true?

7 MR. FREEDMAN: Objection, misstates the
8 testimony. You can answer.

9 THE WITNESS: Is this a one-word answer to this?

10 MR. CHEW: It's a yes or no.

11 THE WITNESS: Yes.

12 BY MR. CHEW:

13 Q. And you were angry with him at the time; true?

14 A. No.

15 Q. You weren't angry when he dismissed you?

16 A. No.

17 Q. You referred to an interview that Mr. Depp had
18 with Child Protective Services; correct?

19 A. Yes.

20 Q. You were not present during that interview, were
21 you?

22 A. No.

23 Q. I have -- if we could go off the record for just
24 a second?

25 THE VIDEOGRAPHER: The time on the monitor is

1 3:43. We are going off the record. This is media
2 number three, and we are off the record.

3 (Off the record.)

4 THE VIDEOGRAPHER: We are back on the record at
5 3:44. This is media number four. Please continue.

6 BY MR. CHEW:

7 Q. Ms. Jacobs, Mr. Kump asked you about a document,
8 a series of text messages. If you could look at Exhibit
9 75.

10 A. Yes.

11 Q. And specifically, if you could turn to UTA
12 number 000208.

13 A. Yes.

14 Q. And there's a series of texts from Jacques
15 Hughes, who I believe you previously identified was
16 Mr. Depp.

17 A. Yes.

18 Q. And maybe I misunderstood your testimony, but is
19 it your understanding that this came from Ed White?

20 A. That's not what I said.

21 Q. Okay. So your understanding is that this did
22 come from Mr. Depp; true?

23 A. Yes.

24 MR. CHEW: Thank you. That's all I have.

25 THE WITNESS: Okay.

1 MR. KUMP: Thank you. We'll have a stipulation

2 --

3 MS. SOOKASIAN: I have maybe ten minutes of
4 questioning, if that's okay.

5 THE WITNESS: Who are you representing? I'm
6 sorry.

7 MS. SOOKASIAN: One second. Let me put a mic
8 on.

9

10 EXAMINATION

11 BY MS. SOOKASIAN:

12 Q. Hi, Ms. Jacobs. My name is Alina Sookasian. I
13 mentioned earlier, I represent cross-defendants Bruce
14 Witkin, Sal Jenco, William Rassel and James Russo, and
15 also Unison Music. Let me ask you this as my first
16 question. Are you familiar with the four individuals I
17 named, and the entity?

18 A. Familiar with the four individuals; know a
19 little about the entity.

20 Q. Okay. So I'm going to ask you about the four
21 individuals, kind of clumped together. If I feel that I
22 need to separate them later, I will, but I think we can
23 probably -- it will be easier to talk about them all at
24 once.

25 A. Okay.

1 Q. So when I say the four individuals, you
2 understand I'm talking about Bruce Witkin, Sal Jenco,
3 James Russo and William Rassel, correct?

4 A. Uh-huh.

5 Q. Is that a "yes"?

6 A. Yes, sorry.

7 Q. So what is your understanding based on the
8 relationship you had with Mr. Depp of his relationship
9 with these four individuals?

10 MR. FREEDMAN: Objection, vague. You can answer
11 if you understand.

12 THE WITNESS: I don't understand the question.

13 MS. SOOKASIAN: Sure, I'll rephrase the
14 question. It's been a long day.

15 BY MS. SOOKASIAN:

16 Q. Was it your understanding that Mr. Depp was
17 friends with these individuals?

18 A. Yes.

19 Q. Okay. Was it also your understanding that
20 William Rassel is Johnny Depp's nephew?

21 A. Yes.

22 Q. Do you know how long these individuals have been
23 friends with or have known Mr. Depp?

24 A. A long time, but not exactly.

25 Q. Can you give me a rough estimate?

1 A. No.

2 Q. Okay. Is there any way -- I mean -- let's take
3 it back. So do you know whether or not they have known
4 Mr. Depp for at least five years?

5 A. Yes.

6 Q. At least ten years?

7 A. Yes.

8 Q. At least 15 years?

9 A. I believe so.

10 Q. So you'd say approximately 15 years, that's your
11 best estimate?

12 A. Maybe more.

13 Q. Okay. Based on your interaction with Mr. Depp,
14 your conversations with him over the period of time that
15 you worked with him, was it your understanding that he
16 had a close relationship with these four individuals?

17 A. Yes.

18 Q. Can you tell me a little bit more about that?
19 Can you just elaborate as far as what your understanding
20 was about the relationship he had with them?

21 A. Well, they're each different. Sal Jenco was his
22 best friend who ran the Viper; Bruce Witkin was his
23 friend who he did music with; I don't know what he did
24 with his nephew. I believe that's Debbie's son. And
25 James Russo was an actor who he had known for a long

1 time.

2 Q. And when you talked -- when you mentioned Bruce
3 Witkin, you said he did music with him. You're talking
4 about the Vampires; correct?

5 A. No.

6 Q. Can you tell me what -- what band or what kind
7 of music --

8 A. I -- I don't know. He was always at the house,
9 and they were always recording music with different
10 musicians.

11 Q. Did Mr. Depp ever have any conversations with
12 you about financial struggles that these four
13 individuals were having at any point in time?

14 A. Yes.

15 Q. Can you tell me a little bit more about those
16 conversations? And if it's easier to talk about them
17 one at a time, that's totally fine.

18 A. Well, there's only two I can respond to.

19 Q. Okay. Who's the first one?

20 A. Sal Jenco, who I think he knew the longest.

21 Q. And what did Johnny tell you about Sal Jenco's
22 financial situation?

23 A. We haven't spoken about it in years, but when he
24 spoke to me, he was always broke.

25 Q. And when you say he spoke to you --

1 A. Johnny.

2 Q. Okay. You're referring to Mr. Depp. So when
3 Mr. Depp spoke to you about Sal Jenco, the conversation
4 was always about how Mr. Jenco was broke; is that
5 correct?

6 A. Correct.

7 Q. Is there anything else that was said other than
8 the fact that Mr. Jenco was broke?

9 A. Yes.

10 Q. And what was that?

11 A. That he thought that he had basically stolen
12 from him at the Viper Room.

13 Q. That Mr. Jenco had -- that Mr. Depp thought
14 Mr. Jenco had stolen from him from the Viper Room?

15 A. Yes.

16 Q. Okay. And did he go into any further detail
17 about that conversation?

18 A. No.

19 Q. So is that -- does that cover everything that
20 Mr. Depp spoke with you as it -- spoke with you about as
21 it relates to Mr. Jenco and Mr. Jenco's financial
22 situation?

23 A. He was in his life for years, and then he was
24 gone, so we haven't spoken about it in years.

25 Q. At the time that you were representing Mr. Depp

1 -- so the entire time that you were in communication
2 with Mr. Depp, is there anything that -- anything else
3 Mr. Depp told you about as it relates to Mr. Jenco or
4 Mr. Jenco's financial situation that you haven't already
5 mentioned?

6 A. No.

7 Q. Okay. Did Mr. Depp at any point in time ask you
8 advice about helping Mr. Jenco in his financial
9 situation?

10 A. No.

11 Q. Did you ever give Mr. Depp advice about whether
12 or not he should help Mr. Jenco and the financial
13 situation he was in?

14 A. No.

15 Q. Did -- did Mr. Depp ever ultimately tell you
16 that he did end up helping Mr. Jenco?

17 A. No.

18 Q. So your -- is it true that you're not aware of
19 any payments that Johnny made -- that Mr. Depp may have
20 given to Mr. Jenco at the time?

21 A. Yes.

22 Q. That's correct?

23 A. Yes, correct.

24 Q. Okay. And who was the next person?

25 A. Did I say Bruce Witkin or James Russo?

1 Q. I don't know.

2 MR. FREEDMAN: I think you said there were two
3 people that you knew you had knowledge about their
4 financial condition that Johnny spoke about.

5 THE WITNESS: James Russo.

6 BY MS. SOOKASIAN:

7 Q. And what did Mr. Depp tell you about Mr. Russo?

8 A. That he was an actor. I knew that already. And
9 I would be constantly asked to get him jobs in movies
10 Johnny was in.

11 Q. Was it your understanding at the time that you
12 needed to get Mr. Russo jobs because he was not
13 financially stable?

14 A. And because he was Johnny's friend.

15 Q. Okay. Did Mr. Depp ever go into any details
16 about Mr. Russo's financial condition at the time?

17 A. No.

18 Q. So all he told you was that Mr. Russo was having
19 financial issues; correct?

20 A. Correct.

21 Q. And then he asked you to help him find a job;
22 correct?

23 A. Yes.

24 Q. Okay. Did Mr. Depp tell you anything else about
25 Mr. Russo, his financial situation, or anything related

1 to that?

2 A. No.

3 Q. Did -- I'm going to ask you the same questions I
4 asked about Mr. Jenco. Did Mr. Depp ever ask you to
5 give him advice about whether or not he should help
6 Mr. Russo financially?

7 A. No.

8 Q. Did you ever give Mr. Depp advice about helping
9 Mr. Russo -- Mr. Russo financially?

10 A. No.

11 Q. Did you ever become aware of the fact that
12 Mr. Depp ultimately did provide financial assistance to
13 Mr. Russo?

14 A. Nope.

15 Q. Okay. Earlier, you testified that Mr. Depp was
16 generous to you. And that was in the context of -- I
17 believe Mr. Chew was asking you about gifts that
18 Mr. Depp bought for you on certain occasions.

19 Do you remember those questions?

20 A. Yes.

21 Q. Okay. Do you remember testifying that Mr. Depp
22 was generous to you?

23 A. Yes.

24 Q. Okay. Was Mr. Depp -- I'm going to try to ask
25 this in a way that it's not vague. Based on what you

1 know about him, and based on, you know, the interactions
2 and conversations you had with him at the time that you
3 represented him, would you characterize Mr. Depp as
4 generous to others, not only to you?

5 A. Extremely.

6 Q. Okay. Can you elaborate a little more?

7 A. I just always knew that he was always helping
8 his family, his sister -- his sisters, Debbie, Christi,
9 his mother, his friends, and pretty much other people
10 you didn't mention who would show up and want money, and
11 he always helped them. He was exceedingly generous.

12 MS. SOOKASIAN: Okay. Okay, thank you,
13 Ms. Jacobs. I have no further questions.

14 MR. KUMP: Thank you. Okay. We're going to put
15 in a stipulation on the record.

16 The court reporter's relieved of her obligation
17 with respect to the transcript. If you can provide the
18 original transcript to Bryan Freedman's office, and they
19 can then provide it to Tracey -- excuse me, to Tracey
20 Jacobs, and she can have 30 days from the date that she
21 gets it to review it and make any corrections, and then
22 provide them to our office. And she can sign it under
23 penalty of perjury. Okay.

24 MR. FREEDMAN: Yep.

25 MR. KUMP: Thank you, everyone.

1 THE VIDEOGRAPHER: This concludes today's
2 deposition of Tracey Jacobs. Today's deposition has
3 used three pieces of media. We are going off the record
4 at 3:55 p.m.

5 (Off the record.)
6

7 (The proceedings adjourned at 3:55 p.m.)
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1 State of California)

2 County of LOS ANGELES)

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4 Deponent's Declaration

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9 I, TRACEY JACOBS, do hereby certify under penalty
10 of perjury that I have read the foregoing transcript of
11 my deposition taken on May 30, 2018; that I have made
12 such corrections as appear noted on the Deposition
13 Errata Page, attached hereto, signed by me; that my
14 testimony as contained herein, as corrected, is true and
15 correct.

16

17 Dated this _____ day of _____, 2018, at
18 _____, California.

19

20

21

22 _____
TRACEY JACOBS

23

24

25

1 State of California)
2 County of LOS ANGELES)
3

4 I, Kathy Mannlein, Certified Shorthand Reporter,
5 do hereby certify:
6 That prior to being examined, the witness in the
7 foregoing proceeding was by me duly sworn to testify to
8 the truth, the whole truth, and nothing but the truth;
9 That said proceedings were taken before me at the
10 time and place therein set forth and were taken down by
11 me in shorthand and thereafter transcribed into
12 typewriting under my direction and supervision;
13 I further certify that I am neither counsel for,
14 nor related to, any parties to said proceedings, nor in
15 anywise interested in the outcome thereof.
16 In witness whereof, I have hereunto subscribed my
17 name.

18
19 Dated: June [REDACTED]
20
21

22 Kathy Mannlein
23 CSR No. 13153
24
25