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# Transcript of Adam Waldman

**Date:** February 15, 2022

**Case:** Depp, II -v- Heard

**Planet Depos**

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

31945

Transcript of Adam Waldman  
Conducted on February 15, 2022

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT FOR FAIRFAX COUNTY 3 4 ----- x 5 JOHN C. DEPP, II, : 6 Plaintiff, : Case No. 7 v. : CL-2019-0002911 8 AMBER LAURA HEARD, : 9 Defendant. : 10 ----- x 11 12 Videotaped Deposition of ADAM WALDMAN 13 Conducted Remotely via Zoom 14 Tuesday, February 15, 2022 15 10:08 a.m. 16 17 18 19 20 Job No.: 427529 21 Pages: 1 - 238 22 Reported By: AMY L. STRYKER, CCR</p>	<p>1 A P P E A R A N C E S 2 3 ON BEHALF OF PLAINTIFF JOHN C. DEPP, II: 4 BENJAMIN G. CHEW, ESQ. 5 BROWN RUDNICK LLP 6 601 Thirteenth Street, NW, Suite 600 7 Washington, D.C. 20005 8 (202) 536-1785 9 and 10 CAMILLE M. VASQUEZ, ESQ. 11 SAMUEL A. MONIZ, ESQ. 12 BROWN RUDNICK LLP 13 2211 Michelson Drive 14 Irvine, California 92612 15 (949) 752-7100 16 and 17 KATHLEEN T. ZELLNER, ESQ. 18 LAW OFFICES OF KATHLEEN T. ZELLNER &amp; 19 ASSOCIATES 20 1901 Butterfield Road, Suite 650 21 Downers Grove, Illinois 60515 22 (630) 955-1111</p>
<p>1 Deposition of ADAM WALDMAN, conducted 2 remotely. 3 4 Pursuant to subpoena, before AMY L. 5 STRYKER, Certified Court Reporter and Notary 6 Public of the State of Maryland. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 A P P E A R A N C E S C O N T I N U E D 2 3 ON BEHALF OF DEFENDANT AMBER LAURA HEARD: 4 ELAINE CHARLSON BREDEHOFT, ESQ. 5 CHARLSON BREDEHOFT COHEN &amp; BROWN, P.C. 6 11260 Roger Bacon Drive 7 Suite 201 8 Reston, Virginia 20190 9 (703) 318-6800 10 and 11 J. BENJAMIN ROTTENBORN, ESQ. 12 WOODS ROGERS PLC 13 10 S. Jefferson Street, Suite 1800 14 Roanoke, Virginia 24011 15 (540) 983-7540 16 17 ON BEHALF OF THE WITNESS: 18 STEPHEN L. BRAGA, ESQ. 19 BRACEWELL LLP 20 2001 M Street, NW, Suite 900 21 Washington, D.C. 20036-3310 22 (202) 828-5800</p>

Transcript of Adam Waldman  
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5	7
1 ALSO PRESENT: 2       LUCIEN NEWELL, AV Technician 3       DAN LOHAUS, Videographer 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 Exhibit 11 Text messages and e-mail 101 between Adam Waldman and 2      Keith Bishop dated January 28, 2020, Bates Nos. 3      ARW_000676 through ARW_000678 4 Exhibit 2 Subpoena 124 5 Exhibit 12 Text messages and e-mail 142 between Adam Waldman and 6      Christian Carino dated June 17, 2019, Bates Nos. 7      ARW_000630 and ARW_000631 8 Exhibit 13 Text message and e-mail 147 between Adam Waldman and Matt 9      dated June 26, 2019, Bates Nos. ARW_000648 and 10     ARW_000649 11 Exhibit 14 Text messages and e-mails 155 between Adam Waldman and Nat 12     Rothschild dated June 30, 2019, Bates Nos. ARW_000653 13     through ARW_000655 14 Exhibit 15 Text message and e-mail 159 between Adam Waldman and Kyle 15     Newman dated November 17, 2019, Bates Nos. ARW_000660 16     and ARW_000661 17 Exhibit 16 Text message and e-mail 164 between Adam Waldman and Kyle 18     Newman dated November 21, 2019, Bates Nos. ARW_000665 19     and ARW_000666 20 Exhibit 17 Text message and e-mail 165 between Adam Waldman and Kyle 21     Newman dated December 10, 2019, Bates Nos. ARW_000670 22     and ARW_000671
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1                    C O N T E N T S 2 EXAMINATION OF ADAM WALDMAN           PAGE 3     By Ms. Bredehoft                   11 4     By Mr. Rottenborn                 132 5     By Mr. Chew                        231 6                    E X H I B I T S 7                    (Attached to transcript) 8 WALDMAN DEPOSITION EXHIBITS 9 Exhibit 3 Rolling Stone article       39 10 Exhibit 4 Daily MailOnline article,   61 Published April 8, 2020 11 Exhibit 5 Daily MailOnline article,   68 Published April 27, 2020 12 Exhibit 6 Daily MailOnline article,   74 Published June 24, 2020 13 Exhibit 7 Article by Emily Smith dated 81 April 12, 2019 14 Exhibit 8 The Blast article published 86 June 2019 15 Exhibit 9 The Blast article published 90 July 2, 2019 16 Exhibit 10 People magazine article by 96 Alexia Fernandez published 17                    July 3, 2019 18 19 20 21 22	1 Exhibit 18 Text messages and e-mails 170 between Adam Waldman and Kyle 2     Newman dated February 16, 2020, Bates Nos. ARW_000679 3     and ARW_000680 4 Exhibit 19 Text messages and e-mail 173 between Adam Waldman and Kyle 5     Newman dated February 24, 2020, Bates Nos. ARW_000681 6     and ARW_000682 7 Exhibit 20 Text messages and e-mails 182 between Adam Waldman and 8     Marilyn Manson dated July 11, 2020, Bates Nos. ARW_000698 9     through ARW_000739 10 Exhibit 21 Text messages and e-mails 190 between Adam Waldman and 11     Marilyn Manson dated July 12, 2020, Bates Nos. ARW_000747 12     through ARW_000753 13 Exhibit 22 Text messages and e-mail 197 between Adam Waldman and 14     Nurse Erin dated June 27, 2019, Bates Nos. ARW_000650 15     through ARW_000652 16 Exhibit 23 Text message and e-mail 201 between Adam Waldman and 17     Nurse Erin dated July 8, 2019, Bates Nos. ARW_000656 18     and ARW_000657 19 Exhibit 24 Tweets, Bates Nos. 219 ALH_00017001 through 20     ALH_00017002 21 22

9	1 PROCEEDINGS 2 THE VIDEOGRAPHER: Here begins Disk No. 1 3 in the remote deposition of Adam Waldman in the 4 matter of John C. Depp, II vs. Amber Laura Heard, 5 filed in the Circuit Court of Fairfax County, 6 Virginia, Case No. CL-2019-0002911. 7 Today's date is February 15, 2022 and the 8 time on the video monitor is 10:08 a.m. The 9 remote videographer today is Dan Lohaus, 10 representing Planet Depos. All parties of this 11 video deposition are attending remotely. 12 Would counsel now please introduce 13 themselves and state whom they represent, 14 beginning with the taking attorney. 15 MS. BREDEHOFT: Good morning. My name is 16 Elaine Bredehopt, and together with Ben Rottenborn 17 we represent Amber Laura Heard. 18 MR. CHEW: Good morning. Ben Chew and 19 Camille Vasquez from Brown Rudnick representing 20 Johnny Depp, and our cocounsel is also on the 21 line. 22 THE VIDEOGRAPHER: I'm sorry, Ms. Zellner,	11	1 EXAMINATION 2 BY MS. BREDEHOFT: 3 Q Could you please state your name and 4 address. 5 A Sure. It's Adam Robert Waldman, 6 5163 Tilden Street, Northwest, Washington, D.C. 7 Q And what is your date of birth? 8 A August 4, 1968. 9 Q And what is your current occupation? 10 A Attorney. I'm also involved with a skin 11 care company in a variety of capacities. 12 Q How long have you been an attorney? 13 A I think since 1995. 14 Q Do you currently represent John C. Depp, 15 II, who I will be referring to in this deposition 16 as "Mr. Depp" or "Depp"? 17 A I do. 18 Q And is this representation an attorney- 19 client representation? 20 A It is. 21 Q Does it include any other type of 22 representation of Mr. Depp other than as an
10	1 you are muted. 2 AV TECHNICIAN: If you go on the corner on 3 the Zoom screen, you'll see an unmute button. 4 THE VIDEOGRAPHER: The bottom left-hand 5 corner of your screen. 6 MS. ZELLNER: No, I got it. 7 THE VIDEOGRAPHER: Perfect. 8 MS. ZELLNER: I was on another call. 9 THE VIDEOGRAPHER: Would you like to 10 introduce yourself, Ms. Zellner. 11 MS. ZELLNER: Yes. Kathleen Zellner on 12 behalf of Johnny Depp. 13 THE VIDEOGRAPHER: Thank you. 14 MR. BRAGA: Stephen Braga on behalf of the 15 witness, Adam Waldman. 16 THE VIDEOGRAPHER: The court reporter 17 today is Amy Stryker, representing Planet Depos. 18 Would the reporter please swear in the 19 witness. 20 ADAM WALDMAN, 21 after having been duly sworn, testified as 22 follows:	12	1 attorney-client? 2 MR. CHEW: I would instruct the witness 3 not to answer that question on the grounds of 4 attorney-client privilege and attorney work 5 product. He can't answer that question without 6 disclosing communications between himself and his 7 client, Mr. Depp. As you're aware, Ms. Bredehopt, 8 the Court has ruled that Mr. Depp has not waived 9 attorney-client privilege and will not be waiving 10 attorney-client privilege. So you're aware of 11 that. 12 MS. BREDEHOFT: So, Mr. Chew, I'm not sure 13 that you heard my question. I was actually asking 14 him if he had any other type of representation 15 relationship with Mr. Depp other than as an 16 attorney-client. 17 MR. CHEW: I think he can answer that 18 "yes" or "no," but I would -- I would instruct the 19 witness on behalf of Johnny Depp not to disclose 20 any communications you've had with your client. 21 THE WITNESS: No. 22 Q Okay. So just so we're clear, since we

13  
1 had a little bit of record back and forth, the  
2 only way in which you represent Mr. Depp is as an  
3 attorney-client representation; is that correct?  
4 MR. CHEW: Objection --  
5 THE WITNESS: I believe --  
6 MR. CHEW: -- asked and answered.  
7 Q I'm sorry, Mr. Waldman?  
8 **A I believe that's true.**  
9 Q Okay. And you are here today providing  
10 this deposition under a subpoena and then  
11 subsequent notice, correct?  
12 **A Yes.**  
13 Q And when did you first become Mr. Depp's  
14 counsel?  
15 **A I think that it was around October 2016.**  
16 Q And what is your role in this case as  
17 counsel for Mr. Depp?  
18 MR. CHEW: Objection --  
19 THE WITNESS: Sure.  
20 MR. CHEW: -- attorney-client privilege,  
21 calls for attorney-client communication. I would  
22 instruct the witness not to answer that question.

14  
1 THE WITNESS: Okay. I'll follow the  
2 instruction.  
3 MS. BREDEHOFT: Okay. I am just going to  
4 cite Rule 8.01-401 for an adverse witness. I  
5 believe we set the standards for that. But I just  
6 wanted to put that on the record.  
7 BY MS. BREDEHOFT:  
8 Q Now, you indicated you met Mr. Depp  
9 approximately October of 2016; is that correct?  
10 MR. CHEW: Objection --  
11 THE WITNESS: That's correct.  
12 MR. CHEW: -- mischaracterizes the  
13 testimony.  
14 MS. BREDEHOFT: You're right. You're  
15 right, Ben. My apologies. I did ask that  
16 incorrectly. Let me go back -- strike that -- and  
17 let me correct it.  
18 Q When did you first meet Mr. Depp as  
19 opposed to first start representing him?  
20 **A I first met him in October of 2016.**  
21 Q Were you introduced to Mr. Depp by Saudi  
22 Prince Abdulaziz bin Salman?

15  
1 **A No.**  
2 Q Did -- was there any connection between  
3 Saudi Prince Abdulaziz bin Salman and you at the  
4 time you met Mr. Depp?  
5 MR. CHEW: Objection to the form of the  
6 question; vague, irrelevant.  
7 THE WITNESS: Yes.  
8 Q What was the connection?  
9 **A I did some work for the -- legal work for**  
10 **the Saudi prince, and I worked closely with his**  
11 **general counsel.**  
12 Q Was it your understanding that you were  
13 referred to Mr. Depp by the Saudi prince?  
14 MR. CHEW: Objection --  
15 THE WITNESS: I'm not --  
16 MR. CHEW: -- vague, calls for a legal  
17 conclusion.  
18 THE WITNESS: I'm not sure what you mean  
19 by "referred."  
20 Q How is it that you came to meet Mr. Depp?  
21 **A The general counsel that I referenced a**  
22 **moment ago asked me to go and have a meeting with**

16  
1 **him, with Mr. Depp, and to talk about a financial**  
2 **problem that he was having.**  
3 Q Did the general counsel describe the  
4 financial problem that Mr. Depp was having in  
5 October of 2016?  
6 MR. CHEW: Objection. I would instruct  
7 the witness not to answer on the grounds that this  
8 is in anticipation of legal representation which  
9 is privileged.  
10 THE WITNESS: Okay. I accept the  
11 instruction.  
12 Q Okay. And so you'll follow that, correct?  
13 **A Yes.**  
14 Q I don't want to waste a lot of time here.  
15 I'm assuming that when -- just for the record,  
16 when Mr. Chew, who's acting on behalf of Mr. Depp,  
17 objects and instructs you not to answer and you  
18 indicate you'll follow that, that you're not going  
19 to respond.  
20 MS. BREDEHOFT: Can we just have that  
21 agreed upon, Mr. Braga? Is that comfortable for  
22 you?

R

R

R

R

R	17 1 MR. BRAGA: Yes, that's comfortable and we 2 agree to it. 3 MS. BREDEHOFT: Okay, great. 4 BY MS. BREDEHOFT:	19 1 And the fee arrangement, in any event, is 2 irrelevant. But I'm instructing him not to answer 3 on the grounds of privilege. 4 THE WITNESS: I accept the instruction.
Jury Confusion	5 Q Did you enter into a written 6 representation agreement with Mr. Depp when you 7 began your representation? 8 MR. CHEW: I would instruct the witness 9 not to answer that question. That calls for 10 attorney-client privilege. 11 THE WITNESS: Okay. I follow the 12 instruction. 13 Q Have you entered into more than one 14 representation agreement with Mr. Depp during the 15 course of your representation? 16 MR. CHEW: Same instruction not to answer. 17 He can't answer that without disclosing 18 attorney-client communications and attorney work 19 product.	5 BY MS. BREDEHOFT: 6 Q Mr. Waldman, so you -- your understanding 7 of the attorney-client relationship is that you, 8 as the attorney, provide advice and that's your 9 legal services to your client, and your client, in 10 return, compensates you in some fashion. Is that 11 fair to say? 12 MR. CHEW: Objection; vague. 13 MR. BRAGA: Elaine, are you asking in 14 general or with respect to -- 15 MS. BREDEHOFT: Yes, yeah. I backed up 16 because of the objection, so I'm trying to just 17 get the general -- do you want me to ask it a 18 little differently? Would that be helpful? 19 MR. BRAGA: Let's try that, yeah. 20 MS. BREDEHOFT: Okay.
	20 Q Mr. Waldman, when did you consider your 21 attorney-client relationship with Mr. Depp to have 22 begun?	21 Q Mr. Waldman, when you provide legal 22 services in an attorney-client relationship, your Hypothetical, R, Jury Confus.
R, Jury Confus.	18 1 A I believe it began the night I met him, 2 actually. 3 Q Sometime in October 2016? 4 A Yes, ma'am. 5 Q Has the relation- -- has the attorney- 6 client relationship between you and Mr. Depp been 7 severed at any point between October 2016 and the 8 present? 9 MR. CHEW: I would instruct the witness 10 not to answer that question on the grounds that 11 you can't answer that question without disclosing 12 attorney-client communications. 13 THE WITNESS: Okay. I accept the 14 instruction. 15 Q As Mr. Depp's attorney, you have provided 16 him with advice. Is that fair to say? 17 A That's correct. 18 Q Okay. And you have charged Mr. Depp for 19 your advice, correct? 20 MR. CHEW: I would instruct the witness 21 not to answer that question. He can't answer that 22 without disclosing attorney-client communications.	20 1 understanding of that is that you provide advice, 2 and your client, in turn, compensates you in some 3 manner. Would that be fair to say? 4 MR. CHEW: Objection; assumes -- lack of 5 foundation, assumes facts not in evidence. 6 But you may answer. 7 THE WITNESS: Yes, as a general matter, 8 that's -- that's how I understand an attorney- 9 client relationship, yes. 10 Q And has Mr. Depp paid you for your advice? 11 MR. CHEW: Objection. I would instruct -- 12 I do instruct the witness not to answer on the 13 grounds of attorney-client privilege. 14 You can't answer that question without 15 disclosing your communications with Mr. Depp. 16 THE WITNESS: I accept the instruction. 17 Q Now, in your attorney-client relationship 18 with Mr. Depp, Mr. Depp may follow your advice in 19 whole or part, correct? That's his election, 20 correct? 21 MR. CHEW: Objection; calls for a legal 22 conclusion, calls for speculation as to what may R, SP, Jury Confusion Hypothetical R, Jury Confusion

21  
1 or may not be in Mr. Depp's mind.  
2 THE WITNESS: I'm not really sure I  
3 understand the question, actually.  
4 BY MS. BREDEHOFT:  
5 Q Well, let's go general again and see if  
6 maybe we can work at it from that perspective.  
7 So, in your relationship with your client,  
8 you provide advice, and it's up to the client to  
9 determine whether to follow that advice. Would  
10 that be fair to say?  
11 A As a general matter I do agree with that  
12 statement, yes.  
13 Q And by the same token, it would be up to  
14 the client to determine whether to reject your  
15 advice in whole or part, correct?  
16 MR. BRAGA: In general?  
17 MR. CHEW: You're still speaking in  
18 general?  
19 MS. BREDEHOFT: Correct.  
20 THE WITNESS: In general, yes.  
21 Q Now, did you -- did your relationship with  
22 Mr. Depp -- and I'm talking about your attorney-  
22  
1 client relationship -- deviate from those general  
2 principles that in some way Mr. Depp is not  
3 permitted to follow or reject your advice?  
4 MR. CHEW: I would instruct the witness  
5 not to answer the question based on attorney-  
6 client privilege.  
7 THE WITNESS: I accept the instruction.  
8 Q Now, Mr. Depp has the right to terminate  
9 your representation at any time; is that correct?  
10 MR. CHEW: Objection to the extent that it  
11 purports to call for a legal conclusion.  
12 THE WITNESS: But yes, I think it's true.  
13 Q I think --  
14 A He would be free to terminate at any time.  
15 Q My apologies, Mr. Waldman. I didn't  
16 realize you were still talking. Did you finish?  
17 A Yes, I did. Thank you.  
18 MS. BREDEHOFT: I think we need to show on  
19 the record that Mr. Moniz has joined us  
20 representing Mr. Depp as well.  
21 Q Now, has Mr. Depp terminated your  
22 representation of him at any time between

23  
1 October 2016 and the present?  
2 MR. CHEW: That's the same question that I  
3 instructed Mr. Waldman not to answer before, just  
4 stated in a slightly different way, so I would  
5 instruct the witness not to answer that question.  
6 THE WITNESS: I accept the instruction.  
7 Q Now -- and Mr. Depp, as the client in your  
8 relationship, is in the position to make the final  
9 decision regardless of your advice. Would you  
10 agree?  
11 MR. CHEW: I would instruct the witness  
12 not to answer that question. I don't know that  
13 he -- well, I know he can't answer that question  
14 without disclosing communications with Mr. Depp,  
15 so I instruct the witness not to answer.  
16 THE WITNESS: I accept the instruction.  
17 Q Mr. Waldman, if you were advising a client  
18 in an attorney-client relationship and you were in  
19 settlement negotiations, would it be you or the  
20 client who has the ultimate decision-making  
21 ability?  
22 MR. CHEW: Objection to the form of the  
24  
1 question. It's a hypothetical question posed to a  
2 fact witness. So I would object to the form on  
3 that basis as it calls for speculation in  
4 answering a hypothetical in a general sense.  
5 THE WITNESS: But to speculate about the  
6 question, yes, generally the client would be  
7 responsible for deciding, you know, the ultimate  
8 outcome of a settlement, yes.  
9 BY MS. BREDEHOFT:  
10 Q What would be the exceptions to that?  
11 MR. CHEW: Same -- same objection.  
12 Objection to the form of the question. It calls  
13 for a hypothetical from a fact witness.  
14 But you may answer.  
15 THE WITNESS: Well, I suppose an exception  
16 would be each word you utter in the course of the  
17 negotiation. Of course the client is not guiding  
18 every -- every word you say, every step you take.  
19 But the -- I think your question was the ultimate  
20 disposition of the case, the settlement; certainly  
21 this is the decision of the client.  
22 Q Thank you.

SP,  
Hypothet.

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R, Jury  
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R, Jury  
Confusion

R, Jury  
Confus.

R, SP,  
Hypothetic  
Jury  
Confusion

R, SP,  
Hypothet

25  
1 Now, you met Mr. Depp after he and Amber  
2 Heard had split up; is that correct?  
3 **A That's correct.**  
4 Q And you met Mr. Depp after he and Amber  
5 Heard had reached a settlement in their divorce;  
6 is that correct?  
7 **A That's my understanding.**  
8 Q So you have no personal knowledge of  
9 anything that went on during their marriage. Is  
10 that fair to say?  
11 **A Well, it depends what you mean by**  
12 **"personal knowledge." I wasn't there, if that's**  
13 **what you mean, correct.**  
14 Q You never witnessed any interaction  
15 between Mr. Depp and Amber Heard prior to  
16 October 2016; is that correct?  
17 **A That's correct.**  
18 Q And you have no personal knowledge of any  
19 conduct by either of them against the other prior  
20 to October 2016; is that correct?  
21 **A Again, if you're asking me do I have any**  
22 **knowledge of their conduct, I think I have**

26  
1 **knowledge of their conduct. I think maybe you're**  
2 **asking me did I witness conduct.**  
3 Q I'm asking personal knowledge, which would  
4 mean you would have had to have witnessed it.  
5 **A If you're asking whether I've witnessed**  
6 **it, the answer is no.**  
7 Q Now, your initial knowledge of the  
8 relationship between Mr. Depp and Ms. Heard was  
9 based on your interviews with Mr. Depp. Would  
10 that be fair to say?  
11 MR. CHEW: I would instruct the witness  
12 not to answer that question because he can't even  
13 answer yes or no without disclosing the substance  
14 of communications with his client, Mr. Depp.  
15 THE WITNESS: I accept the instruction.  
16 Q Once you came into Mr. Depp's life and  
17 became his counsel, Mr. Depp filed, with your  
18 assistance, a number of lawsuits. Would you  
19 agree?  
20 **A Yes.**  
21 Q Did Mr. Depp terminate Tracey Jacobs as  
22 his agent before or after you became Mr. Depp's

27  
1 counsel?  
2 MR. CHEW: Mr. Waldman, I would instruct  
3 you not to answer that question if doing so would  
4 require you to disclose any communications you had  
5 with Mr. Depp.  
6 THE WITNESS: It would.  
7 Q How long had Tracey Jacobs been Mr. Depp's  
8 agent at the time Mr. Depp terminated Tracey  
9 Jacobs?  
10 MR. CHEW: And again, Adam, same  
11 instruction. To the extent that answering the  
12 question requires you to disclose communications  
13 that you had with Mr. Depp, I would instruct you  
14 not to answer the question.  
15 THE WITNESS: It would.  
16 Q Was it Mr. Depp's decision to terminate  
17 Tracey Jacobs?  
18 MR. CHEW: Again, I would instruct you not  
19 to answer that question because that could only  
20 have come from Mr. Depp in a communication with  
21 you.  
22 THE WITNESS: I accept the instruction.

28  
1 BY MS. BREDEHOFT:  
2 Q After you began representing Mr. Depp,  
3 Mr. Depp filed a lawsuit against Joel Mandel,  
4 Mr. Depp's former business manager, correct?  
5 **A That's correct.**  
6 Q And you represented Mr. Depp in that  
7 lawsuit against Joel Mandel and his company, did  
8 you not?  
9 **A I did.**  
10 Q But it was Mr. Depp's decision on whether  
11 to file the lawsuit against Mandel and his  
12 company. Would you agree?  
13 MR. CHEW: I would instruct the witness  
14 not to answer that question because it would  
15 require communication -- disclosure of  
16 communications between Mr. Depp and Mr. Waldman as  
17 to who was advising who as to filing the case  
18 against TMG and the Mandel brothers.  
19 So I would instruct you not to answer  
20 that.  
21 THE WITNESS: I accept the instruction.  
22 Q Did Mr. Depp have the ultimate

R, Jury  
Confusion

R, AF

R,  
Jury  
Confusion

R, Jury  
Confusion

R, AF

R, AF, Jury  
Confusion

R, AF, Jury Confusion  
1 decision-making ability with respect to the  
2 lawsuit against Mr. Mandel and his company?  
3 MR. CHEW: And, again, I would instruct  
4 you not to answer to the extent it requires you to  
5 disclose attorney-client communication.  
6 THE WITNESS: It would.

R, AF  
7 Q After you began representing Mr. Depp,  
8 Mr. Depp filed a lawsuit against Jake Bloom,  
9 Mr. Depp's former attorney, correct?  
10 A That's correct.  
11 Q And you represented Mr. Depp in that  
12 lawsuit against Jake Bloom and his law firm, did  
13 you not?  
14 A I did.

R, AF, Jury Confusion  
15 Q But it was Mr. Depp's decision on whether  
16 to file the lawsuit against Mr. Bloom and his law  
17 firm; is that correct?  
18 MR. CHEW: Again, I would instruct the  
19 witness not to answer to the extent it requires  
20 him to disclose attorney-client communications.  
21 THE WITNESS: It would.  
22 Q And Mr. Depp, though, was the ultimate

1 decision-maker in connection with any decisions  
2 made in the litigation against Mr. Bloom and his  
3 law firm. Would you agree?  
4 MR. CHEW: Same instruction not to answer.  
5 It's basically the same question gussied up a bit,  
6 so same instruction not to answer.  
7 THE WITNESS: I accept the instruction.

R, AF  
8 Q After you began representing Mr. Depp,  
9 Mr. Depp filed a lawsuit against The Sun newspaper  
10 and its editor-in-chief Dan Wootton, correct?  
11 A Correct.  
12 Q And for purposes of this deposition, I may  
13 refer to the lawsuit against The Sun and its  
14 editor, Dan Wootton, as "the U.K. lawsuit" or "the  
15 U.K. litigation." Will you understand those  
16 references to mean this?  
17 A I will.

R, AF, Jury Confusion  
18 Q What was your role in the U.K. litigation?  
19 MR. CHEW: I would instruct the witness  
20 not to answer that question because it necessarily  
21 requires him or would require him to disclose his  
22 communications with his client, Johnny Depp.

31  
1 THE WITNESS: It would. R, AF  
2 BY MS. BREDEHOFT:  
3 Q You represented Mr. Depp throughout the  
4 U.K. litigation, correct?  
5 A That's correct.

6 MR. CHEW: Again, I would instruct the  
7 witness not to answer the question to the extent  
8 that it requires him to disclose attorney-client  
9 privilege.  
10 We have to be consistent. It's all or  
11 nothing, and it's gonna be all.  
12 THE WITNESS: I should have waited for  
13 Mr. Chew's objection. I accept the instruction.  
14 MR. CHEW: I know. I apologize, Adam. I  
15 should have been quicker. But we have to be  
16 consistent, so the instruction is not to answer.  
17 THE WITNESS: I accept the instruction.

18 Q And Mr. Depp alleged in the U.K.  
19 litigation that The Sun and Dan Wootton had  
20 committed libel by accusing Mr. Depp of being a,  
21 quote, wife-beater, end of quote, and committing  
22 domestic violence against Amber Heard, correct?

32  
1 A That's true. R, P, AF

2 Q It was Mr. Depp's decision on whether to  
3 bring the U.K. lawsuit against The Sun and Dan  
4 Wootton, correct?

5 MR. CHEW: And, again, I would instruct  
6 the witness not to answer any -- I would instruct  
7 him not to answer because it, of course, would  
8 require him to disclose attorney-client  
9 communications as to the thought process that went  
10 into filing that particular lawsuit.  
11 THE WITNESS: I accept the instruction.

12 Q After you began representing Mr. Depp,  
13 Mr. Depp filed suit against Amber Heard, his  
14 former wife, correct?  
15 A That's correct.

16 Q And you represented Mr. Depp in the  
17 lawsuit against Amber Heard from March 1, 2019 up  
18 until October of 2020; is that correct?

19 MR. CHEW: You may answer that question  
20 "yes" or "no."  
21 THE WITNESS: Yes.

22 Q And it was Mr. Depp's decision on whether

33  
1 to file the lawsuit against Amber Heard; is that  
2 correct?  
3 MR. CHEW: I would instruct the witness  
4 not to answer that question based on attorney-  
5 client privilege.  
6 THE WITNESS: I accept the instruction.  
7 Q And Mr. Depp is alleging in this lawsuit  
8 that Amber Heard defamed him by suggesting that he  
9 had committed domestic abuse against her, correct?  
10 **A Yes.**  
11 Q If Mr. Depp had told you that the  
12 statements were correct and that he had abused  
13 Amber Heard, would you have represented Mr. Depp  
14 in bringing this litigation?  
15 MR. CHEW: Objection to the form of the  
16 question. It is an improper hypothetical to a  
17 fact witness. I'm -- I'm going to instruct the  
18 witness not to answer, because even in a  
19 hypothetical format I think it requires the  
20 witness to disclose attorney-client communication.  
21 So I would instruct you not to answer  
22 that.

34  
1 THE WITNESS: I'll accept the instruction.  
2 BY MS. BREDEHOFT:  
3 Q If Mr. Depp had told you that the  
4 characterizations of him as a wife-beater and that  
5 he committed domestic violence against Amber Heard  
6 were correct and that he had abused Amber Heard,  
7 would you have advised him not to bring the  
8 litigation in the U.K.?  
9 MR. CHEW: Objection to the form of the  
10 question; improper hypothetical. But more  
11 importantly, it calls for -- even in hypothetical  
12 format calls for disclosure of attorney-client  
13 communications, so I would instruct the witness  
14 not to answer.  
15 THE WITNESS: I accept the instruction.  
16 Q As part of your representation of  
17 Mr. Depp, you contacted potential witnesses; is  
18 that correct?  
19 MR. CHEW: Again, I would -- that is  
20 attorney work product and that is protected in  
21 Virginia, so I would object on that basis.  
22 But you can answer that question "yes" or

35  
1 "no." R, P, Jury  
2 THE WITNESS: Yes. Confusion  
3 BY MS. BREDEHOFT:  
4 Q You also spoke with the press on  
5 Mr. Depp's behalf, did you not?  
6 MR. CHEW: Object- -- object to the form  
7 of the question to the extent that it purports to  
8 call for a legal conclusion, and I would instruct  
9 the witness not to answer to the extent that it  
10 requires disclosure of any communications between  
11 yourself and Mr. Depp. P, Jury  
12 THE WITNESS: It would. Confusion  
13 Q And therefore?  
14 **A And therefore, I accept the instruction.**  
15 Q How frequently did you communicate with  
16 the press on Mr. Depp's behalf?  
17 MR. CHEW: I would instruct the witness  
18 not to answer that question because it's  
19 impossible to do so without disclosing attorney-  
20 client privilege.  
21 THE WITNESS: I accept the instruction.  
22 Q Why did you communicate with the press?

36  
1 MR. CHEW: Same instruction not to answer  
2 on the same grounds.  
3 THE WITNESS: I accept the instruction.  
4 BY MS. BREDEHOFT:  
5 Q What were you hoping to gain?  
6 MR. CHEW: Same instruction not to answer  
7 the question.  
8 THE WITNESS: I accept the instruction.  
9 Q You were admitted to this case through pro  
10 hac vice, correct?  
11 **A Correct.** R, P, Jury  
12 Q And in order to make an appearance in a Confusion  
13 case where you were not admitted to practice law  
14 in Virginia, you have to have the approval of the  
15 Court, and that's the process that develops for  
16 pro hac vice status. Is that your understanding?  
17 **A Yes.**  
18 Q And Chief Judge White in October 2020  
19 revoked your pro hac vice status, did he not?  
20 **A Yes, that's true.**  
21 MR. CHEW: And I'm going to say at this  
22 point, Elaine, that any further questions along

R, Jury  
Confus.

R, P,  
Jury  
Confus.

R, P, Jury  
Confusion

37  
1 these lines would constitute harassment and are in  
2 no way related to the subject matter of this case.  
3 So I'll just throw that out there, that I'm going  
4 to be instructing the witness not to answer  
5 questions that are solely designed to get at  
6 attorney work product, attorney-client  
7 communications, or are designed to harass.  
8 I mean, we all know that your client -- or  
9 I believe that you know that your client is  
10 compromised, and so you want to make a sideshow  
11 and blame Mr. Waldman for everything. But we're  
12 not going to let that happen. So just be warned  
13 about that.  
14 BY MS. BREDEHOFT:  
15 Q So you are no longer able to appear on  
16 Mr. Depp's behalf in this case; is that correct?  
17 MR. CHEW: I'm going to instruct the  
18 witness not to answer on the grounds of  
19 harassment.  
20 THE WITNESS: I'll follow the instruction.  
21 Q But notwithstanding that you can no longer  
22 make an appearance on Mr. Depp's behalf, you still  
38  
1 represent Mr. Depp; is that correct?  
2 MR. CHEW: I'm going to instruct the  
3 witness not to answer on the grounds of  
4 attorney-client privilege and harassment.  
5 THE WITNESS: I accept the instruction.  
6 Q You remain Mr. Depp's primary counsel for  
7 all of his affairs; isn't that correct?  
8 MR. CHEW: I -- I'm going to instruct the  
9 witness not to answer that because I don't think  
10 you can answer that without disclosing your  
11 communications with Mr. Depp, and we have to be  
12 consistent.  
13 THE WITNESS: That -- that's true, and I  
14 accept the instruction.  
15 Q Now, I'm going to --  
16 MS. BREDEHOFT: Lucien, could you bring up  
17 Exhibit No. 3, please.  
18 AV TECHNICIAN: Please stand by.  
19 And I'll mark it as Exhibit 3?  
20 Ms. Bredehoft, do you want me to mark it  
21 as Exhibit 3?  
22 MS. BREDEHOFT: Yes, please.

39  
1 AV TECHNICIAN: Okay.  
2 (Exhibit 3, Rolling Stone article, was  
3 marked for identification and is attached to the  
4 transcript.)  
5 MR. CHEW: Showing Exhibit 3 on the  
6 screen.  
7 BY MS. BREDEHOFT:  
8 Q Mr. Waldman, I'm going to ask you to take  
9 a look at what has been marked as Exhibit No. 3.  
10 Did there come a time in 2018 that you contacted  
11 Rolling Stone about writing an article about  
12 Mr. Depp?  
13 MR. CHEW: I would object to the extent  
14 that it -- it calls for attorney work product.  
15 And to the extent that you cannot answer  
16 it without disclosing communications with  
17 Mr. Depp, I would instruct you not to answer.  
18 THE WITNESS: I think it would implicate  
19 discussions with Mr. Depp so I accept your  
20 instruction.  
21 Q The author of this article, which was  
22 published on June 21, 2018, is Stephen Rodrick.  
40  
1 Were you present when Mr. Rodrick interviewed  
2 Mr. Depp?  
3 MR. CHEW: You may answer that question  
4 "yes" or "no."  
5 THE WITNESS: It's not yes or no. I was  
6 there for some of it.  
7 Q Okay. Was the Rolling Stone interview  
8 before or after Mr. Depp filed suit against The  
9 Sun and Dan Wootton?  
10 MR. CHEW: Objection to relevance.  
11 THE WITNESS: I'm not sure.  
12 Q Do you recall whether the publication of  
13 this Rolling Stone article was before or after  
14 Mr. Depp filed the lawsuit against The Sun and Dan  
15 Wootton?  
16 A I don't.  
17 Q I'm going to ask you to take a look at  
18 page 10.  
19 MS. BREDEHOFT: And, Lucien, maybe -- if I  
20 could have control, maybe I can scroll.  
21 Oh, never mind. I shouldn't have taken  
22 control. He's got it here. Okay. Thank you.

R, P,  
Jury  
Confusion

R, Jury  
Confusion

R

R, AF

41  
1 But I would like to take control now so I  
2 can highlight. And if you could give me the  
3 highlight bar, that would be great.  
4 Thank you.  
5 AV TECHNICIAN: You now have control.  
6 MS. BREDEHOFT: Okay.  
7 BY MS. BREDEHOFT:  
8 Q It says on page 10, It was Adam Waldman  
9 who first contacted Rolling Stone about writing a  
10 story about the injustice of being -- injustice  
11 being done to Depp's reputation and bottom line.  
12 Do you see that?  
13 A I do.  
14 MR. CHEW: I would just caution the  
15 witness to -- if you're going to ask him about a  
16 document, that he read the entire document.  
17 That's an opportunity of which your client availed  
18 herself to a great deal during her deposition, so  
19 I think it is important that Mr. -- the witness be  
20 allowed an opportunity to see these things in  
21 context. I mean --  
22 THE WITNESS: It would be -- it would be

R

42  
1 helpful. I haven't seen this article in a long  
2 time. If we're going to be talking about it, I  
3 might want to read it.  
4 BY MS. BREDEHOFT:  
5 Q Well, before you go there, Mr. Waldman, I  
6 asked you a question. I just read that and said:  
7 Do you see that? With that -- can you answer that  
8 question?  
9 A I thought I answered yes, but yes, ma'am.  
10 Q Okay. Thank you very much.  
11 And is that an accurate statement?  
12 A No.  
13 Q What is inaccurate about it?  
14 A It says, It was Adam Waldman who first  
15 contacted Rolling Stone; that's incorrect.  
16 Q What is correct?  
17 A What is correct is that I was not the  
18 first to contact Rolling Stone.  
19 Q Who first contacted Rolling Stone?  
20 A Mr. Depp.  
21 MR. CHEW: And I would just, on a going-  
22 forward basis, instruct the witness not to answer

R

43  
1 any communications -- any questions relating to  
2 questions that would implicate any communications  
3 you had with Mr. Depp.  
4 BY MS. BREDEHOFT:  
5 Q I'm going to ask the question  
6 notwithstanding: Why did Mr. Depp contact the  
7 Rolling Stone?  
8 MR. CHEW: I would instruct you not to  
9 answer that question.  
10 THE WITNESS: I accept the instruction.  
11 Q Did Mr. Depp authorize you to have  
12 communications with the Rolling Stone to set up  
13 this interview?  
14 MR. CHEW: Instruct you not to answer that  
15 question on the grounds of attorney-client  
16 privilege.  
17 THE WITNESS: I accept the instruction.  
18 Q Did you assist Mr. Depp with publicity on  
19 Mr. Depp's behalf?  
20 MR. CHEW: I would instruct -- I would  
21 instruct you not to answer on the grounds of  
22 attorney-client communications.

R, Jury  
Confusion

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1 THE WITNESS: I accept the instruction.  
2 BY MS. BREDEHOFT:  
3 Q In your view, does assisting Mr. Depp with  
4 publicity constitute legal work?  
5 MR. CHEW: The witness has already  
6 testified he had one engagement for Mr. Depp, and  
7 that was a legal engagement. So I'm going to  
8 instruct him not to answer any questions about his  
9 communications with Mr. Depp.  
10 THE WITNESS: I accept the instruction.  
11 Q I'm going to go up to page 4.  
12 MS. BREDEHOFT: Lucien, maybe you can do  
13 that because you're faster at it than I am.  
14 Q And I'm just going to make reference here  
15 to a statement: His closest confidant seems to be  
16 Waldman, a lawyer he met less than two years ago.  
17 Do you see that statement?  
18 A Yes, I do.  
19 Q Do you consider yourself to be Mr. Depp's  
20 closest confidant?  
21 MR. CHEW: I'm going to object. First of  
22 all, I mean, again, you're showing him sentences

H, R

R, Jury  
Confus.

45  
1 in isolation when he's indicated he'd like to see  
2 context.  
3 Secondly, and perhaps more importantly, I  
4 don't see how he can possibly answer that question  
5 without disclosing his communications with  
6 Mr. Depp. It would only be Mr. Depp who would  
7 have told him that he was or was not his closest  
8 confidant, so I'm going to instruct him not to  
9 answer.  
10 THE WITNESS: That's true, and I accept  
11 the instruction.  
12 Q Now, during this interview, Mr. Waldman,  
13 did Mr. Depp hand you a joint?  
14 MR. CHEW: I'm sorry, would you read back  
15 the question.  
16 (The court reporter read the pertinent  
17 part of the record.)  
18 MR. CHEW: I would instruct you not to  
19 answer because that is an attorney-client  
20 communication. So I would instruct you not to  
21 answer.  
22 THE WITNESS: I accept the instruction.

R, P,  
Jury  
Confusion

46  
1 BY MS. BREDEHOFT:  
2 Q Mr. Waldman, did Mr. Depp hand you a joint  
3 in the presence of the reporter?  
4 **A I don't recall that happening, no.**  
5 Q Do you recall watching a video, Marilyn  
6 Manson's Kill4Me video, in the presence of the  
7 reporter during the interview with Rolling Stones  
8 [sic]?  
9 MR. CHEW: Objection; irrelevant.  
10 THE WITNESS: I remember watching a  
11 Marilyn Manson video. I couldn't tell you what  
12 the song was in the presence of the reporter, yes.  
13 Q Do you have a recollection of seeing, in  
14 the presence of the reporter, Mr. Depp in a series  
15 of lewd poses with barely clad women?  
16 MR. CHEW: Objection; irrelevant.  
17 THE WITNESS: I'm sorry, could you repeat  
18 the question.  
19 MS. BREDEHOFT: Could you just read it  
20 back, Amy.  
21 (The court reporter read the pertinent  
22 part of the record.)

R, P

47  
1 MR. BRAGA: Elaine, is that with reference  
2 to the video that was watched?  
3 MS. BREDEHOFT: Yes. Yes, thank you,  
4 Stephen.  
5 THE WITNESS: No, I don't. I don't recall  
6 anything about the video.  
7 BY MS. BREDEHOFT:  
8 Q So you couldn't say whether you did or did  
9 not see that or you just don't recall?  
10 MR. CHEW: Objection; asked and answered.  
11 THE WITNESS: To clarify, I remembered  
12 that there was a Marilyn Manson video. I don't  
13 remember anything about the content of the video  
14 or what song it was.  
15 Q Do you recall Mr. Depp saying to  
16 Mr. Rodrick in your presence that, It's insulting  
17 to say I spent \$30,000 on wine because it was far  
18 more?  
19 **A I don't remember him saying that**  
20 **specifically, no.**  
21 Q And now I have to ask you because I'm not  
22 sure of your answer. Is it that you don't recall

48  
1 one way or the other, or you recall that he did  
2 not say that?  
3 **A I don't recall one way or the other.** R, P  
4 **Forgive me.**  
5 Q Okay. Thank you.  
6 Do you recall telling the reporter that  
7 you and Mr. Depp saw yourselves as, quote, freedom  
8 fighters, end of quote?  
9 MR. CHEW: Objection; irrelevant.  
10 THE WITNESS: No.  
11 Q Have you ever used the term to describe  
12 you and Mr. Depp as, quote, freedom fighters, end  
13 of quote?  
14 **A I don't think so, no.**  
15 Q Did you use any other type of terminology  
16 to describe you and Mr. Depp and what you were  
17 engaging in?  
18 MR. CHEW: Objection; vague.  
19 THE WITNESS: The question is did I use  
20 other terminology? Yes. But I'm not able to say  
21 what that terminology was years later.  
22 Q You just can't recall?

<p>49</p> <p>1 <b>A No, not specific words that I used at that</b> 2 <b>time, no.</b></p> <p>3 Q Would it be fair to say that you were 4 quite proud of representing Mr. Depp in these 5 lawsuits against Mandel and Bloom?</p> <p>6 <b>A I'm not sure what you mean by "proud."</b></p> <p>7 Q Well, how did you feel about representing 8 Mr. Depp in those lawsuits?</p> <p>9 MR. CHEW: Objection; lack of relevance.</p> <p>10 THE WITNESS: Sure. I -- I thought that 11 these were all three of the trio of cases -- or 12 the quartet, I suppose, counting the U.K. These 13 were real injustices that had been visited on 14 Mr. Depp, and I just felt very -- yeah, that's how 15 I felt, I felt very determined to vindicate him on 16 all of them.</p> <p>17 Q When you were saying the trio of lawsuits, 18 which three were you referring to?</p> <p>19 MR. CHEW: Objection; misstates the 20 testimony.</p> <p>21 THE WITNESS: Well, when I said "trio" 22 before I said quartet, I meant the Mandel case,</p>	<p>51</p> <p>1 THE WITNESS: Yes.</p> <p>2 BY MS. BREDEHOFT:</p> <p>3 Q So I'm just going to put on the record: 4 Why?</p> <p>5 MR. CHEW: And I'm going to put on the 6 record I'm instructing the witness on behalf of 7 Mr. Depp not to answer the question, though I know 8 he would like to do so. But he can't because of 9 the danger of waiver. So I'm going to instruct 10 the witness not to answer the "why" question.</p> <p>11 THE WITNESS: I understand, and I accept 12 the instruction.</p> <p>13 Q In participating in the interview with the 14 Rolling Stones, were you speaking on Mr. Depp's 15 behalf?</p> <p>16 MR. CHEW: Objection to the extent that it 17 purports to call for a legal conclusion.</p> <p>18 And I'm going to instruct not to answer, 19 because, again, I don't think you can answer that 20 question without disclosing your communications 21 with Mr. Depp about authority. So I'm instructing 22 you not to answer the question.</p>
<p>50</p> <p>1 the Bloom case, and the -- and The Sun case. Of 2 course, then there's the case we're talking about 3 today; so there's four.</p> <p>4 BY MS. BREDEHOFT:</p> <p>5 Q And so the quart- -- that's my next 6 question. So the "quartet" that you were 7 referring to was Mandel, Bloom, The Sun case, 8 which is the U.K. litigation, and then this case 9 against Amber Heard?</p> <p>10 <b>A Yes, that's correct.</b></p> <p>11 Q Okay. And you felt that there was a real 12 injustice against Mr. Depp and that these lawsuits 13 were an attempt to vindicate him. Would that be 14 fair to say?</p> <p>15 MR. CHEW: And I think that the witness 16 can answer this question, but I think we're 17 getting close to the line of getting into 18 communications between Mr. Waldman and Mr. Depp, 19 who would be the source of information. So I 20 think he can answer that question "yes" or "no," 21 but he's not going to be able to answer the "why" 22 questions.</p>	<p>52</p> <p>1 THE WITNESS: I accept the instruction.</p> <p>2 BY MS. BREDEHOFT:</p> <p>3 Q It was Mr. Depp's choice whether you said 4 anything to the press relating to Mr. Depp. Would 5 you agree?</p> <p>6 MR. CHEW: Instruct- -- I instruct the 7 witness not to answer.</p> <p>8 THE WITNESS: I accept the instruction.</p> <p>9 MS. BREDEHOFT: I'm sorry. On what basis, 10 Ben? I think you need to --</p> <p>11 MR. CHEW: On attorney-client 12 communications. I was trying to go shorthand, but 13 I'll do it each time. So I'm instructing the 14 client -- strike that. I'm instructing 15 Mr. Waldman not to answer the question on the 16 grounds of both attorney-client communication and 17 attorney work product.</p> <p>18 Q And, Mr. Waldman, just so we have a clear 19 record, you're accepting that, I take it?</p> <p>20 <b>A Yes, I'm accepting it. Sorry.</b></p> <p>21 Q Okay. Thank you.</p> <p>22 Mr. Waldman, you reached out to a number</p>

R, Jury  
Confusion

R, Jury  
Confusion

R

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1 of other publications to speak on Mr. Depp's  
2 behalf. Do you recall?  
3 MR. CHEW: Again, I would instruct not to  
4 answer to the extent it requires you to disclose  
5 communications that you had with Mr. Depp.  
6 THE WITNESS: It would, and I accept the  
7 instruction.  
8 Q How many publications did you communicate  
9 with on behalf of Mr. Depp?  
10 MR. CHEW: Same instruction not to answer  
11 based on attorney-client privilege and attorney  
12 work product.  
13 THE WITNESS: I accept the instruction.  
14 Q How many publications did you reach out to  
15 on Mr. Depp's behalf relating to the U.K.  
16 litigation?  
17 MR. CHEW: Same instruction not to answer  
18 on the same grounds.  
19 THE WITNESS: I accept the instruction.  
20 Q How many publications did you reach out to  
21 on Mr. Depp's behalf relating to this litigation?  
22 MR. CHEW: Same instruction on the same

54  
1 grounds.  
2 THE WITNESS: I accept the instruction.  
3 BY MS. BREDEHOFT:  
4 Q How many publications did you reach out to  
5 concerning allegations that Mr. Depp had abused  
6 Amber Heard?  
7 MR. CHEW: Same instruction; same grounds.  
8 THE WITNESS: I accept the instruction.

9 Q Mr. Waldman, you had a Twitter account;  
10 did you not?  
11 A I did.  
12 Q When did you begin that Twitter account?  
13 A I'm not sure of the date.  
14 Q Approximately when?  
15 A I'm not even sure of the year.  
16 Q Was it prior to 2005, 2010, 2015?  
17 A Do you want me to speculate?  
18 Q I want you to give me your best estimate.  
19 A Okay.

20 MR. CHEW: I would caution the witness not  
21 to speculate.  
22 I'm sure Ms. Bredehoft really doesn't want

55  
1 you to speculate.  
2 THE WITNESS: I'm really not sure of the  
3 year. I couldn't put a specific date on it.  
4 BY MS. BREDEHOFT:  
5 Q Do you recall --  
6 A If you want me to give you ranges, I could  
7 try.  
8 Q Do you recall how many years you had a  
9 Twitter account?  
10 A Not precisely, no.  
11 Q Was it more than a year? R  
12 A I think so.  
13 Q Was it more than three years?  
14 A I don't think so.  
15 Q Now, you had your Twitter account  
16 suspended, correct?  
17 MR. CHEW: Objection; lack of relevance,  
18 harassment.  
19 THE WITNESS: Yes, that's true, my Twitter  
20 account was suspended.  
21 Q Do you recall when that was?  
22 A Not with specificity, no. R, P

56  
1 Q Do you recall why?  
2 A Well, I wrote several letters to Twitter  
3 to ask why I was suspended for life from their  
4 platform. And the response that I received was  
5 multiple violations of their policy. So I asked  
6 could they name one example of those multiple  
7 violations. And they responded by saying now they  
8 were appealing -- without my asking them to do  
9 so -- my suspension, and that's when they sent me  
10 another note that I was suspended for life.

11 Q Just so the record's clear, so you have  
12 been suspended for life by Twitter?  
13 A Yes.  
14 Q Okay. Do you have a Twitter account now?  
15 A No.

16 Q Have you used anyone else's Twitter  
17 account since you were suspended?  
18 A No.  
19 Q Have you authorized anyone to publish  
20 anything on a Twitter account on your behalf?  
21 MR. CHEW: Objection; vague.  
22 THE WITNESS: No.

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1 BY MS. BREDEHOFT:  
2 Q Have you written anything for anyone  
3 else's Twitter accounts?  
4 MR. BRAGA: Does this mean, Elaine, after  
5 he was suspended?  
6 MS. BREDEHOFT: Yes.  
7 THE WITNESS: No.  
8 Q Do you still communicate with the press  
9 relating to Mr. Depp?  
10 MR. CHEW: And I would instruct the  
11 witness not to answer the question to the extent  
12 that it requires you to disclose communications  
13 between you and Johnny.  
14 THE WITNESS: It would, so I accept the  
15 instruction.  
16 Q Do you still communicate with the press on  
17 Mr. Depp's behalf?  
18 MR. CHEW: Same instruction; same grounds.  
19 THE WITNESS: I accept the instruction.  
20 Q Has Mr. Depp ever asked you not to speak  
21 to the press?  
22 MR. CHEW: Same instruction; same grounds.

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1 BY MS. BREDEHOFT:  
2 Q Would you have followed Mr. Depp's  
3 direction if he had asked you not to speak with  
4 the press about issues involving he and Amber  
5 Heard?  
6 MR. CHEW: Improper hypothetical, and I  
7 will instruct not to answer on the grounds of  
8 attorney-client privilege.  
9 THE WITNESS: I accept the instruction.  
10 Q Has Mr. Depp ever asked you to correct or  
11 retract any statements you made to the press  
12 relating to Mr. Depp or Mr. -- or Amber Heard?  
13 MR. CHEW: I would instruct the witness  
14 not to answer on the grounds of attorney-client  
15 privilege.  
16 THE WITNESS: I accept the instruction.  
17 Q Would you have followed Mr. Depp's  
18 direction if he had asked you to correct or  
19 retract any statements you made to the press  
20 relating to Mr. Depp or Amber Heard?  
21 MR. CHEW: Same instruction; same grounds.  
22 THE WITNESS: And I accept the

P,  
Jury  
Confus.

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1 That -- on its face, it would require Mr. Depp --  
2 Mr. Waldman to disclose his communications with  
3 Mr. Depp, which he will not do.  
4 THE WITNESS: It would, and I accept the  
5 instruction.  
6 BY MS. BREDEHOFT:  
7 Q Would you have followed Mr. Depp's  
8 direction if he had asked you not to speak to the  
9 press?  
10 MR. CHEW: Objection; improper  
11 hypothetical, and I will instruct the witness not  
12 to answer because it's an end-around the  
13 attorney-client privilege. Clever, but I'm going  
14 to instruct the witness not to answer.  
15 THE WITNESS: I accept the instruction.  
16 Q Has Mr. Depp ever asked you not to speak  
17 to the press about issues involving he and Amber  
18 Heard?  
19 MR. CHEW: I would instruct the witness  
20 not to answer the question on attorney-client  
21 privilege.  
22 THE WITNESS: I accept the instruction.

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1 instruction.  
2 BY MS. BREDEHOFT:  
3 Q Have you ever asked the press to correct  
4 or retract any statements you have made to the  
5 press relating to Mr. Depp or Amber Heard?  
6 MR. CHEW: You may answer that question to  
7 the extent you can do so without disclosing  
8 communications you had with Mr. Depp.  
9 But I would object on attorney-work-  
10 product grounds.  
11 THE WITNESS: I'm -- I want to make sure I  
12 understand the instruction. Are you saying you  
13 instruct not to answer in the event it implicates  
14 privileged conversations with Mr. Depp?  
15 MR. CHEW: Yeah, I think I'm going to  
16 instruct not to answer. And that falls on me;  
17 that doesn't fall on you or Mr. Braga. I'm going  
18 to instruct you not to answer that in an abundance  
19 of caution, because Virginia law is very  
20 unforgiving on waiver, as Ms. Bredehoft is aware.  
21 So I'm going to instruct you not to answer that  
22 question.

P, Jury  
Confus.

P,  
Jury  
Confusion

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1 THE WITNESS: Okay. Thank you. I  
2 understand. I accept the instruction.  
3 MS. BREDEHOFT: Lucien, could we bring up  
4 Exhibit No. 4.  
5 AV TECHNICIAN: Stand by.  
6 (Exhibit 4, Daily MailOnline article,  
7 Published April 8, 2020, was marked for  
8 identification and is attached to the transcript.)  
9 AV TECHNICIAN: Showing Exhibit 4 on the  
10 screen.  
11 MS. BREDEHOFT: Thank you.  
12 BY MS. BREDEHOFT:  
13 Q Mr. Waldman, I'm going to ask you to take  
14 a look at what has been marked as Exhibit No. 4.  
15 I think I'm going to try to blow it up just a  
16 touch. It's kind of hard to read. Okay.  
17 And it's an article from July 3, 2020 from  
18 MailOnline. This is Daily MailOnline. Do you see  
19 that?  
20 A I do.  
21 Q Okay. And I'm going to ask you to turn to  
22 what would be -- I forgot my page numbers here.

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1 A Ms. Bredehopt, if we're going to talk  
2 about this article, may I read it? I assume it's  
3 not too long.  
4 Q Yes. Yeah, absolutely. In fact, why  
5 don't you take control, Mr. Waldman, and that way  
6 you can scroll at your --  
7 A This is dangerous giving me -- giving me  
8 control.  
9 Q And, Mr. Waldman --  
10 A Do I scroll down with my scroll button?  
11 Q You can. And, Mr. Waldman, you can also  
12 blow it up a little bit more. It's at 75 percent.  
13 So if you need to be able to see it better, you  
14 can do that as you scroll. Go ahead and take your  
15 time and then I will --  
16 A I can use my cursor to scroll?  
17 MR. CHEW: Mr. Waldman, if you click on  
18 the screen, you'll be able to use -- yeah, there  
19 you go.  
20 THE WITNESS: Okay. Thank you. I'm able  
21 to, thank you.  
22 It's stopping me from going down to the

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1 bottom.  
2 AV TECHNICIAN: Click on the screen again.  
3 I had to unmute.  
4 THE WITNESS: Ahh, there we go. Thank  
5 you.  
6 I was wrong; it's a long article.  
7 MR. CHEW: I would just note for the  
8 record it's not one of the three articles that  
9 remained in Ms. Heard's counterclaim, so I would  
10 object -- make a threshold objection on relevance  
11 grounds.  
12 THE WITNESS: Okay. I think I've read the  
13 article. I'm not going to read the transcript of  
14 the audiotope unless -- I'll read that, I guess,  
15 if we have questions about it.  
16 BY MS. BREDEHOFT:  
17 Q No. No, actually, if -- I'm just going to  
18 go to page 8.  
19 MS. BREDEHOFT: Lucien, if you can take me  
20 to page 8, that will move it faster.  
21 Q And I'm going to make it a little bit  
22 larger. And I'm going to --

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1 MS. BREDEHOFT: I need control. There we  
2 go. Thank you. Oops, that's the wrong one.  
3 BY MS. BREDEHOFT:  
4 Q I'm going to ask you to take a look at the  
5 following: It says, Adam Waldman, Depp's lawyer,  
6 said afterwards, quote, Amber Heard and her  
7 friends in the media use fake sexual violence  
8 allegations as both a sword and a shield,  
9 depending on their needs.  
10 They have selected some of her sexual  
11 violence hoax facts -- quote, facts, end of quote,  
12 as the sword, inflicting them on the public and  
13 Mr. Depp.  
14 Do you see that?  
15 A I do.  
16 Q Did you make that statement?  
17 A I believe I did.  
18 Q Did you make that statement on behalf of  
19 Mr. Depp?  
20 MR. CHEW: I would instruct the witness  
21 not to answer that question on attorney-client  
22 privilege grounds.

P, Jury  
Confusion

P, Jury  
Confusion

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1 THE WITNESS: I accept the instruction.  
2 BY MS. BREDEHOFT:  
3 Q Why did you make the statement?  
4 MR. CHEW: Same instruction; same  
5 rationale.  
6 You can't answer the "why" question  
7 without disclosing attorney-client privilege, so I  
8 would instruct you not to answer.  
9 Q Were you representing Mr. Depp at the time  
10 you made this statement?  
11 MR. CHEW: Objection; asked and answered.  
12 And -- in any event, I'm going to instruct the  
13 witness not to answer that question on  
14 attorney-client privilege grounds.  
15 THE WITNESS: I apologize, I actually  
16 didn't hear the question. I can agree with the  
17 instruction, but I probably should hear the  
18 question.  
19 MR. CHEW: Fair enough.  
20 MS. BREDEHOFT: Amy, could you read that  
21 back, please. Thank you.  
22 (The court reporter read the pertinent

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1 part of the record.)  
2 MR. CHEW: I would instruct the witness  
3 not to answer on attorney-client privilege  
4 grounds.  
5 THE WITNESS: And thank you.  
6 I accept the instruction. Sorry for the  
7 repetition.  
8 BY MS. BREDEHOFT:  
9 Q Did you discuss the statement with  
10 Mr. Depp before making the statement?  
11 MR. CHEW: Same objection; same grounds.  
12 THE WITNESS: Yeah, I accept the  
13 instruction.  
14 Q Did you discuss the statement with  
15 Mr. Depp after making the statement?  
16 MR. CHEW: Same instruction; same grounds.  
17 THE WITNESS: I accept the instruction.  
18 Q Was Mr. Depp aware, either before or  
19 after, that you were making this statement?  
20 MR. CHEW: Same instruction; same grounds.  
21 THE WITNESS: I accept the instruction.  
22 Q Did you make this statement with

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1 Mr. Depp's authorization or agreement?  
2 MR. CHEW: Same instruction; same grounds.  
3 THE WITNESS: I accept the instruction.  
4 Q Was Mr. Depp aware that you were speaking  
5 with the press?  
6 MR. CHEW: Same instruction; same grounds.  
7 THE WITNESS: I accept the instruction.  
8 Q Did Mr. Depp ever ask you to retract or  
9 correct this statement?  
10 MR. CHEW: Same instruction; same grounds.  
11 THE WITNESS: I accept the instruction.  
12 Q If Mr. Depp had asked you to retract or  
13 correct the statement, would you have retracted or  
14 corrected it?  
15 MR. CHEW: Same instruction; same grounds.  
16 THE WITNESS: I accept the instruction.  
17 Q If Mr. Depp had told you that the  
18 statement was not correct, would you have  
19 corrected or retracted it?  
20 MR. CHEW: Same instruction; same grounds.  
21 THE WITNESS: I accept the instruction.  
22 Q Did you rely upon any statements or

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1 evidence from Mr. Depp in making this statement?  
2 MR. CHEW: Same instruction; same grounds.  
3 THE WITNESS: Yes, I accept the  
4 instruction.  
5 MS. BREDEHOFT: Thank you. You can take  
6 this one down, Lucien.  
7 And if you can bring up Exhibit No. 5.  
8 AV TECHNICIAN: Stand by.  
9 (Exhibit 5, Daily MailOnline article,  
10 Published April 27, 2020, was marked for  
11 identification and is attached to the transcript.)  
12 AV TECHNICIAN: Showing Exhibit 5 on the  
13 screen.  
14 BY MS. BREDEHOFT:  
15 Q Mr. Waldman, I'm going to be asking you a  
16 question about a specific statement in this one.  
17 If you would like to read the article first, you  
18 are certainly at liberty to, and you can take  
19 control now and do that.  
20 A Thank you. I will.  
21 MR. CHEW: And, again, I would just note  
22 for the record this is not one of the three

P, Jury  
Confus.

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1 statements, F, G, or H, that is still at issue in  
2 the litigation.  
3 THE WITNESS: Okay. Thank you. I've read  
4 it.  
5 MS. BREDEHOFT: All right. I'm going to  
6 ask Lucien to take control and take me to page 9.  
7 And then I'm going to ask to take control so I can  
8 do my highlighter. And I'm going to go down to --  
9 there we go. It's page 10, actually, I guess,  
10 here.  
11 BY MS. BREDEHOFT:  
12 Q It says -- and this is -- I guess I didn't  
13 set the stage here. This was the Daily Mail  
14 published on July 3, 2020 [sic]. And I'm going to  
15 now direct your attention to page 9. Depp's  
16 lawyer Adam Waldman said the various discrepancies  
17 proved that nothing Heard and her friends said  
18 about the events of May 21, 2016 could be  
19 considered credible.  
20 Do you see that?  
21 MR. CHEW: Objection; hearsay.  
22 THE WITNESS: I do.

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1 A Okay.  
2 Q I'm sorry --  
3 A Where it said, nothing could be considered  
4 credible, that's not quoting me.  
5 Q Right.  
6 A The part with the quote marks, I believe I  
7 said that, yes.  
8 Q So starting from "quite simply" through  
9 "911," you stated all that; is that correct?  
10 MR. CHEW: Objection; vague and ambiguous.  
11 THE WITNESS: Yes, I believe so.  
12 Q Okay. Did you make this -- these  
13 statements on Mr. Depp's behalf?  
14 MR. CHEW: Instruct the witness not to  
15 answer on the grounds of attorney-client  
16 privilege.  
17 THE WITNESS: I accept the instruction.  
18 Q Why did you make these statements?  
19 MR. CHEW: Same instruction; same reason.  
20 THE WITNESS: I accept the instruction.  
21 Q What were you trying to convey to the  
22 press in making these statements?

R,  
Jury  
Confusion

P, Jury  
Confusion

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1 Q Then I'm going to direct your attention,  
2 Mr. Waldman, to the next statement. Quote, Quite  
3 simply this was an ambush, a hoax. They set  
4 Mr. Depp up by calling the cops but the first  
5 attempt didn't do the trick.  
6 MR. CHEW: Objection; hearsay.  
7 MS. BREDEHOFT: Excuse me, I'm not done.  
8 Q The officers came to the penthouses,  
9 thoroughly searched and interviewed, and left  
10 after seeing no damage to face or property.  
11 So Amber and her friends spilled a little  
12 wine and roughed the place up, got their stories  
13 straight under the direction of a lawyer and a  
14 publicist, and then placed a second call to 911.  
15 Do you see that statement?  
16 MR. CHEW: Objection; hearsay.  
17 THE WITNESS: I do.  
18 Q Did you make those statements?  
19 A There are two parts to what you've shown  
20 me. The first part didn't have quotation marks  
21 around it.  
22 Q And I'm not asking about that.

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1 MR. CHEW: Same instruction; same reason.  
2 THE WITNESS: I accept the instruction.  
3 BY MS. BREDEHOFT:  
4 Q Did you discuss this statement with  
5 Mr. Depp before making these statements?  
6 MR. CHEW: Same instruction; same reason.  
7 THE WITNESS: I accept the instruction.  
8 Q Did you discuss these statements with  
9 Mr. Depp following making these statements?  
10 MR. CHEW: Same instruction; same  
11 rationale.  
12 THE WITNESS: Yes, I accept the  
13 instruction.  
14 Q Was Mr. Depp aware, either before or  
15 after, that you were making these statements?  
16 MR. CHEW: Same instruction; same reason.  
17 THE WITNESS: I accept the instruction.  
18 Q Did you make these statements with  
19 Mr. Depp's authorization or agreement?  
20 MR. CHEW: Same instruction; same basis.  
21 THE WITNESS: I accept the instruction.  
22 Q Was Mr. Depp aware you were speaking with

P, Jury  
Confus.

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1 the press?  
2 MR. CHEW: Same instruction; same basis.  
3 THE WITNESS: I accept the instruction.  
4 Q Did Mr. Depp ever ask you to retract or  
5 correct these statements?  
6 MR. CHEW: Same objection; same basis.  
7 THE WITNESS: I accept the instruction.  
8 Q If Mr. Depp had asked you to retract or  
9 correct these statements, would you have retracted  
10 or corrected them?  
11 MR. CHEW: Same instruction; same basis.  
12 THE WITNESS: I accept the instruction.  
13 Q If Mr. Depp had told you these statements  
14 were not correct, would you have corrected or  
15 retracted them?  
16 MR. CHEW: Same objection; same basis.  
17 THE WITNESS: I accept the instruction.  
18 Q Did you rely upon any statements or  
19 evidence from Mr. Depp in making these statements?  
20 MR. CHEW: Same instruction; same basis.  
21 THE WITNESS: I accept the instruction.  
22 Q Okay.

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1 MS. BREDEHOFT: Lucien, you can take that  
2 one down, and let's go to Exhibit No. 6.  
3 AV TECHNICIAN: Stand by.  
4 (Exhibit 6, Daily MailOnline article,  
5 Published June 24, 2020, was marked for  
6 identification and is attached to the transcript.)  
7 AV TECHNICIAN: I'm showing Exhibit 6 on  
8 the screen.  
9 BY MS. BREDEHOFT:  
10 Q Mr. Waldman, I'm going to ask you to take  
11 a look at Exhibit No. 6. This was another Daily  
12 MailOnline, July 3, 2020 [sic]. And if you would  
13 like to go ahead and read the article, this would  
14 be a good time to do it.  
15 **A Thank you.**  
16 MR. CHEW: And while he's doing that, I  
17 would just note for the record this is not one of  
18 the three articles that contain statements that  
19 are still at issue in the case in Ms. Heard's  
20 counterclaims.  
21 THE WITNESS: I'm getting a security block  
22 message.

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1 MS. BREDEHOFT: I got it, too.  
2 AV TECHNICIAN: Just click on the screen  
3 and try not to click on the text.  
4 THE WITNESS: Okay. I got the box again.  
5 MS. BREDEHOFT: Could we maybe take a  
6 break and, Lucien, you can see if you can figure  
7 that out -- help figure that out.  
8 AV TECHNICIAN: Sure.  
9 THE VIDEOGRAPHER: We are -- stand by. We  
10 are now going off the record. The time is  
11 11:22 a.m.  
12 (Recess was held.)  
13 THE VIDEOGRAPHER: We are now going back  
14 on the record. The time is 11:31 a.m.  
15 BY MS. BREDEHOFT:  
16 Q Mr. Waldman, we were looking at Waldman  
17 Exhibit No. 6, and it's the Daily Mail from July  
18 -- I just lost it there -- July 3, 2020. And you  
19 were going to scroll through it and I think we had  
20 some technical difficulties so we took a break.  
21 Have you had an opportunity to review it or do you  
22 need to now?

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1 **A No, Ms. Bredehoft, I -- I just saw the**  
2 **screen for the first time. So may I read it now?**  
3 Q Absolutely.  
4 MR. CHEW: And, Elaine, while he's doing  
5 that, let me make a correction. I had -- I stated  
6 with a couple of the last exhibits that these were  
7 not the statements at issue because I was thrown  
8 off by the date at the top of the exhibits. So  
9 some of the statements are at issue in the  
10 counterclaims. That was not the basis of any of  
11 my instructions not to answer. All the  
12 instructions not to answer were based on  
13 attorney-client privilege. So I just wanted to  
14 make that clear.  
15 THE WITNESS: Okay. May I read now?  
16 Q Oh. I thought you were reading while Ben  
17 was talking. But go ahead.  
18 **A Oh, sorry. Okay. I've -- there. It's**  
19 **controlling the document. Thank you.**  
20 **Okay. Thank you. I've read it.**  
21 Q Okay. Mr. Waldman --  
22 MS. BREDEHOFT: I'm going to ask for

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1 control of the screen, Lucien, if you could.  
2 Thank you.  
3 BY MS. BREDEHOFT:  
4 Q I'm going to ask you to turn to what is  
5 the 11th page, the last page you just finished  
6 reading, and I'm going to direct your attention to  
7 some specific words that are attributed to you.  
8 Do you see it says, Depp's attorney Adam Waldman  
9 said, right here?  
10 I'm trying to get that color, but...  
11 AV TECHNICIAN: Oh, yeah, I -- the ability  
12 to highlight is not -- you'll have to use a  
13 different tool to -- yeah, you'll have to draw.  
14 Yeah.  
15 Q Okay. Do you see, Depp's attorney Adam  
16 Waldman said? Do you see that there, Mr. Waldman?  
17 A I do.  
18 Q Okay. And then I'm going to direct your  
19 attention to specifically: the end of Ms. Heard's  
20 abuse hoax against Johnny Depp.  
21 Do you see that?  
22 A I do.

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1 Q Did you speak the words, quote, the end of  
2 Ms. Heard's abuse hoax against Johnny Depp?  
3 MR. CHEW: Objection; hearsay.  
4 THE WITNESS: I'm -- I'm not sure. It  
5 appears as I look at this that there are quote  
6 marks around the statement, and that suggests that  
7 I did. I don't remember saying these particular  
8 words, but it appears so.  
9 Q Do you have any reason to believe that you  
10 did not say, the end of Ms. Heard's abuse hoax  
11 against Ms. -- Johnny Depp?  
12 MR. CHEW: Objection; asked and answered,  
13 calls for speculation.  
14 THE WITNESS: No, I have no reason to --  
15 no reason to doubt that.  
16 Q What was -- were you representing Mr. Depp  
17 at the time you made this statement? I'm going to  
18 refer to it as a "statement." I'm taking specific  
19 words: Ms. Heard's abuse hoax against Johnny  
20 Depp. But were you representing Mr. Depp at the  
21 time you made the statement that included  
22 "Ms. Heard's abuse hoax against Johnny Depp"?

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1 MR. CHEW: Instruct the witness not to  
2 answer based on attorney-client privilege.  
3 THE WITNESS: I accept the instruction.  
4 Q Why did you make the statement?  
5 MR. CHEW: Same instruction; same basis.  
6 THE WITNESS: I accept the instruction.  
7 Q What were you trying to convey to the  
8 press in making this statement?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: I accept the instruction.  
11 Q Did you make the statement on Mr. Depp's  
12 behalf?  
13 MR. CHEW: Same instruction; same basis.  
14 THE WITNESS: I accept the instruction.  
15 Q Did you discuss this statement with  
16 Mr. Depp before making the statement?  
17 MR. CHEW: Same instruction; same basis.  
18 THE WITNESS: I accept the instruction.  
19 Q Did you discuss this statement with  
20 Mr. Depp following making the statement?  
21 MR. CHEW: Same instruction; same basis.  
22 THE WITNESS: I accept the instruction.

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1 Q Was Mr. Depp aware, either before or  
2 after, that you were making this statement?  
3 MR. CHEW: Same instruction; same basis.  
4 THE WITNESS: I accept the instruction.  
5 Q Did you make the statement with Mr. Depp's  
6 authorization or agreement?  
7 MR. CHEW: Same instruction; same basis.  
8 THE WITNESS: I accept the instruction.  
9 Q Was Mr. Depp aware you were speaking with  
10 the press?  
11 MR. CHEW: Same instruction; same basis.  
12 THE WITNESS: I accept the instruction.  
13 Q Did Mr. Depp ever ask you to retract or  
14 correct this statement?  
15 MR. CHEW: Same instruction; same basis.  
16 THE WITNESS: I accept the instruction.  
17 Q If Mr. Depp had asked you to retract or  
18 correct the statement, would you have done so?  
19 MR. CHEW: Same instruction; same basis.  
20 THE WITNESS: I accept the instruction.  
21 MS. BREDEHOFT: All right. We're going to  
22 go ahead and take this one down. And let's go

P, Jury  
Confusion

P, Jury  
Confusion

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1 ahead and bring up Exhibit No. 7.  
2 AV TECHNICIAN: Stand by.  
3 (Exhibit 7, Article by Emily Smith dated  
4 April 12, 2019, was marked for identification and  
5 is attached to the transcript.)  
6 AV TECHNICIAN: Showing 7 on the screen.  
7 BY MS. BREDEHOFT:  
8 Q Mr. Waldman, I'm going to show you what  
9 has been marked as Deposition Exhibit No. 7. It's  
10 dated July 3, 2020 [sic] here. Actually, there's  
11 a couple different dates. There's really one down  
12 here. Let's see.  
13 MS. BREDEHOFT: Can I take control here.  
14 That's good. Let me also blow it up a little bit.  
15 Q It's April 12, 2019. Do you see that?  
16 A I do.  
17 Q Okay. And it's -- it has Exclusive with  
18 Emily Smith. Do you know who Emily Smith is?  
19 A I -- I believe she's a reporter for the  
20 New York Post.  
21 Q Okay. I'm -- I'm going to go ahead and  
22 ask you to read through -- this is, fortunately, a

R, Jury  
Confusion

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1 much shorter article. But go ahead and take  
2 control and read through it, and then I'm going to  
3 be asking another question.  
4 A Whoops. I'm getting a security warning.  
5 Should I -- okay. I click the -- I click the  
6 document, but not the text, yeah?  
7 Q I think if you go outside --  
8 AV TECHNICIAN: Click on the screen there,  
9 on the side. Just try not to click on any links.  
10 THE WITNESS: Okay. Oh, yeah, this  
11 worked. Thank you.  
12 Okay. Thank you, I've read it.  
13 MS. BREDEHOFT: Okay. Lucien, if you can  
14 give me control again, please. Thank you.  
15 Q Mr. Waldman, I'm going to ask you to take  
16 a look -- I'm going to make it a little bit  
17 larger.  
18 A Thank you.  
19 Q And if you could just take a look, it  
20 says, Depp's lawyer, Adam Waldman, has insisted to  
21 the Post that Heard's allegations against Depp  
22 are, quote, a hoax, and that the superstar intends

R, P,  
Jury  
Confusion

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1 to prove it.  
2 Do you see that?  
3 A Yes.  
4 Q Did you, in fact, tell the Post that  
5 Heard's allegations against Depp are, quote, a  
6 hoax, end of quote?  
7 A Yes, I believe I did.  
8 Q And the next line says, quote, Ms. Heard  
9 has a new problem besides defamation, perjury and  
10 filing and receiving a fraudulent temporary  
11 restraining order demand with the court.  
12 Do you see that?  
13 A I do.  
14 Q Did you make the statement: Ms. Heard has  
15 a new problem besides defamation, perjury and  
16 filing and receiving a fraudulent temporary  
17 restraining order demand with the court?  
18 A Yes.  
19 Q Were you representing Mr. Depp at the time  
20 you made these statements? And by "these  
21 statements," as I go through my series of  
22 questions, I'm referring to the, quote, a hoax,

R, P, Jury  
Confusion

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1 end of quote, and, quote, Ms. Heard has a new  
2 problem besides defamation, perjury and filing and  
3 receiving a fraudulent temporary restraining order  
4 demand with the court.  
5 MR. CHEW: Instruction not to answer the  
6 question based on attorney-client communication  
7 privilege.  
8 THE WITNESS: I accept the instruction.  
9 Q Why did you make these statements?  
10 MR. CHEW: Same instruction; same basis.  
11 Q Are you accepting --  
12 A Yes.  
13 Q -- Mr. Waldman --  
14 A Forgive me. I accept the instruction.  
15 Q What were you trying to convey to the  
16 press in making these statements?  
17 MR. CHEW: Same instruction; same basis.  
18 THE WITNESS: I accept the instruction.  
19 Q Did you make these statements on  
20 Mr. Depp's behalf?  
21 MR. CHEW: Same instruction; same basis.  
22 THE WITNESS: I accept the instruction.

R, P,  
Jury  
Confusion

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1 BY MS. BREDEHOFT:  
2 Q Did you discuss these statements with  
3 Mr. Depp before making these statements?  
4 MR. CHEW: Same instruction; same basis.  
5 THE WITNESS: I accept the instruction.  
6 Q Did you discuss these statements with  
7 Mr. Depp following making the statements?  
8 MR. CHEW: Same instruction; same basis.  
9 THE WITNESS: I accept the instruction.  
10 Q Was Mr. Depp aware, either before or  
11 after, that you were making these statements?  
12 MR. CHEW: Same instruction; same basis.  
13 THE WITNESS: I accept the instruction.  
14 Q Did you make these statements with  
15 Mr. Depp's authorization or agreement?  
16 MR. CHEW: Same instruction; same basis.  
17 THE WITNESS: I accept the instruction.  
18 Q Was Mr. Depp aware you were speaking with  
19 the press?  
20 MR. CHEW: Same instruction; same basis.  
21 THE WITNESS: I accept the instruction.  
22 Q Did Mr. Depp ever ask you to retract or

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1 correct these statements?  
2 MR. CHEW: Same instruction; same basis.  
3 THE WITNESS: I accept the instruction.  
4 Q If Mr. Depp had asked you to retract or  
5 correct them, would you have retracted or  
6 corrected these statements?  
7 MR. CHEW: Same instruction; same basis.  
8 THE WITNESS: I accept the instruction.  
9 Q If Mr. Depp had told you these statements  
10 were not correct, would you have corrected or  
11 retracted these statements?  
12 MR. CHEW: Same instruction; same basis.  
13 THE WITNESS: I accept the instruction.  
14 MS. BREDEHOFT: We can go ahead and take  
15 this one down, and let's go to Exhibit No. 8.  
16 AV TECHNICIAN: Stand by.  
17 (Exhibit 8, The Blast article published  
18 June 2019, was marked for identification and is  
19 attached to the transcript.)  
20 AV TECHNICIAN: Showing Exhibit 8 on the  
21 screen.  
22 Q Mr. Waldman, I'm going to be -- I'm going

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1 to ask you to look at what has been marked as  
2 Waldman Exhibit No. 8.  
3 And if I can -- okay, I have control.  
4 It's -- I'm trying to see if it shows --  
5 -- if I can identify it. It was on April 12,  
6 2019. Actually, that's not correct. It was in  
7 June 2019. And this is a Blast -- this is from  
8 The Blast, if that explains it, right up here.  
9 If you could go ahead and take a moment,  
10 go ahead and read through it, and then I will ask  
11 you some questions.  
12 A Thank you.  
13 Thank you, I've read it.  
14 Q All right.  
15 MS. BREDEHOFT: If I can take control  
16 again, Lucien.  
17 Q Mr. Waldman, I'm going to direct your  
18 attention to page 5 here, which is on the screen  
19 right now, to a specific place. It says, Waldman  
20 says -- and just to give you the context, the  
21 paragraph above says, Depp's attorney, Adam  
22 Waldman, tells The Blast. And then it says,

88  
1 Waldman says, and the quote is: Ms. Heard  
2 continues to defraud her abused hoax victim  
3 Mr. Depp, and the MeToo movement she masquerades  
4 as the leader of, and other real abuse victims  
5 worldwide, end of quote.  
6 Did you make that statement?  
7 A Yes, I did.  
8 Q Were you representing Mr. Depp at the time  
9 you made this statement?  
10 MR. CHEW: Objection; instruction not to  
11 answer based on attorney-client privilege.  
12 Q Why did you make this statement?  
13 A I'm sorry, I accept the instruction.  
14 MR. CHEW: Same objection; same  
15 instruction.  
16 THE WITNESS: I accept the instruction.  
17 Q What were you trying to convey to the  
18 press by making this statement?  
19 MR. CHEW: Same instruction; same basis.  
20 THE WITNESS: I accept the instruction.  
21 Q Did you make the statement on Mr. Depp's  
22 behalf?

R, P,  
Jury  
Confusion

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1 MR. CHEW: Same instruction; same basis.  
2 THE WITNESS: I accept the instruction.  
3 Q Did you discuss this statement with  
4 Mr. Depp before making the statement?  
5 MR. CHEW: Same instruction; same basis.  
6 THE WITNESS: I accept the instruction.  
7 Q Did you discuss this statement with  
8 Mr. Depp following making the statement?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: I accept the instruction.  
11 Q Was Mr. Depp aware, either before or  
12 after, that you were making this statement?  
13 MR. CHEW: Same instruction; same basis.  
14 THE WITNESS: I accept the instruction.  
15 Q Did you make this statement with  
16 Mr. Depp's authorization or agreement?  
17 MR. CHEW: Same instruction; same basis.  
18 THE WITNESS: I accept the instruction.  
19 Q Was Mr. Depp aware you were speaking with  
20 the press?  
21 MR. CHEW: Same instruction; same basis.  
22 THE WITNESS: I accept the instruction.

90  
1 BY MS. BREDEHOFT:  
2 Q Did Mr. Depp ever ask you to retract or  
3 correct this statement?  
4 MR. CHEW: Same instruction; same basis.  
5 THE WITNESS: I accept the instruction.  
6 Q If Mr. Depp had asked you to retract or  
7 correct this statement, would you have retracted  
8 or corrected it?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: I accept the instruction.  
11 Q If you had been told by Mr. Depp that the  
12 statement was not correct, you would have  
13 corrected or retracted it, correct?  
14 MR. CHEW: Same instruction; same basis.  
15 THE WITNESS: I accept the instruction.  
16 MS. BREDEHOFT: Okay. We can take this  
17 one down, and let's go to No. 9.  
18 AV TECHNICIAN: Stand by.  
19 (Exhibit 9, The Blast article published  
20 July 2, 2019, was marked for identification and is  
21 attached to the transcript.)  
22 AV TECHNICIAN: Showing Exhibit 9 on the

91  
1 screen.  
2 BY MS. BREDEHOFT:  
3 Q Mr. Waldman, I'm going to ask you to take  
4 a look at what has been marked as Deposition  
5 Exhibit No. 9. And this is also from The Blast.  
6 It's July 2, 2019. And I'm going to ask you to  
7 take a moment and take control and go ahead and  
8 read through it and then I'll ask you my  
9 questions.  
10 A Thank you.  
11 Thank you, I've read it.  
12 Q Okay. I'm going to ask you to go to --  
13 MS. BREDEHOFT: And if I can get control,  
14 Lucien, please.  
15 Q I'm going to ask you to go to page 7,  
16 which we are already on. And I'm just going to go  
17 into that. It says -- it refers to: I have  
18 denied Ms. Heard's allegations vehemently since  
19 she first made them in May 2016...when she walked  
20 into court to obtain a temporary restraining order  
21 with painted-on bruises that witnesses and  
22 surveillance footage show she did not possess each

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1 day of the preceding week.  
2 Did you ever use the phrase "painted-on  
3 bruises" in referring to Ms. Heard?  
4 MR. BRAGA: I'm sorry, Elaine, this  
5 document appears to refer to a statement by  
6 Mr. Depp; is that right?  
7 MS. BREDEHOFT: That's correct.  
8 MR. BRAGA: Not by Mr. Waldman.  
9 MS. BREDEHOFT: I'm asking Mr. Waldman  
10 whether he ever used the term with the press  
11 "painted-on bruises" to refer to Ms. Heard.  
12 MR. BRAGA: Understood. Not in the  
13 context of this article. You're asking him  
14 generally whether he used that phrase, not whether  
15 he used it in this article, because the statement  
16 is attributed to Mr. Depp, not to him?  
17 MS. BREDEHOFT: Correct.  
18 MR. BRAGA: Okay.  
19 THE WITNESS: Yes, although this statement  
20 is attributed to Mr. Depp, I think I have used the  
21 phrase "painted-on bruises" in a press statement  
22 before.

R, P, Jury  
Confusion

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1 BY MS. BREDEHOFT:  
2 Q Okay. And were you representing Mr. Depp  
3 at the time you made this statement, painted-on  
4 bruises, in connection --  
5 MR. CHEW: Instruction not to answer based  
6 on attorney-client privilege communication.  
7 MS. BREDEHOFT: Ben, could you please let  
8 me finish my question so the record's clear.  
9 MR. CHEW: Yes. Apologies.  
10 MS. BREDEHOFT: Amy, could you read back  
11 what part of mine you got so I can finish it.  
12 (Discussion held off the record.)  
13 MS. BREDEHOFT: Could you read back what I  
14 just had from the first one. I know I got cut off  
15 before I finished.  
16 MR. CHEW: I'm sorry, would you read it  
17 back. I got confused by the colloquy.  
18 MS. BREDEHOFT: Tell you what, let me just  
19 do a clean question. I think I can still say it  
20 and that might make our lives a little easier.  
21 Okay?  
22 Q Were you representing Mr. Depp at the time

94  
1 you made this statement to the press, "painted-on  
2 bruises," referring to Amber Heard?  
3 MR. CHEW: And I would instruct the  
4 witness not to answer based on attorney-client  
5 privilege.  
6 THE WITNESS: I accept the instruction.  
7 Q Why did you make the statement "painted-on  
8 bruises" in connection with Amber Heard?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: Yes, I accept the  
11 instruction.  
12 Q What were you trying to convey to the  
13 press in making this statement?  
14 MR. CHEW: Same instruction; same basis.  
15 THE WITNESS: I accept the instruction.  
16 Q Did you make the statement on Mr. Depp's  
17 behalf?  
18 MR. CHEW: Same instruction; same basis.  
19 THE WITNESS: I accept the instruction.  
20 Q Did you discuss this statement with  
21 Mr. Depp before making the statement?  
22 MR. CHEW: Same instruction; same basis.

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1 THE WITNESS: I accept the instruction.  
2 Q Did you discuss this statement with  
3 Mr. Depp following making the statement?  
4 MR. CHEW: Same instruction; same basis.  
5 THE WITNESS: I accept the instruction.  
6 Q Was Mr. Depp aware, either before or  
7 after, that you were making this statement?  
8 MR. CHEW: Same instruction; same basis.  
9 THE WITNESS: I accept the instruction.  
10 Q Did you make this statement with  
11 Mr. Depp's authorization or agreement?  
12 MR. CHEW: Same instruction; same basis.  
13 THE WITNESS: I accept the instruction.  
14 Q Was Mr. Depp aware you were speaking with  
15 the press?  
16 MR. CHEW: Same instruction; same basis.  
17 THE WITNESS: I accept the instruction.  
18 Q Did Mr. Depp ever ask you to retract or  
19 correct the statement?  
20 MR. CHEW: Same instruction; same basis.  
21 THE WITNESS: I accept the instruction.  
22 Q If Mr. Depp had asked you to retract or

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1 correct the statement, would you have retracted or  
2 corrected it?  
3 MR. CHEW: Same instruction; same basis.  
4 THE WITNESS: I accept the instruction.  
5 Q So if you had been told by Mr. Depp that  
6 the statement was not correct, in fact, that Amber  
7 Heard did not have painted-on bruises in May  
8 of 2016, would you have corrected or retracted it?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: I accept the instruction.  
11 MS. BREDEHOFT: All right. We can take  
12 this one down, and we'll go to No. 10.  
13 AV TECHNICIAN: Stand by.  
14 MS. BREDEHOFT: While he's doing that, do  
15 we have Ben back? I can't see on this side.  
16 AV TECHNICIAN: Showing Exhibit 10 on the  
17 screen.  
18 THE REPORTER: Not yet.  
19 (Exhibit 10, People magazine article by  
20 Alexia Fernandez published July 3, 2019, was  
21 marked for identification and is attached to the  
22 transcript.)

R, P,  
Jury  
Confus.

R, P,  
Jury  
Confus.

R, P,  
Jury  
Confus

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1 BY MS. BREDEHOFT:  
2 Q Mr. Waldman, I'm going to ask you to take  
3 a look at what is Deposition Exhibit No. 10. And  
4 this is an April 8th -- no, this is actually a  
5 July 3, 2019 statement to People magazine -- an  
6 article with the People magazine. And I'm going  
7 to ask you to go ahead and take a look and read it  
8 and you can take control.  
9 A Thank you.  
10 It won't scroll further so I think I've  
11 come to the end.  
12 Q Yeah. It's not a very long --  
13 A The last paragraph: Depp sued for  
14 defamation?  
15 Q Okay.  
16 A Is that the final paragraph?  
17 Q Yes.  
18 A Okay. Thank you. I've read it all.  
19 Q Okay. Thank you.  
20 MS. BREDEHOFT: Lucien, if you could give  
21 me control.  
22 Q Mr. Waldman, I'm going to ask you to go

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1 back up to the first page, and I'm going to refer  
2 specifically -- it says, The actor's attorney Adam  
3 Waldman confirmed.  
4 Do you see that?  
5 A I do.  
6 Q Okay. And then it has a quote for you,  
7 and I'm going to highlight a particular statement  
8 within the quote: That Ms. Heard's battered face  
9 was a hoax, Waldman said.  
10 Did you make the statement that  
11 Ms. Heard's battered face was a hoax?  
12 A Yes, I did.  
13 Q Were you representing Mr. Depp at the time  
14 you made this statement?  
15 MR. CHEW: I would instruct Mr. Waldman  
16 not to answer that question based on attorney-  
17 client privilege.  
18 THE WITNESS: I accept the instruction.  
19 Q Why did you make this statement?  
20 MR. CHEW: Same instruction; same basis.  
21 Q What were you trying to convey to the  
22 press in making this statement?

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1 MR. CHEW: Same instruction; same basis.  
2 BY MS. BREDEHOFT:  
3 Q Did you make this statement on Mr. Depp's  
4 behalf?  
5 MR. CHEW: Same instruction; same basis.  
6 THE WITNESS: I accept the instruction.  
7 Q Did you discuss this statement with  
8 Mr. Depp before making the statement?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: I accept the instruction.  
11 Q Did you discuss this statement with  
12 Mr. Depp following making the statement?  
13 MR. CHEW: Same instruction; same basis.  
14 THE WITNESS: I accept the instruction.  
15 Q Was Mr. Depp aware, either before or  
16 after, that you were making these statements?  
17 MR. CHEW: Same instruction; same basis.  
18 THE WITNESS: I accept the instruction.  
19 Q Did you make the statement with Mr. Depp's  
20 authorization or agreement?  
21 MR. CHEW: Same instruction; same basis.  
22 THE WITNESS: I accept the instruction.

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1 BY MS. BREDEHOFT:  
2 Q Was Mr. Depp aware you were speaking to  
3 the press?  
4 MR. CHEW: Same instruction; same basis.  
5 THE WITNESS: I accept the instruction.  
6 Q Did Mr. Depp ever ask you to retract or  
7 correct this statement?  
8 MR. CHEW: Same instruction; same basis.  
9 THE WITNESS: I accept the instruction.  
10 Q If Mr. Depp had asked you to retract or  
11 correct the statement, would you have retracted or  
12 corrected it?  
13 MR. CHEW: Same instruction; same basis.  
14 THE WITNESS: I accept the instruction.  
15 Q If you had been told by Mr. Depp that the  
16 statement was not correct, you would have  
17 corrected or retracted it, correct?  
18 MR. CHEW: Same instruction; same basis.  
19 THE WITNESS: I accept the instruction.  
20 MS. BREDEHOFT: Okay. Thank you. We can  
21 take this down.  
22 Do we have Ben back yet? Oh, we do have

R, P,  
Jury  
Confus.

R, P  
Jury  
Confus.

<p>101</p> <p>1 him.</p> <p>2 MR. ROTTENBORN: Yeah, I'm back.</p> <p>3 MS. BREDEHOFT: Great. Welcome back, Ben.</p> <p>4 All right. I'm going to ask you to bring</p> <p>5 up Exhibit No. 11.</p> <p>6 AV TECHNICIAN: Stand by.</p> <p>7 (Exhibit 11, Text messages and e-mail</p> <p>8 between Adam Waldman and Keith Bishop dated</p> <p>9 January 28, 2020, Bates Nos. ARW_000676 through</p> <p>10 ARW_000678, was marked for identification and is</p> <p>11 attached to the transcript.)</p> <p>12 AV TECHNICIAN: Showing Exhibit 11 on the</p> <p>13 screen.</p> <p>14 BY MS. BREDEHOFT:</p> <p>15 Q Mr. Waldman, I'm going to ask you to take</p> <p>16 a look at what has been marked as Deposition</p> <p>17 Exhibit No. 11. And if you want to take a moment,</p> <p>18 I'm going to try to make it --</p> <p>19 MS. BREDEHOFT: If you can give me control</p> <p>20 for just a minute, Lucien, so I can make it</p> <p>21 bigger. Okay.</p> <p>22 Q Mr. Waldman, I'm just going to ask you --</p>	<p>103</p> <p>1 at the top, conversation; six messages, three</p> <p>2 parties, over 209 minutes. And it has -- this</p> <p>3 first one, it has a date and a time and it has a</p> <p>4 telephone number. Do you see that?</p> <p>5 <b>A I do.</b></p> <p>6 Q Okay. And then it has some e-mail</p> <p>7 messages -- text messages, it looks like -- it</p> <p>8 starts with Keith Bishop. Do you know who Keith</p> <p>9 Bishop is?</p> <p>10 <b>A I do.</b> 6-22: R</p> <p>11 Q And who is he? 17-22: Jury</p> <p>12 <b>A Keith Bishop is a -- a publicist who lives</b> confusion</p> <p>13 <b>in London.</b></p> <p>14 Q And for what -- what publication?</p> <p>15 <b>A Oh, no, he's a -- he's a -- he's a</b></p> <p>16 <b>publicist, he's an advisor, on media.</b></p> <p>17 Q I see. Did you -- at any time, did you or</p> <p>18 Mr. Depp ever employ Keith Bishop in any kind of</p> <p>19 public relations role?</p> <p>20 MR. CHEW: Mr. Waldman, I would instruct</p> <p>21 you not to answer any -- I would instruct you not</p> <p>22 answer the question to the extent that it would</p>
<p>102</p> <p>1 it's kind of two and a half pages. Go ahead and</p> <p>2 take a moment to review it, and then I'll ask you</p> <p>3 some questions.</p> <p>4 <b>A Thank you.</b></p> <p>5 <b>Okay. Thank you. I've read it.</b></p> <p>6 Q Okay. So directing your attention to</p> <p>7 Exhibit No. 11.</p> <p>8 MS. BREDEHOFT: Now I can't -- I need</p> <p>9 control, Lucien. Sorry.</p> <p>10 There we go.</p> <p>11 Q Mr. Waldman, I'm going to ask you kind of</p> <p>12 a technical question first. In your document</p> <p>13 production there is what appears to be text</p> <p>14 messages and then there also appear to be e-mails</p> <p>15 that are the same date and time. Could you -- do</p> <p>16 you have an explanation for that?</p> <p>17 <b>A I -- I don't. I actually don't know. I'm</b></p> <p>18 <b>not sure I understand precisely what you're</b></p> <p>19 <b>saying, but I don't --</b></p> <p>20 Q So I'll -- because there is a number of</p> <p>21 these, so maybe we can just clear it up right from</p> <p>22 the start. So we have conversation -- if you look</p>	<p>104</p> <p>1 require you to disclose any communications you had</p> <p>2 with Johnny, either receiving or giving.</p> <p>3 THE WITNESS: I would not be able to</p> <p>4 answer without doing so, so I accept the</p> <p>5 instruction. R, Jury</p> <p>6 Q And Mr. Depp says, and this is on Confusion</p> <p>7 1/28/2020, Adam I can confirm a meeting with The</p> <p>8 Mail Online for Monday 17th February at 10 a.m.</p> <p>9 Do you see that?</p> <p>10 <b>A I do.</b> R, P</p> <p>11 Q So did you, in fact, have a meeting with</p> <p>12 the MailOnline on 17th February?</p> <p>13 <b>A I couldn't say sitting here now</b></p> <p>14 <b>definitively that we met on Monday, the 17th of</b></p> <p>15 <b>February, no. But I see this and it wouldn't</b></p> <p>16 <b>surprise me if we had.</b></p> <p>17 Q And was Mr. Depp with you when you had the</p> <p>18 meeting?</p> <p>19 <b>A I believe Mr. Depp was with me when we had</b></p> <p>20 <b>this meeting.</b></p> <p>21 Q And you were representing Mr. Depp at the</p> <p>22 time, correct?</p>

R, Jury conf.  
H, R, P

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1 MR. CHEW: I would instruct the witness  
2 not to answer that question based on attorney-  
3 client privilege.  
4 THE WITNESS: I accept the instruction.  
5 Q Now, going -- scrolling down a little bit  
6 further, it says you have -- Something new has  
7 come up. I just obtained an audio tape of Johnny  
8 Depp and Amber Heard, and it is clear that both  
9 parties know the tape is being made, and the  
10 recording is made by Amber on her phone - on the  
11 tape she -- on the tape she confesses. It will be  
12 the end of this case. And I possess more tapes,  
13 with more confessions. Is there a reliable source  
14 to give this to who will run it properly?

15 Do you see that?  
16 MR. CHEW: Objection; hearsay.  
17 THE WITNESS: I do.  
18 Q Did you write that?  
19 A I believe I did.

R, Jury confus.

20 Q When did you obtain the audiotape that  
21 you're referencing in this text message?  
22 MR. CHEW: Objection on the grounds of

R, Jury Confusion

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1 attorney-client -- of attorney work product.  
2 And I would instruct you not to answer the  
3 question to the extent it would require you to  
4 disclose any communications you had with Mr. Depp,  
5 your client.  
6 THE WITNESS: It would, and so I won't be  
7 able to answer the question.  
8 Q What tape did you provide to the  
9 MailOnline, the Daily Mail?  
10 A In this -- are you asking, forgive me, in  
11 this instance relating to this text?  
12 Q Yes.  
13 A My recollection is that I gave a pair of  
14 audiotapes, actually, to them. Whether that  
15 occurred sequentially or at the same time, I don't  
16 remember, but I provided them two tapes.  
17 Q And did you provide them with the full  
18 tape recordings or just partial tape recordings?  
19 A I'm not aware of any partial tape  
20 recordings. I provided the full tape recordings  
21 to them.  
22 Q Do you remember how many minutes the tape

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1 recordings were that you gave to the Daily Mail?  
2 A No.  
3 Q Do you recall whether it was approximately  
4 two and a half minutes?  
5 A Forgive me, did I give them a tape that  
6 was two and a half minutes long?  
7 Q Yes.  
8 A No, I don't recall anything two and a half  
9 minutes.  
10 Q How long were the tape recordings?  
11 A I think they were -- my recollection is  
12 they were hours.  
13 Q Both tapes were hours?  
14 A No. I think maybe I'm speaking about them  
15 in tandem. My recollection, it may be off, but I  
16 think maybe they were 30 or so minutes each. They  
17 could be -- they could have been longer; they  
18 could have been shorter. But they were  
19 substantial in length.

20 Q All right. Do you recall what the dates  
21 of the two audio recordings were?  
22 A I'm sorry, I don't understand the

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1 question.  
2 Q Yeah. Let me -- let me take them one at a  
3 time.  
4 The tape you provided to the Daily Mail in  
5 this context where you were meeting with them on  
6 the 17th of February and you believe with  
7 Mr. Depp, do you recall which tape you provided to  
8 the Daily Mail then?  
9 A I -- I don't. As I -- as I mentioned a  
10 moment ago, my recollection is I provided two  
11 tapes, and the sequence of -- the provision of  
12 them, I don't -- I don't recall.  
13 Q Well -- and I'm going to ask you more  
14 about your best recollection on the sequence.  
15 Is it your recollection that you provided  
16 both tapes to them in this time frame between  
17 1/28/2020 and February 17th, when you were meeting  
18 with the Daily Mail with Johnny Depp, or do you  
19 recall giving them one and then another one at  
20 some other time?  
21 MR. CHEW: Objection; vague and ambiguous.  
22 THE WITNESS: I don't -- I don't remember,

R, Jury Confus., SP

<p>109</p> <p>1 actually, which thing on which date. I'm not -- 2 I'm not certain. If you have documents, it would 3 be easier to, you know, refresh my recollection. 4 But as I sit here today, I'm not sure exactly 5 which tape, which date. 6 Q Do you remember -- so, I just want to make 7 sure I have your best recollection. Do you have a 8 recollection of giving both tapes at the same time 9 or one tape followed by another tape? <b>10 A I don't remember which it was.</b> 11 Q Okay. And if you gave them one followed 12 by another, do you recall what time period expired 13 between the giving of the first tape and the 14 second tape? 15 MR. CHEW: Objection; calls for 16 speculation. 17 THE WITNESS: I was just going to say: Do 18 you want me to speculate? Because I don't 19 remember precisely. 20 Q I want your best recollection. <b>21 A I -- as I said, I don't remember whether</b> <b>22 they were provided at the same time or separately,</b></p>	<p>111</p> <p>1 to answer to the extent that it would require you 2 to disclose any communications between you and 3 Mr. Depp. 4 THE WITNESS: It would, and so I won't 5 respond. 6 Q Did you play the entire tapes for the 7 Daily Mail? 8 MR. CHEW: Objection; asked and answered. 9 THE WITNESS: When you say -- just to 10 clarify your question, if I may. When you say did 11 I play it for them, what do you mean exactly? 12 Q When you were in the meeting, did you -- 13 did you press the "play" and play the entirety of 14 the conversations? <b>15 A No. Again, my recollection is there were</b> <b>16 no tapes played in the meeting.</b> 17 Q All right. And you say here, I possess 18 more tapes with more confessions. How many tapes 19 did you possess that you contend to have 20 confessions? 21 MR. CHEW: And, again, Adam, I would 22 instruct you not to answer to the extent it would</p>
<p>110</p> <p><b>1 so it's impossible for me to put a date on</b> <b>2 which/when in light of that.</b> 3 Q Do you remember whether they were days, 4 weeks, months, or years apart? <b>5 A Well, I know you want my best estimation.</b> <b>6 Not years, not months. If it -- if they even were</b> <b>7 given separately, perhaps it would have been a</b> <b>8 week or two, but I'm -- I'm really not certain.</b> 9 Q How did you come to possess the tapes? 10 MR. CHEW: And, again, I would instruct 11 you, Adam, not to answer any questions to the 12 extent it would require you to disclose any 13 communications you had with -- with Mr. Depp. 14 THE WITNESS: It would, and so I cannot. 15 Q Did you play one or both of the tapes 16 during the meeting with the MailOnline at which 17 you recall Mr. Depp also being present? <b>18 A No, I don't recall doing so. No, I -- in</b> <b>19 fact, I'm reasonably certain I did not do so.</b> 20 Q Do you recall the approximate dates that 21 the tapes were made? 22 MR. CHEW: Again, I would instruct you not</p>	<p>112</p> <p>1 require you to disclose attorney-client 2 communications. 3 THE WITNESS: It would. 4 Q So you're accepting his instruction? <b>5 A I am.</b> 6 Q In totality, how many tapes did you 7 provide to any press entity or individual? <b>8 A Well, as I sit here, my best recollection</b> <b>9 is four.</b> 10 Q And what do you recall of the content of 11 those four tapes? 12 Let me take them one by one. When is the 13 first -- when is -- let's take one by one. So 14 we're going to go with the first tape that you 15 recall. When did you provide the first tape to 16 any press entity or individual? <b>17 A My recollection -- again, I'll repeat what</b> <b>18 I said earlier -- that I'm not sure if I provided</b> <b>19 two together or -- or sequentially. Whether it</b> <b>20 was sequential or the two together, my</b> <b>21 recollection is that this was February, early</b> <b>22 February, I think, of -- of 2020.</b></p>

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1 Q And to whom did you provide the one or two  
2 tapes?  
3 **A I provided them to the Daily Mail, U- --**  
4 **the U.S. division of the Daily Mail.**  
5 Q Did you provide those two tapes to any  
6 other press entity or individual other than the  
7 Daily Mail?  
8 **A I did.**  
9 Q Who?  
10 **A Let me think about that for a moment**  
11 **before I answer too quickly.**  
12 **Well, strike that. Actually, no. I gave**  
13 **it only to the Daily Mail.**  
14 Q Now let's talk about tape number three.  
15 When did you provide tape number three to any  
16 press entity or individual?  
17 **A I -- I really don't have a date on this.**  
18 Q Was it before or after February 2020?  
19 **A I think it was after February 2020.**  
20 Q Was it days, weeks, months, years?  
21 **A I'm not sure of the precise time frame.**  
22 Q Can you narrow it down any more than that?

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1 **A I don't think so. I'm sure there will be**  
2 **documents, and when I look at them it will remind**  
3 **me. But no, as I sit here now I couldn't say**  
4 **definitively.**  
5 Q To whom did you provide tape number three?  
6 MR. CHEW: Objection; asked and answered a  
7 few times.  
8 THE WITNESS: Tape number three was also  
9 provided to the Daily Mail, as I recall.  
10 Q And how long was tape number three?  
11 **A This is a slightly difficult question to**  
12 **answer precisely because my recollection is the**  
13 **tape was maybe five hours long, but it had really**  
14 **significant dead -- dead space in the middle of**  
15 **it; white noise, I suppose you call it.**  
16 Q And why did you provide tape number three  
17 to the Daily Mail?  
18 MR. CHEW: I would object and instruct  
19 Mr. Waldman not to answer to the extent that it  
20 requires the disclosure of any attorney-client  
21 communications.  
22 THE WITNESS: It would.

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1 BY MS. BREDEHOFT:  
2 Q So you're accepting his instruction?  
3 **A I am.**  
4 Q Why did you provide tape number one to the  
5 Daily Mail?  
6 MR. CHEW: Same instruction; same basis.  
7 THE WITNESS: I accept the instruction.  
8 Q Why did you provide tape number two to the  
9 Daily Mail?  
10 MR. CHEW: Same instruction; same basis.  
11 THE WITNESS: I accept the instruction.  
12 Q Let's go to tape number four. When did  
13 you provide tape number four to any press entity  
14 or individual?  
15 **A I'm not -- I'm not certain of the date and**  
16 **I'm -- I'm not actually certain that it was I who**  
17 **provided tape number four to the press. I think**  
18 **it may well have been your side that did. But I'm**  
19 **not -- I'm not certain.**  
20 Q What do you recall of tape number four?  
21 **A Tape number four was an audiotape of a**  
22 **229-1-1 call made by a friend of Ms. Heard's,**

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1 according to the contents of the tape, downstairs  
2 from the Eastern Columbia Building, the night of  
3 May 21, 2016.  
4 Q And as you sit here today, can you recall  
5 whether you provided that to a press entity or  
6 someone else?  
7 **A I -- I can't, actually. My -- my**  
8 **recollection is that you guys provided it and I**  
9 **responded -- I responded to the story. But I'm**  
10 **not -- I'm not certain.**  
11 Q All right. Let's back up to tape one. Thru  
12 What -- what was the subject matter in tape one? 117:2  
13 **A The subject matter of tape one -- I want IR, NP,**  
14 **to make sure I don't have my tape one and tape two IF, F/A**  
15 **mixed up, which could happen. P**  
16 **The subject matter of tape one was**  
17 **conversation between Ms. Heard and Mr. Depp, and**  
18 **they were arguing about things that had happened.**  
19 **And in the -- in the -- it's a tape, as I said,**  
20 **that goes on -- it's hard to characterize all of**  
21 **it. I don't have it memorized. But Ms. Heard on**  
22 **that tape confesses to quite a lot of violence**

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1 **against Mr. Depp and, you know, also -- also**  
2 **taunts him about that violence.**  
3 Q And that's your characterization, having  
4 listened to the tape, correct?  
5 MR. CHEW: Objection; argumentative.  
6 THE WITNESS: I think it would be the  
7 characterization of anybody who listened to it.  
8 And I think it was how the world characterized it.  
9 MS. BREDEHOFT: Move to strike.  
10 Q Let's go to tape two.  
11 So what time frame was tape one recorded  
12 in?  
13 **A I don't know. I wasn't there for the**  
14 **recording.**  
15 Q Right. But is there anything that would  
16 have -- did you look to see on any of the metadata  
17 or any of the other information associated with it  
18 for what the dates were on it?  
19 **A I -- I don't know the answer to the**  
20 **question. I don't know what date it was recorded.**  
21 Q Okay. Let's talk -- what was the subject  
22 matter on tape two?

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1 **A Again, making sure that I -- hoping that I**  
2 **don't have the two -- don't conflate the two**  
3 **tapes, the second tape was a bit -- a bit -- the**  
4 **tape was made a bit later. I don't know precisely**  
5 **when. But it seemed to be sometime after**  
6 **Ms. Heard had filed for divorce. And the second**  
7 **tape, among other things, taunted Johnny and said,**  
8 **Nobody's going to believe you are an abuse victim**  
9 **because you're a man. And there is a judge and a**  
10 **jury and they'll see how big you are and, you**  
11 **know, they won't -- they won't believe you. It's**  
12 **Ms. Heard giving Mr. Depp PR advice at times. And**  
13 **that's one piece of it right there: Nobody's**  
14 **going to believe you.**  
15 She is saying that the public would not  
16 believe that she had been sort of planning this  
17 out. She called it, I think, a secret fight club,  
18 that she had been planning it out for years. And  
19 so it's a -- it's a -- kind of a very taunting-  
20 oriented tape.  
21 She professes to having lots of evidence.  
22 I think she says at one point it's the most

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1 **evidence anyone has ever assembled in a domestic**  
2 **violence case. And so that's -- that's the sort**  
3 **of, you know, general context of the second tape.**  
4 Q Now, you characterize that as taunting,  
5 but do -- are you able to recognize sarcasm?  
6 MR. CHEW: Objection; argumentative.  
7 THE WITNESS: The question is do I think I  
8 can recognize sarcasm?  
9 Q Are you able to?  
10 **A I think so.**  
11 Q Do you know whether you can?  
12 **A Yeah, I think I'm -- I think I'm able to**  
13 **recognize sarcasm, yes.**  
14 Q Did you listen to the full content of  
15 either tape one or tape two?  
16 **A Many times, yes.**  
17 Q And it's not -- and you don't pull from  
18 that that there's sarcasm in there from Ms. Heard?  
19 **A No, I don't think I would call it sarcasm**  
20 **about such a serious topic. She's confessing to**  
21 **violent attacks on him. He's suggesting the two**  
22 **of them go talk to somebody who works for them.**

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1 And her response to that is: You know,  
2 why don't you go jerk him off. I didn't think  
3 that was really sarcasm.  
4 He says something like -- I'm  
5 paraphrasing -- you lied. And she said, You're  
6 right, great investigator, I lied.  
7 So, no, I -- I think the topic is really  
8 serious, kind of sad. It's a -- it's a discussion  
9 of her abusing him and it's her exhibiting --  
10 exhibiting an attempt to either bully him or  
11 direct him not to pursue, you know, vindication of  
12 what she accused him of.  
13 Q This is all your characterization of this,  
14 correct?  
15 MR. CHEW: Objection; argumentative.  
16 THE WITNESS: Well, I think you asked for  
17 my characterization. But I also think that's  
18 the -- that's the general characterization of  
19 anybody who's listened to it.  
20 Q Those tapes were played in the U.K.  
21 proceeding, were they not?  
22 **A I don't recall that they were played in**

IR, NP  
F/A,  
IF, P

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1 **their entirety. I may be wrong about that. I –**  
2 **it may be that – just portions. I'm not sure how**  
3 **much of them were played.**  
4 Q And Mr. Depp's attorneys had full  
5 opportunity to play these in the U.K. proceedings,  
6 did they not?  
7 MR. CHEW: Objection; lack of foundation,  
8 assumes facts not in evidence.  
9 THE WITNESS: Sure, actually. I'm not an  
10 expert on U.K. procedural law, but it's relatively  
11 byzantine and you're not allowed to -- there are  
12 significantly more restrictions on what you can  
13 present in the U.K. than you can in the United  
14 States.  
15 Q Actually, Mr. Waldman, the opposite was  
16 true in this case, wasn't it? You were present  
17 for the U.K. proceeding, were you not?  
18 MR. CHEW: Objection; argumentative,  
19 assumes facts not in evidence, lack of foundation.  
20 THE WITNESS: I was present.  
21 Q And, in fact, every one of those tape  
22 recordings was evidence in the case, weren't they?

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1 They were trial exhibits in the trial bundle --  
2 MR. CHEW: Objection.  
3 Q -- correct?  
4 MR. CHEW: Objection; argumentative,  
5 assumes facts not in evidence, lack of foundation,  
6 lack of relevance.  
7 THE WITNESS: Yes, those tapes were all in  
8 the evidence bundles.  
9 Q And, in fact, every one of those tapes had  
10 been transcribed and the transcriptions were also  
11 evidence in the trial bundles, were they not?  
12 MR. CHEW: Objection to the form of the  
13 question; argumentative, lack of foundation,  
14 assumes facts not in evidence.  
15 THE WITNESS: Yes, that's true.  
16 Q Okay. **What training have you had in**  
17 **domestic violence?**  
18 **A None.**  
19 Q **Have you ever represented any clients who**  
20 **have either been accused of domestic violence**  
21 **or -- or had domestic violence committed on them**  
22 **other than Mr. Depp?**

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1 MR. CHEW: Objection; vague and ambiguous.  
2 **THE WITNESS: No. R**  
3 MS. BREDEHOFT: I'm going to ask,  
4 Lucien --  
5 THE WITNESS: Mr. Braga looks like he's  
6 trying to speak, but his mute button was on.  
7 MR. BRAGA: Yes. Sorry about that.  
8 Thanks for noticing that, Adam.  
9 And I apologize for my technical  
10 incapacities to everyone.  
11 I'm going to add an objection here, Adam,  
12 that I'd like you to answer this question "yes" or  
13 "no," but not to go into any attorney-client  
14 privileged information with respect to any  
15 domestic abuse representations you may have had.  
16 MS. BREDEHOFT: I think he already  
17 answered it anyway with a "no," so I think  
18 we're -- did you hear that, Stephen? Did you hear  
19 his "no"?  
20 MR. BRAGA: That's fine. Thank you.  
21 MS. BREDEHOFT: Okay. All right.  
22 Lucien, we can go ahead and take this down

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1 and let's go to Exhibit No. 2.  
2 AV TECHNICIAN: Stand by.  
3 (Exhibit 2, Subpoena, was marked for  
4 identification and is attached to the transcript.)  
5 AV TECHNICIAN: Showing Exhibit 2 on the  
6 screen.  
7 THE WITNESS: May I add something to my  
8 previous response about them being in the  
9 evidence?  
10 BY MS. BREDEHOFT:  
11 Q No. Actually, your attorneys can ask you  
12 questions on that. We're past that question for a  
13 bit. But I'm sure they can ask you on a break or  
14 something.  
15 Let's go to Exhibit No. 2.  
16 You know what, Mr. Waldman, go ahead.  
17 What did you want to say about the trial bundle?  
18 **A I just wanted to add – the question that**  
19 **was posed was: Weren't these tapes in evidence in**  
20 **the U.K.? And I – the answer was: Yes, they**  
21 **were. I simply wanted to add that the judge in**  
22 **his ruling claimed he didn't give them very much**

R

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1 **weight because those recordings were not taken**  
2 **under oath.**  
3 Q Okay. Let's go to Exhibit No. 2. Now,  
4 you were served a document subpoena in this case,  
5 correct?  
6 **A Yes.**  
7 Q All right. And I'm just going to take us  
8 down to page 6. There's three document requests  
9 there. And they are asking specifically -- and  
10 let me try to enlarge this a touch -- Please  
11 produce all documents and communications  
12 supporting, reflecting or otherwise relating to  
13 the statements made by You in paragraph 45 of the  
14 Counterclaim as contained in Exhibit F to the  
15 Counterclaim.  
16 Number 2 is the same, but with respect to  
17 paragraph 46 of the Counterclaim and Exhibit G.  
18 And No. 3 is as alleged in paragraph 47  
19 and Exhibit H.  
20 Mr. Waldman, can you please describe for  
21 me the process that you went to find documents  
22 responsive to these three requests.

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1 **A Sure. It's going to involve**  
2 **communications with my attorneys, however. So as**  
3 **long as I'm -- I'm free to answer. My --**  
4 MR. BRAGA: Adam, I would instruct you not  
5 to answer with respect to the content --  
6 substantive content of any communications.  
7 Process-oriented questions I don't mind you  
8 answering.  
9 THE WITNESS: Okay. What I -- what I did  
10 was turn over my devices to my attorneys. And I  
11 would say -- actually, I would probably answer it  
12 in two parts. I was -- I was -- I initially gave  
13 over documents following my -- my attorneys'  
14 instructions for an initial -- for an initial  
15 discovery provision. And then secondly, I  
16 provided my devices, which were, you know -- which  
17 were searched, and then documents, as I understand  
18 it, were turned over to you.  
19 Q So when you said you -- the first part you  
20 gave over documents, what did you do with respect  
21 to searching to find those documents that you  
22 turned over?

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1 **A So I -- I searched as I was instructed by**  
2 **my attorneys.**  
3 Q All right. We're kind of smack in the  
4 middle. I guess I better ask you: So what was  
5 the search that you conducted after talking with  
6 your attorneys?  
7 MR. BRAGA: Adam, I would instruct you not  
8 to answer on the grounds of attorney-client  
9 privilege.  
10 THE WITNESS: Thank you.  
11 I accept the instruction.  
12 Q And what devices did you turn over to your  
13 counsel for this discovery request -- these  
14 discovery requests?  
15 **A I turned over my MacBook and I turned over**  
16 **my iPhone.**  
17 Q And how long had you had the MacBook that  
18 you turned over?  
19 **A Well, I'm not sure precisely, but for a**  
20 **period of a -- years, I think; two or three years.**  
21 Q And what period of time had you possessed  
22 the iPhone?

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1 **A The particular hardware? Is your question**  
2 **the particular hardware on this iPhone?**  
3 Q Yes.  
4 **A I would say for a period of two -- two**  
5 **years, perhaps, one and a half years. I'm**  
6 **guessing.**  
7 Q And did you have iCloud?  
8 **A Yes. I believe so, yes.**  
9 Q So for the MacBook and for the iPhone they  
10 would have collected any data from earlier?  
11 **A That's my understanding, yes.**  
12 Q Okay. Now, in the production of documents  
13 that you provided, there are no documents from  
14 Mr. Depp. Would you agree?  
15 MR. CHEW: Objection.  
16 THE WITNESS: I'm not an ex- -- I'm not an  
17 ex- -- I'm sorry.  
18 MR. CHEW: Objection; argumentative.  
19 THE WITNESS: I'm not an expert on  
20 everything that's been produced, but I don't think  
21 any -- I don't think any communications with  
22 Mr. Depp were produced, no.

<p style="text-align: right;">129</p> <p>1 BY MS. BREDEHOFT: 2 Q And would it also be fair to say that in 3 the documents that you produced responsive to 4 these three requests, there are no documents that 5 were provided by Mr. Depp? 6 <b>A To -- to me, you mean?</b> 7 Q Yes. 8 <b>A I believe there was no production of</b> 9 <b>documents from Mr. Depp to me.</b> 10 Q So would it be fair to say that with 11 respect to all documents and communications 12 supporting, reflecting, or otherwise relating to 13 the statements by you in paragraphs 45, 46, and 47 14 of the counterclaim reflected in Exhibits F, G, 15 and H, you did not produce any documents provided 16 by Mr. Depp or any communications with Mr. Depp? 17 <b>A I -- I believe that's true.</b> 18 Q Now, you have not produced a privilege log 19 in this case, have you? 20 <b>A I'm not -- I'm not sure whether we have or</b> 21 <b>not, whether the attorneys involved here have or</b> 22 <b>not.</b></p>	<p style="text-align: right;">131</p> <p>1 objection. I think that is not correct in terms 2 of the factual evidence. 3 But in any event, you can answer, if you 4 can, Adam. 5 THE WITNESS: I'm not sure that it's -- 6 I'm not sure that it's true, but I don't know the 7 answer. 8 Q Okay. 9 MS. BREDEHOFT: All right. Let's -- I 10 think this is a good time to take a break. 11 For the court reporter and the 12 technicians, if we take about a 30-minute break, 13 is that -- was that enough time for you-all to get 14 lunch? Will you be happy with that? 15 THE VIDEOGRAPHER: Shall I take us off the 16 record? 17 MS. BREDEHOFT: Yeah, go ahead. 18 THE VIDEOGRAPHER: We are now going off 19 the record. The time is 12:43 p.m. 20 (Lunch recess was held.) 21 THE VIDEOGRAPHER: We are now going back 22 on the record. The time is 1:22 p.m.</p>
<p style="text-align: right;">130</p> <p>1 Q So my next question is: Did you withhold 2 documents that related to request Nos. 1, 2, or 3 3 that reflected either -- that were communications 4 between you and Mr. Depp or documents provided by 5 Mr. Depp as attorney-client privilege and, 6 therefore, did not turn them over to us? 7 <b>A Sure. I -- I -- I think when you say "did</b> 8 <b>you," I think you mean either me or any attorneys</b> 9 <b>on this call; is that correct? If it is, I didn't</b> 10 <b>withhold anything, but attorneys on this call did</b> 11 <b>withhold documents for -- for privilege, as I</b> 12 <b>understand it.</b> 13 Q Do you know how many documents were 14 withheld on the basis of privilege that reflected 15 either communications between you and Mr. Depp or 16 documents provided to you by Mr. Depp? 17 <b>A I don't.</b> 18 Q A number of documents that you provided 19 made reference to draft declarations, but there 20 are no declarations that have been provided. Why 21 were those withheld? 22 MR. BRAGA: I'm going to raise an</p>	<p style="text-align: right;">132</p> <p>1 EXAMINATION 2 BY MR. ROTTENBORN: 3 Q Good afternoon, Mr. Waldman. What did you 4 do to prepare for the deposition today? 5 <b>A Good morning, Mr. Rottenborn. I met with</b> 6 <b>my attorney several times.</b> 7 Q And I don't want to know any 8 communications, obviously, that you had with your 9 attorney. 10 By your attorney, you mean Mr. Braga? 11 <b>A I do.</b> 12 Q Other than meeting with your attorney, 13 what else did you do to prepare for the 14 deposition? 15 <b>A I looked throughout documents that were</b> 16 <b>provided. I don't know if it was a comprehensive</b> 17 <b>group of documents. I think it was.</b> 18 Q What documents did you look through? 19 <b>A I think I looked at all the documents that</b> 20 <b>were provided.</b> 21 Q And -- and provided by whom? 22 <b>A Provided by Mr. Braga and his firm to</b></p>

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1 **Ms. Heard's counsel.**  
2 Q Did you speak to anyone else other than  
3 your attorneys in preparation for your deposition?  
4 **A No. I don't think I did, no.**  
5 Q Did you meet with Mr. Depp's attorneys in  
6 preparation for the deposition?  
7 **A No.**  
8 Q Now, I want to go back to something we  
9 touched on at the beginning of your deposition.  
10 You said that you first met Mr. Depp in or around  
11 October 2016; is that right?  
12 **A That's right.**  
13 Q Was that a dinner at Ed White's house in  
14 Los Angeles?  
15 **A It was.**  
16 Q Who -- who was at that dinner?  
17 **A Let's see. Mr. White, Ed White. Shall I**  
18 **simply give you the names or -- why don't I give**  
19 **you the names.**  
20 **Ed white, Larry Leavitt, Mr. Depp, me,**  
21 **Troy Schmidt. Mr. White's wife welcomed us but**  
22 **she didn't, as I recall, join us for dinner. And**

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1 **there was another fellow there named, I think,**  
2 **Fahar.**  
3 Q So let's take a few of those -- a few of  
4 those in order. Who is Larry Leavitt?  
5 **A Larry Leavitt is a fairly senior**  
6 **accountant who is a colleague of Mr. White's and**  
7 **is one of Mr. Depp's day-to-day business managers.**  
8 Q And does Troy Schmidt also work with  
9 Mr. White?  
10 **A He does.**  
11 Q Had you ever met Mr. White before then?  
12 **A No; it was the first time.**  
13 Q To your knowledge, how did the dinner come  
14 to be held at Ed White's house?  
15 **A Sure. I'm thinking about why there. I**  
16 **was asked to meet with Mr. Depp, as I mentioned**  
17 **earlier. I flew to Los Angeles. And the location**  
18 **that was set for the meeting, I'm not -- I'm not**  
19 **sure who set it. I wasn't involved in the setting**  
20 **of it. But the location of the meeting was -- was**  
21 **set at Mr. White's house over a dinner.**  
22 Q But you had never worked with Mr. White

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1 before?  
2 **A No, I hadn't.**  
3 Q Who -- who is Fahar?  
4 **A I'm not entirely sure, actually.**  
5 Q Had you ever met --  
6 **A A friend --** R  
7 Q Sorry. Go ahead.  
8 **A A friend of Mr. Depp's.**  
9 Q Sorry I interrupted you. Go ahead.  
10 **A A friend of Mr. Depp's, as I understood**  
11 **it.**  
12 Q Did you know him prior to that meeting in  
13 2016?  
14 **A What do you mean by "know him"?**  
15 Q Had you met him before?  
16 **A No.**  
17 Q Had you spoken with him before that  
18 meeting in October 2016?  
19 **A My recollection is I did. I think I spoke**  
20 **with him maybe once and I -- I actually think**  
21 **that's where I learned where to go for dinner.**  
22 Q What did you speak to him about that first

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1 time before you met him in person?  
2 **A My recollection is that it was -- it was**  
3 **logistical. It was about -- it was about meeting,**  
4 **who would be at the meeting, who were the people**  
5 **who would be at the meeting, that sort of thing.**  
6 Q Had you ever worked with Fahar prior to  
7 the meeting with Mr. Depp? R  
8 **A No.**  
9 Q Now, you've communicated with a number of  
10 witnesses or potential witnesses to this case,  
11 right?  
12 **A Yes.**  
13 Q To the best of your recollection as you  
14 sit here today, what witnesses or potential  
15 witnesses have you personally communicated with?  
16 **A Well -- you'd like a list?**  
17 Q As many as you can recall, yup.  
18 **A Okay. I don't want it to purport to be**  
19 **exhaustive. I'm sure I'll forget. So I'm -- the**  
20 **question is witnesses that I've -- that I've**  
21 **spoken with in this case.**  
22 Q Yeah.

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1 A Sure. Laura Divenere, Amanda de Cadenet,  
2 Stephen Deuters, Trinity Esparza, Alejandra  
3 Romero, Cornelius Harrell, Brandon Patterson,  
4 Malcolm Connolly, Sean Bett, Ben King, Kevin  
5 Murphy, Kate James, Josh Richman, Jennifer Howell,  
6 Isaac Baruch. Those are the ones that I can  
7 remember at the moment.  
8 Q Would you speak to them by -- have you  
9 spoken to them by telephone?  
10 MR. CHEW: Objection to the form of the  
11 question; compound, ambiguous.  
12 THE WITNESS: Yes.  
13 Q By e-mail?  
14 A Of course it depends. Not each of them.  
15 So you're asking did I -- the question, just to be  
16 clear, is did I speak to any of them by these  
17 platforms?  
18 Q Yes.  
19 A Yes. Yes, some of them by e-mail.  
20 Q Have you spoken to some of them by text?  
21 Obviously, we've seen some text messages, and  
22 we'll be taking a look at some more, but --

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1 A Yes. Some by text, yes.  
2 Q Are there any other methods of  
3 communication that you've used, like direct  
4 messages on social media or something like that,  
5 to communicate with any of these witnesses?  
6 MR. CHEW: Object to the extent that it  
7 calls for attorney work product.  
8 THE WITNESS: Well, I'm trying to  
9 understand whether it does. The question is  
10 whether I've communicated with witnesses via other  
11 platforms for communication.  
12 Q That's right.  
13 A I don't -- I don't think that that's an  
14 attorney work product question, so I'll answer  
15 yes.  
16 Q What other methods of communication other  
17 than phone, e-mail, or text, or in person?  
18 A There's a messaging -- there are other  
19 messaging apps. Signal is one, WhatsApp is  
20 something that I use from time to time. I don't  
21 specifically recall doing so, but I --  
22 generally -- I'm answering now generally -- I

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1 sometimes use Telegram also, which is another  
2 messaging app.  
3 Q Who specifically do you recall -- strike  
4 that.  
5 What witnesses or potential witnesses do  
6 you recall communicating with via Signal?  
7 A I don't -- I don't, sitting here right  
8 now, remember any specific communications over  
9 Signal. But I use Signal a lot in all my  
10 communications, and so it's very likely that I  
11 communicated with most of them over Signal.  
12 Q What witnesses --  
13 A I know you're not asking me to speculate,  
14 but that's -- that would be likely.  
15 Q Thank you.  
16 What witnesses or potential witnesses do  
17 you recall communicating with over WhatsApp?  
18 A I don't recall any particularly, no.  
19 Q Is it sort of the same answer that you  
20 gave for Signal, that you believe you would have  
21 communicated with them over WhatsApp or you just  
22 don't recall specifically?

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1 A No, I wouldn't say that. Signal is a --  
2 is the most common communication platform for me.  
3 I sometimes use WhatsApp. Generally, I use  
4 WhatsApp when the people that I'm dealing with  
5 like to use WhatsApp. It's -- I think it has two  
6 billion monthly subscribers and Europeans tend to  
7 use -- I live part time in Europe -- Europeans use  
8 WhatsApp a lot. So I use it with them more often.  
9 I don't remember using WhatsApp with any of the  
10 witnesses, no.  
11 Q And what witnesses do you remember  
12 communicating with via Telegram?  
13 A I don't remember any, actually.  
14 Q Did you -- in the course of producing  
15 documents in this case, did you search for and  
16 produce any responsive, relevant communications  
17 from Signal or WhatsApp or Telegram or any other  
18 messaging platform?  
19 A So just to be clear, as part of my answer,  
20 I didn't search for anything. I turned my devices  
21 over to my attorney and the searching was done by  
22 my -- my law firm.

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1 Q Did you provide your law firm with access  
2 to those messaging platforms, including Signal,  
3 WhatsApp, and Telegram, so that they could search  
4 for and produce any responsive documents?  
5 **A Yes, I did.**  
6 Q And do you have any knowledge whether or  
7 not any responsive documents were produced from  
8 those platforms?  
9 **A No, I'm not sure.**  
10 **I want to make sure I understand the**  
11 **question. The question was whether I'm aware if**  
12 **messages were produced from Signal, Telegram,**  
13 **WhatsApp, text, or e-mail, or strictly from --**  
14 **would you mind rephrasing it.**  
15 Q Sure. Let me -- let me ask it like this:  
16 I've seen a number of text messages in your  
17 production, but I haven't seen anything that  
18 appears to have been produced from Signal or  
19 WhatsApp or Telegram. And so what I'm trying to  
20 get at is: Do you -- did you provide access to  
21 your attorneys so that they could search for and,  
22 if responsive, produce any relevant, responsive

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1 documents from those non-text-messaging platforms?  
2 **A I see. I understand the question.**  
3 **Yes, I did provide that to them.**  
4 Q But sitting here today, you don't have any  
5 knowledge about whether or not anything was  
6 produced from those platforms?  
7 **A No, I'm not sure -- I'm not sure whether**  
8 **anything was produced or not.**  
9 MR. ROTTENBORN: Lucien, can you please  
10 pull up the exhibit titled ARW 630 and 631,  
11 please.  
12 AV TECHNICIAN: Stand by. And do you want  
13 that next in order?  
14 MR. ROTTENBORN: Yes, please. What  
15 order -- what number are we at?  
16 AV TECHNICIAN: Let's see. We went up to  
17 11.  
18 MR. ROTTENBORN: So this will be  
19 Exhibit 12.  
20 AV TECHNICIAN: Correct.  
21 MR. ROTTENBORN: Thank you.  
22 (Exhibit 12, Text messages and e-mail

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1 between Adam Waldman and Christian Carino dated  
2 June 17, 2019, Bates Nos. ARW\_000630 and  
3 ARW\_000631, was marked for identification and is  
4 attached to the transcript.)  
5 BY MR. ROTTENBORN:  
6 Q Mr. Waldman, obviously, any document that  
7 I put in front of you, feel free to read as much  
8 or as little as you want. I'll direct your  
9 attention to the parts I want to ask you about,  
10 but you certainly have the right to review it  
11 however you choose.  
12 **A Thank you, Mr. Rottenborn.**  
13 **And I can report that I can see it really**  
14 **well. Thank you. I'll read it now.**  
15 If it ends -- if the document ends at: No  
16 surprise, from Mr. Carino, I've read it. Thank  
17 you.  
18 Q Yeah. And, actually, if you -- I know  
19 Ms. Bredehoft asked you about this, but if you go  
20 below it, some of these documents have kind of the  
21 same text in a message format and then an e-mail  
22 format, which is, like, the page below.

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1 **A Yes.**  
2 Q Do you -- is there -- do you have a system  
3 where you -- text that you send gets sent to your  
4 e-mail, that you're aware of?  
5 **A Not that I'm aware of, no.**  
6 Q Who is Christian Carino?  
7 **A Christian Carino is an agent at CAA, and**  
8 **he has been Mr. Depp's agent in the past and he**  
9 **has been Ms. Heard's agent in the past, and I**  
10 **would -- I would describe him as both of their**  
11 **friends.**  
12 Q When you were referring to him as  
13 "Christian from Madrid," I assume you're -- you're  
14 informing him that you're in Madrid at that time,  
15 right?  
16 **A It appears that way, yes.**  
17 Q You tell him that you were making out the  
18 witness list for the U.K. trial and you have 25  
19 sworn eyewitnesses to dismantle her now multiple  
20 hoax claims. Do you see that?  
21 **A I do.**  
22 Q What did you mean by that statement, 25

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1 sworn eyewitnesses -- my question is this:  
 2 Eyewitnesses to what?  
 3 **A So I'm just going to -- I'm just going to**  
 4 **read the statement.**  
 5 **I am making out the witness list. 25**  
 6 **sworn eyewitnesses to dismantle her now multiple**  
 7 **hoax claims.**  
 8 **So what I'm referring to, as this says, is**  
 9 **these are witnesses who saw an element or elements**  
 10 **of things that she had claimed and found -- and**  
 11 **had seen them or found them to be false.**  
 12 Q And, of course, you hadn't -- you never  
 13 saw any, as you would say, element or elements of  
 14 things that Ms. Heard claimed, right?  
 15 **A I never saw any element or elements of**  
 16 **things she claimed. Do you mean did I ever see**  
 17 **evidence with my own eyes that something she was**  
 18 **saying was false?**  
 19 Q Yes.  
 20 **A Yes, to some extent I have seen evidence**  
 21 **of things that show her statements to be false.**  
 22 Q I mean, you were not an eyewitness to any

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1 of the instances of abuse that Ms. Heard has  
 2 claimed by Mr. Depp against her, correct?  
 3 **A I was not there at the time, no, you're**  
 4 **right.**  
 5 Q And you said you have four new -- four new  
 6 ones coming. Four new eyewitnesses?  
 7 **A That's what it says.**  
 8 Q Okay. And you say yesterday you got the  
 9 declaration of a new witness to whom Amber made a  
 10 confession.  
 11 Who was that witness?  
 12 **A I'm not sure.**  
 13 Q Sitting here today, it looks like you're  
 14 telling Mr. Carino you have 29 eyewitnesses that  
 15 you've put on the -- that you claim disprove  
 16 Amber's -- Ms. Heard's claims, right?  
 17 **A It -- it appears. 25 plus four, 29, yes.**  
 18 **Seems that way.**  
 19 Q And who are those witnesses?  
 20 **A As I sit here today, I don't think I could**  
 21 **list them all.**  
 22 MR. ROTTENBORN: All right. Let's go to

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1 document ARW 648 and 649, please.  
 2 AV TECHNICIAN: Stand by.  
 3 (Exhibit 13, Text message and e-mail  
 4 between Adam Waldman and Matt dated June 26, 2019,  
 5 Bates Nos. ARW\_000648 and ARW\_000649, was marked  
 6 for identification and is attached to the  
 7 transcript.)  
 8 AV TECHNICIAN: Showing Exhibit 13 on the  
 9 screen.  
 10 BY MR. ROTTENBORN:  
 11 Q Go ahead and take your time to review  
 12 that, Mr. Waldman, and then --  
 13 **A Thank you, Mr. Rottenborn.**  
 14 MR. BRAGA: Could you zoom it up -- thank  
 15 you.  
 16 THE WITNESS: That's very welcome. Thank  
 17 you.  
 18 MR. CHEW: Thank you.  
 19 THE WITNESS: Thank you, I've read it.  
 20 Q Before we get there, as best you can  
 21 recall today, who are the eyewitnesses that you --  
 22 among the 29 or so that you referred to in the

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1 text to Christian Carino, that you believe  
 2 disprove Ms. Heard's claims of abuse by Johnny  
 3 Depp?  
 4 **A Sure. It's a difficult question to**  
 5 **answer, contextualize as to time. So this text is**  
 6 **June of 2019; it's quite a few years ago. And so**  
 7 **you're asking me to name witnesses at that moment.**  
 8 **So I'm happy to try to answer your question, and I**  
 9 **will, I'm just not going to be certain that**  
 10 **witnesses I list were the ones I was referring to**  
 11 **at this time. Perhaps some witnesses came later,**  
 12 **for example.**  
 13 **Would you like me to try to answer with**  
 14 **that caveat?**  
 15 Q Yes, please.  
 16 **A Okay, good.**  
 17 **It's also probably easier to answer by**  
 18 **taking a particular incident rather than just**  
 19 **thinking of names of people. So maybe this is a**  
 20 **good illustration that is a helpful answer.**  
 21 **On May 21, 2016 -- and I -- I always view**  
 22 **this as one of her central claims. It was the one**

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149  
1 she put on the cover of People magazine. It's the  
2 one she led with when she went to get her  
3 temporary restraining order. The phone-to-the-  
4 face incident on May 21, 2016. That's her claim.  
5 And that she was beaten -- further beaten by some  
6 appendage of Mr. Depp in the face, and her hair  
7 was pulled, and she showed up on the 27th in court  
8 with a lot of bruises on her face.  
9 So, there are two police officers; one  
10 domestic-violence-trained female police officer,  
11 who've testified over and over and over that there  
12 was no damage to the penthouse which Ms. Heard  
13 claimed was destroyed. That's a direct quote;  
14 destroyed. There -- there are, that I can think  
15 of, nine other witnesses, the majority of whom are  
16 either neutral or actually Ms. Heard's own  
17 witnesses, who have testified in various forms at  
18 various times that there were no injuries to her  
19 face whatsoever between the 21st and the 27th when  
20 suddenly there were bruises.

21 Q Who are those nine?  
22 A Let's see. Laura Divenere; Melanie

150  
1 Ingressis, Amber's own primary make-up artist.  
2 Laura Divenere was Ms. Heard's assistant and  
3 decorator and now works for Elon Musk. Hilda  
4 Vargas, Mr. Depp and Ms. Heard's, at the time,  
5 housekeeper; Samantha McMillen, who was Ms. Heard  
6 and Mr. Depp's stylist and a good friend of  
7 Ms. Heard's; Isaac Baruch, Ms. Heard's and  
8 Mr. Depp's friend, close friend, and Ms. Heard's  
9 neighbor in the penthouses.

10 MR. ROTTENBORN: Hey, I'm sorry, I think  
11 we're having some technical difficulties. Your  
12 sound just cut out again. Sorry to interrupt you,  
13 but I'm going to -- I may have to -- sign back in.

14 I apologize to everyone for that.  
15 THE VIDEOGRAPHER: Stand by. Shall I take  
16 us off the record, then?

17 MS. BREDEHOFT: Yes, I would say go ahead  
18 and take us off the record.

19 THE VIDEOGRAPHER: Okay. Thank you.  
20 We are now going off the record. The time  
21 is 1:46 p.m.

22 (Recess was held.)

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1 THE VIDEOGRAPHER: We are now going back  
2 on the record. The time is 1:50 p.m.  
3 BY MR. ROTTENBORN:  
4 Q Okay. Thank you. Sorry for that  
5 technical difficulty, Mr. Waldman.  
6 MR. ROTTENBORN: Let's -- can we pull up  
7 the document --  
8 MR. BRAGA: I'm sorry.  
9 MR. ROTTENBORN: -- that we had on the  
10 screen beforehand.  
11 THE WITNESS: Mr. Rottenborn, I think I  
12 was in the middle when we cut out of answering  
13 your question. Should I finish?  
14 Q Sure. Yeah. I think I asked you the  
15 nine -- yeah, go ahead.  
16 A Does it make any sense to read back --  
17 forgive me, I -- just where we cut out so that we  
18 know which names I listed? I can then continue my  
19 list.

20 (The court reporter read the pertinent  
21 part of the record.)

22 THE WITNESS: Okay. So, continuing on,  
152  
1 the witnesses -- a list of some witnesses to the  
2 21st, to her claims of violence and damage to the  
3 apartment.

4 Trinity Esparza, who was the head of the  
5 concierge desk at the Eastern Columbia Building  
6 and friend of Ms. Heard's also; Cornelius Harrell,  
7 who I think also worked for the concierge desk,  
8 or, in any event, worked for the Eastern Columbia  
9 Building and met with Ms. Heard on the 22nd of  
10 May, which meeting was captured on CCTV also;  
11 Alejandra Romero, who I believe is head of  
12 security at the Eastern Columbia Building; and I  
13 think Brandon Patterson also testified about the  
14 absence of bruises.

15 And I should even distinguish -- because  
16 we're talking about the notion of a hoax, I should  
17 distinguish these people specifically have given  
18 testimony that she was -- Ms. Heard was uninjured  
19 between the 21st of May up and to perhaps the 25th  
20 or 26th of May, and then of course she appeared  
21 bruised again on the 27th. Some of them have  
22 testified that even after the 27th they were with

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153  
1 her and she appeared -- and that she appeared  
2 bruised.  
3 But during that period between the 21st  
4 and the 27th, I'm not sure if I've listed nine  
5 plus the two police officers, but I think  
6 that's -- that's an illustration of what I was  
7 referring to when I -- in the question you asked  
8 me about.  
9 Q Okay.  
10 MR. ROTTENBORN: I'll move to strike  
11 everything other than the names, but...  
12 MR. CHEW: Objection.  
13 MR. ROTTENBORN: Let's pull up the  
14 document that was on the screen before, please,  
15 ARW 648 --  
16 THE REPORTER: I'm sorry, Ben, I didn't  
17 hear you.  
18 MR. CHEW: Sorry. I just wanted to say:  
19 We object to the motion to strike. Mr. Waldman's  
20 response was -- answer was responsive to the  
21 question asked.  
22 Q Who is the person named Matt you're

154  
1 referring to in this text, Mr. Waldman?  
2 **A I think that Matt is the senior executive**  
3 **-- I'm not sure if he's the CEO or the president**  
4 **or the COO, but I think he's the senior executive**  
5 **at a jet leasing company.**  
6 Q And was this the jet leasing company that  
7 was responsible for transporting Ms. Heard and  
8 Mr. Depp and others on the plane flight that  
9 you're referring to in the text?  
10 **A I'm not sure, actually, whether -- whether**  
11 **it was the plane company that was transporting,**  
12 **May 24, 2014, as I sit here today, but it was --**  
13 **it was a jet company that did transport Ms. Heard**  
14 **and -- and Mr. Depp from time to time.**  
15 Q Okay. And you -- in this text you  
16 describe the alleged events that took place on  
17 that flight, correct?  
18 **A Yeah, I think -- I think what I'm doing**  
19 **here is I'm -- I'm describing my understanding at**  
20 **that moment that I sent this, yes.**  
21 Q And your understanding as related in this  
22 text to Matt about what you believe happened came

155  
1 from something you claim you know from Johnny,  
2 right?  
3 MR. CHEW: Objection to the extent it  
4 calls for attorney-client privilege.  
5 I would instruct you not to answer.  
6 THE WITNESS: I accept the instruction.  
7 Q Did you ever get a declaration from this  
8 person named Matt?  
9 **A No, I didn't.**  
10 MR. ROTTENBORN: Can you please pull up  
11 the document entitled -- I believe it's ARW 653  
12 through 655.  
13 AV TECHNICIAN: Stand by.  
14 MR. ROTTENBORN: Thanks.  
15 (Exhibit 14, Text messages and e-mails  
16 between Adam Waldman and Nat Rothschild dated  
17 June 30, 2019, Bates Nos. ARW\_000653 through  
18 ARW\_000655, was marked for identification and is  
19 attached to the transcript.)  
20 AV TECHNICIAN: Showing Exhibit 14 on the  
21 screen.  
22 Q Mr. Waldman, take the time you need, but

156  
1 my first question is going to be: Who is Nat  
2 Rothschild?  
3 **A Thank you, Mr. Rottenborn. Do you mind if**  
4 **I read it first and then answer second?**  
5 Q Go for it.  
6 **A Okay. Thank you. I'll be quick.**  
7 **Okay. Thank you. I've read it.**  
8 Q Who is Nat Rothschild?  
9 **A Nat Rothschild is the owner of this jet**  
10 **leading company and an old friend of mine.**  
11 Q What's the name of the jet leasing  
12 company?  
13 **A I'm not sure.**  
14 Q How do you -- how long have you known Nat  
15 Rothschild?  
16 **A Probably 15 years or so, give or take.**  
17 Q How did you meet him?  
18 **A Mr. Rothschild was a good friend of one of**  
19 **my clients.**  
20 Q Is he Matt's -- the Matt who's referred to  
21 in the prior exhibit and in the text at the bottom  
22 of this exhibit, is it -- is he Matt's boss?

<p>157</p> <p>1 <b>A That's my recollection.</b></p> <p>2 Q And you're -- in this text exchange you</p> <p>3 are texting Nat because you haven't received a</p> <p>4 response from Matt, correct?</p> <p>5 <b>A Yes, it looks that way.</b></p> <p>6 Q And in your text to Nat you say, It would</p> <p>7 be tremendously helpful if the flight manifest or</p> <p>8 even the flight attendant shows what really</p> <p>9 happened, correct?</p> <p>10 <b>A Yes, that's what it says.</b></p> <p>11 Q You have no personal knowledge of what</p> <p>12 really happened on that plane, right?</p> <p>13 MR. CHEW: Objection; argumentative.</p> <p>14 THE WITNESS: I wasn't there.</p> <p>15 Q You were seeking to get a declaration from</p> <p>16 someone who was on that plane or -- either a</p> <p>17 declaration from the flight attendant or evidence</p> <p>18 from a flight manifest about what happened on that</p> <p>19 flight, correct?</p> <p>20 MR. CHEW: Objection; argumentative.</p> <p>21 THE WITNESS: Well, I would say generally</p> <p>22 I was seeking evidence about what happened on the</p>	<p>159</p> <p>1 communication to your -- best of your recollection</p> <p>2 have come in writing via text or another written</p> <p>3 communication?</p> <p>4 <b>A I -- I know that it was on the phone</b></p> <p>5 <b>because I remember speaking with Mr. Rothschild</b></p> <p>6 <b>after this e-mail.</b></p> <p>7 MR. ROTTENBORN: Can you please pull up a</p> <p>8 document labeled ARW 660, please --</p> <p>9 AV TECHNICIAN: Stand by.</p> <p>10 MR. ROTTENBORN: -- starting with that UN</p> <p>11 number.</p> <p>12 AV TECHNICIAN: I'm seeing two 660s. One</p> <p>13 second.</p> <p>14 MR. ROTTENBORN: Sure. There may have</p> <p>15 been duplicates.</p> <p>16 AV TECHNICIAN: Okay. One moment.</p> <p>17 MR. ROTTENBORN: It's the one that says</p> <p>18 660 to 661.</p> <p>19 (Exhibit 15, Text message and e-mail</p> <p>20 between Adam Waldman and Kyle Newman dated</p> <p>21 November 17, 2019, Bates Nos. ARW_000660 and</p> <p>22 ARW_000661, was marked for identification and is</p>
<p>158</p> <p>1 flight. I think that's how I put it.</p> <p>2 BY MR. ROTTENBORN:</p> <p>3 Q Did you ever obtain any evidence about</p> <p>4 what happened on the flight from either Matt or</p> <p>5 Nat or the jet leasing company?</p> <p>6 <b>A No.</b></p> <p>7 Q Did you ever hear or have any other -- I'm</p> <p>8 sorry.</p> <p>9 Did you ever hear back from Nat after you</p> <p>10 sent him this text exchange?</p> <p>11 <b>A I did, and I'm -- I'm trying to remember</b></p> <p>12 <b>the specifics which I know you'll ask me next.</b></p> <p>13 <b>But yes, I did hear back from him after this.</b></p> <p>14 Q And what did you hear from him?</p> <p>15 <b>A Well, this -- this I'm not -- I'm not</b></p> <p>16 <b>absolutely certain. My recollection is -- I think</b></p> <p>17 <b>that there -- there simply wasn't any evidence</b></p> <p>18 <b>about the flight that I was asking about. My</b></p> <p>19 <b>recollection is that they looked and it didn't</b></p> <p>20 <b>exist.</b></p> <p>21 Q Do you know whether or not those -- well,</p> <p>22 let me -- I won't presume anything. Would that</p>	<p>160</p> <p>1 attached to the transcript.)</p> <p>2 AV TECHNICIAN: Showing Exhibit 15 on the</p> <p>3 screen.</p> <p>4 MR. ROTTENBORN: Thank you.</p> <p>5 BY MR. ROTTENBORN:</p> <p>6 Q Let's go ahead and take a look at this,</p> <p>7 please, Mr. Waldman.</p> <p>8 <b>A Thank you. I'll read it now.</b></p> <p>9 <b>Okay, thank you. I've read it.</b></p> <p>10 Q Who is Kyle Newman?</p> <p>11 <b>A Kyle Newman is a film director/producer/</b></p> <p>12 <b>author married to a well-known actress named Jaime</b></p> <p>13 <b>King. I think they're divorced now, but at the</b></p> <p>14 <b>time of this note I believe that they were -- they</b></p> <p>15 <b>were married.</b></p> <p>16 Q And you had a number of communications</p> <p>17 with him hoping that he would provide a</p> <p>18 declaration that you believed would help</p> <p>19 Mr. Depp's case, correct?</p> <p>20 MR. CHEW: Objection; argumentative. O</p> <p>21 THE WITNESS: That's correct.</p> <p>22 Q And you never got that declaration from</p>

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1 him, right?

2 **A I did not.**

3 Q Did you have communications with him just

4 in writing or did you ever talk to him on the

5 phone?

6 **A I talked to him on the phone and I think I**

7 **talked to him in person also.**

8 Q Where was that?

9 **A The in-person was, I believe, at a play**

10 **date with our children. On the phone would have**

11 **been in Los Angeles.**

12 Q Did you know Mr. Newman before you --

13 again, were representing Mr. Depp?

14 **A No, I didn't.**

15 Q So, in this -- in this text exchange

16 you're asking Mr. Newman to provide a sworn

17 statement that you would believe would undermine

18 claims by other witnesses that would testify about

19 harm that Ms. Heard suffered at the hands of

20 Mr. Depp, correct?

21 MR. CHEW: Objection; argumentative.

22 THE WITNESS: Yes, I believe that

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1 Mr. Newman -- a statement from Mr. Newman and

2 Mr. Newman's testimony in any form -- in any

3 format would have undermined Ms. Heard and her two

4 friends that I'm alluding to here who testified

5 that her face was injured between the 21st and the

6 27th.

7 Q And what did Mr. Newman tell you that led

8 you to believe that, if anything?

9 **A On the 22nd of May, 2016, this is the day**

10 **after she claimed this beating at the hands of**

11 **Mr. Depp and the phone, Ms. Heard went to get a**

12 **package at the Eastern Columbia Building,**

13 **Cornelius Harrell, who worked there and was on**

14 **footage with her, CCTV footage, testified that she**

15 **was completely uninjured, very natural and**

16 **beautiful-looking, actually.**

17 Ms. Heard then went to a birthday party at

18 her -- one of her closest friends', Amanda de

19 Cadenet's. This was a party that was attended by

20 a lot of, you know, relatively prominent people in

21 the entertainment business in Los Angeles. And

22 among those guests, those attendees, were

163

1 Mr. Newman, Kyle Newman, who I'm writing with

2 here, and his wife, Jaime King, who is also a

3 friend of Ms. Heard's. H

4 And what Mr. Newman told me and what IR

5 Ms. King told me, Jaime King, that they were with F/A

6 her in good light on that May 22nd birthday party,

7 and she was totally uninjured. And I thought that

8 was really important because all these prominent

9 people who are primarily Ms. Heard's friends, none

10 of them had testified that she was injured. And

11 so I thought it would be very helpful to have

12 Mr. Newman, and, ideally, Jaime King also, testify

13 that they saw a few hours later exactly what

14 Mr. Harrell testified he saw, which is an

15 unblemished face.

16 Q An unblemished face doesn't mean uninjured

17 face, correct?

18 A Uninjured face. You're right, it's a

19 better word.

20 Q No, my question to you is: An unblemished

21 face isn't the same thing as an uninjured face,

22 right?

164

1 A I'm not really sure. I think those --

2 it's semantics, but I think those might be

3 synonyms.

4 MR. ROTTENBORN: Pull up ARW 665 and 666,

5 please.

6 AV TECHNICIAN: Stand by.

7 (Exhibit 16, Text message and e-mail

8 between Adam Waldman and Kyle Newman dated UN

9 November 21, 2019, Bates Nos. ARW\_000665 and

10 ARW\_000666, was marked for identification and is

11 attached to the transcript.)

12 AV TECHNICIAN: Showing Exhibit 16 on the

13 screen.

14 MR. ROTTENBORN: Thank you.

15 THE WITNESS: Okay. Thank you. I've read

16 it.

17 Q So this is another text from you to

18 Mr. Newman a couple days after the text we just

19 saw, again asking for his help in providing

20 evidence that you believe would help Mr. Depp's

21 case, correct?

22 A That's correct.

H

<p>1 Q And he did not provide a declaration in 2 response to this request, right? 3 A No. He said he was afraid if he provided 4 a declaration that he would never work again 5 because the MeToo movement would cancel him. 6 MR. ROTTENBORN: If you can pull up 7 Exhibit ARW 670, please. 8 AV TECHNICIAN: Stand by. 9 (Exhibit 17, Text message and e-mail 10 between Adam Waldman and Kyle Newman dated 11 December 10, 2019, Bates Nos. ARW_000670 and 12 ARW_000671, was marked for identification and is 13 attached to the transcript.) 14 AV TECHNICIAN: Showing Exhibit 17 on the 15 screen. 16 Q Go ahead and take a look at that and just 17 let me know when you're done, please. 18 A Okay. Thank you. I've seen it. 19 Q So you reached out to him again a few days 20 later and asked him to sign a statement that you 21 had apparently sent him a draft of, correct? 22 MR. CHEW: Objection; argumentative.</p>	<p>165 167 1 exceptions because some witnesses chose to write 2 theirs from scratch. 3 Q What witnesses chose to write theirs from 4 scratch? 5 A It may not be exhaustive, but I remember 6 that Amanda de Cadenet disregarded what I sent 7 her, although she acknowledged to me that it was 8 factually accurate, entirely factually accurate, 9 but she wanted to write her own, so she did. 10 I believe that -- I'm not -- I'm not 11 certain, but my recollection is that maybe Brandon 12 Patterson from the building -- he's the general 13 manager of the Eastern Columbia Building -- I 14 think that he also wrote his from scratch. I 15 think so. 16 If you'll give me just a moment, I'll try 17 to think of others who might have. 18 Nothing comes to me right now. 19 Q When was the last time you spoke with 20 Brandon Patterson, or communicated with him? 21 MR. CHEW: Objection to the extent it 22 calls for attorney work product.</p>
<p>166 1 THE WITNESS: That's what it says, yes. 2 Q Do you remember sending him a draft 3 statement that you asked him to sign? 4 A Actually, I don't. 5 Q Do you know if -- now, you -- you typed up 6 a number of declarations that have been provided 7 to witnesses or potential witnesses in this case 8 and in the U.K. case, correct? 9 MR. CHEW: Objection; argumentative and 10 calls for protected attorney work product. 11 THE WITNESS: But I may answer? 12 MR. CHEW: You may answer. 13 THE WITNESS: Thank you. 14 Yes. My -- my approach generally -- not 15 always, but my approach generally was to have a 16 conversation with a witness and try to distill the 17 precise things they were saying to me into a 18 statement which I would send to them and I 19 would -- I would give them the instruction to 20 please look at what I'd sent, make sure every word 21 of it was correct, and, in any event, edit it and 22 make it their own statement. I say there are</p>	<p>168 1 But you may answer. 2 THE WITNESS: I'm not sure I know the 3 answer. Not recently. Would you like me to 4 speculate? 5 Q Have you communicated with him in 2022? 6 A I don't think so. 7 Q Anytime in the last six months? 8 A Not that I recall. I don't recall 9 speaking with him since around the time of the 10 U.K. trial. It's possible it was subsequent, but 11 I don't remember doing so. 12 Q When you would prepare drafts of written 13 statements, would you prepare those using software 14 on your MacBook? 15 MR. CHEW: Objection; vague and ambiguous. 16 THE WITNESS: I'm actually not sure I 17 understand the question. 18 Q When you typed up people's written 19 statements -- 20 A Uh-huh. 21 Q -- what program did you use? 22 A I think it -- it would depend. I think</p>

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1 that there were -- there were times when it was  
2 e-mail, but more -- more typically, I probably  
3 would have used Signal, which is, again, my --  
4 that's kind of my channel of choice.  
5 Q Did you ever type them up in Microsoft  
6 Word or WordPerfect or a word processing software  
7 and then send it to them as an attachment?  
8 A I don't remember specifically that I did,  
9 but I would say probably I did.  
10 Q Do you know whether the draft that you  
11 referred to in this document here has ever been  
12 produced?  
13 A No, I don't know. And as I mentioned, I'm  
14 not -- I don't -- I don't actually remember  
15 sending him this draft. But I don't -- I don't  
16 know whether it's ever been produced.  
17 Q Do you have any reason to doubt that you  
18 sent him a draft if you -- given that you referred  
19 to having done so in your text message with him?  
20 A I have no reason to doubt it, no.  
21 MR. ROTTENBORN: Can you pull up ARW 679,  
22 please.

170  
1 AV TECHNICIAN: Stand by.  
2 (Exhibit 18, Text messages and e-mails  
3 between Adam Waldman and Kyle Newman dated  
4 February 16, 2020, Bates Nos. ARW\_000679 and  
5 ARW\_000680, was marked for identification and is  
6 attached to the transcript.)  
7 AV TECHNICIAN: Showing Exhibit 18 on the  
8 screen.  
9 THE WITNESS: Okay. Thank you. I've read  
10 it.  
11 Q Here you're asking Mr. Newman again, a  
12 couple months later, for a witness statement that  
13 you believe would help Mr. Depp's case, correct?  
14 MR. CHEW: Objection; argumentative.  
15 THE WITNESS: I don't -- I don't -- I'm  
16 not sure I agree with the characterization. I'm  
17 asking him to testify as to what was true, as to  
18 what he saw. And I asked his wife, Jaime King, to  
19 do the same thing. And as I mentioned, he was  
20 just too afraid of the repercussions  
21 professionally as someone who worked in the  
22 entertainment industry. He thought he would be

171  
1 cancelled if he did. And he called me and said, I  
2 can't do it, I'll never work again. H, F/A  
3 Q What about Jaime King, did she -- what was  
4 the reason for her not giving a declaration? 3-4=  
5 MR. CHEW: Objection; assumes facts not in SP,  
6 evidence, lack of foundation, argumentative. Argu-  
7 THE WITNESS: Jaime King is a slightly men-  
8 more complicated one to answer. Shall I try? tative]  
9 Q Well, let me back up. Jaime King didn't 9-22:  
10 provide a written statement, correct? Jury  
11 A A written statement, no. Conf.  
12 Q Did you ever ask her if she would testify All= R  
13 in the U.K.?  
14 A I don't specifically remember doing so,  
15 but it's sort of my general recollection that I  
16 was asking her if she would testify generally. I  
17 know that I asked her to testify generally.  
18 Whether it was for the U.K. or for somewhere else,  
19 I wanted to get her truthful statements about what  
20 she had observed not only on May 22nd.  
21 Q And she declined to do so?  
22 A She in the end declined to do so.

172  
1 Q And why is that, if you know?  
2 A I would -- I would -- I would say it this R, P  
3 simply: She just didn't want to get involved.  
4 And she also brought a domestic violence  
5 claim against Mr. Newman publicly. I don't know  
6 if it was precisely at this time but it was in the  
7 range of this time. When I referred in an earlier  
8 text to: I know you have a lot going on or you're  
9 busy or something like that, I was referring to,  
10 you know, a -- an estrangement between Mr. Newman  
11 and Ms. King.  
12 Q Did you ever have any texts with Ms. King?  
13 A I don't remember any. She was a frequent  
14 visitor to our house with and without her  
15 children, so I mostly spoke to her in person.  
16 Q Do you believe that Mr. Newman did  
17 domestically abuse Ms. King?  
18 MR. CHEW: Objection; calls for SP, Lack of  
19 speculation. Pers. Know.  
20 THE WITNESS: I wasn't there. I really R, P = 20-21  
21 don't know.  
22 Q And you don't know because you weren't

UN

O

H  
F/A

173

1 there, right?

2 MR. CHEW: Objection; argumentative.

3 THE WITNESS: Well, you asked me for an

4 opinion. If somebody had given me a lot of

5 evidence, I would -- I might still say I wasn't

6 there, but I might have some opinion. I don't

7 have an opinion because I don't know what the

8 evidence is in that case.

9 Q Mr. Newman -- did Mr. Newman ever respond

10 to this text message that you see here? I haven't

11 gotten one.

12 A I -- my recollection is that he did not

13 respond, and that we've never spoken again. It's

14 conceivable there was a note after this or -- I

15 think, as I sit here looking at this, I think he

16 did not respond to this and that that was the --

17 that was the final communication.

18 MR. ROTTENBORN: Can you pull up ARW 681,

19 please.

20 AV TECHNICIAN: Stand by.

21 (Exhibit 19, Text messages and e-mail

22 between Adam Waldman and Kyle Newman dated

175

1 next day to speak in full. Do you see that?

2 A I do.

3 Q Do you remember a conversation with

4 Mr. Newman on or around February 24th or 25th,

5 2020?

6 A I don't remember at all as to that date,

7 but I do remember a conversation with him. And

8 this is where he said, as I alluded to, I'll never

9 work again. If I -- if I testify about what I saw

10 at the party, I'll -- I'll just never work again.

11 I'll be cancelled by the MeToo movement. Sorry.

12 Q Was this -- was this before or after Jaime

13 King had made domestic abuse allegations against

14 Mr. Newman?

15 A Well, I don't -- I don't know. But

16 there's a little indication here that it might

17 have been before, because it says here, It will

18 help you if this sort of thing happens to you.

19 And it would bring you no harm, I assure you.

20 And -- so I -- I think the allegations

21 must have come subsequent to this against him.

22 Q In the second text message down you say,

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1 February 24, 2020, Bates Nos. ARW\_000681 and

2 ARW\_000682, was marked for identification and is

3 attached to the transcript.)

4 AV TECHNICIAN: Showing Exhibit 19 on the

5 screen.

6 BY MR. ROTTENBORN:

7 Q Just let me know when you're done

8 reviewing this, please.

9 A Okay. Yes.

10 Okay. Thank you. I've read it.

11 Q I believe that you -- you thought maybe

12 the last message that we saw was the last

13 communication with Mr. Newman. Does this refresh

14 your recollection about at least --

15 A It does.

16 Q -- one more series of communications?

17 A It does, Mr. Rottenborn. And I think I

18 said I -- I know that we cut off our

19 communications at some point. I think it's here.

20 But I see now reading this there was -- there were

21 ensuing conversations, yes.

22 Q Sure. And he said he would call you the

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1 We have nearly won the case but the truth matters.

2 Do you see that?

3 A Yes. Hope sprang eternal.

4 Q Were you referring to the U.K. litigation

5 since you were talking about witness statements

6 being due around that time?

7 A I'm sorry, could you repeat the question.

8 Was I talking about the U.K. litigation?

9 Q Yes. In the prior text you -- that we

10 looked at you were telling him that the U.K.

11 witness statements, I believe, were due around

12 this time.

13 A I don't know -- I don't know that I was

14 talking about the U.K. case here. I -- as I sit

15 here looking at it, winning the case meant

16 disproving the hoax with the truth and so I -- I

17 think that's -- as I sit here now, I think that's

18 what I was referring to.

19 Q And, of course, that didn't happen in the

20 U.K., right?

21 MR. CHEW: Objection; argumentative.

22 THE WITNESS: Would you like my opinion?

<p>177</p> <p>1 Q No; I just want the facts.</p> <p>2 <b>A Well, the facts are that the facts – some</b></p> <p>3 <b>of the facts – a significant number of facts were</b></p> <p>4 <b>presented in the U.K. The judge ruled. One can</b></p> <p>5 <b>read it. He disregarded most of those facts and</b></p> <p>6 <b>ruled against Mr. Depp.</b></p> <p>7 MR. ROTTENBORN: Can you pull up ARW --</p> <p>8 actually, before we do that...</p> <p>9 Q Can you recall any other communications</p> <p>10 with Mr. Newman after this text exchange?</p> <p>11 <b>A I – again, it's my recollection that</b></p> <p>12 <b>somewhere after a series of texts, it may have</b></p> <p>13 <b>been these, that he and I had a phone call, and</b></p> <p>14 <b>that it was a final conversation. No, I – I</b></p> <p>15 <b>don't know whether it was after this one or if it</b></p> <p>16 <b>was after a subsequent one. But it's possible I</b></p> <p>17 <b>spoke with him again after this on the same topic,</b></p> <p>18 <b>seeing if I could get him to – to testify. But</b></p> <p>19 <b>I'm not – I'm not sure as I sit here now.</b></p> <p>20 Q Have you -- do you recall speaking to him</p> <p>21 in the past, say, year?</p> <p>22 <b>A Let's see, the last year. Well, I</b></p>	<p>179</p> <p><b>1 and the media.</b></p> <p>2 MR. ROTTENBORN: Can you pull up the</p> <p>3 document labeled ARW 650 to -52, please.</p> <p>4 AV TECHNICIAN: Stand by.</p> <p>5 Q And while he's doing that, Mr. Waldman,</p> <p>6 you've had communications with Erin Boerum -- I</p> <p>7 believe Erin Boerum Falati is her name now --</p> <p>8 correct?</p> <p>9 <b>A That's true.</b></p> <p>10 Q Who is she?</p> <p>11 <b>A I have to – I have to disagree only with</b></p> <p>12 <b>communications plural. I think I may have only</b></p> <p>13 <b>spoken with her once. It's possible there were</b></p> <p>14 <b>written communications, but I don't remember any.</b></p> <p>15 <b>So I think I – I think I spoke with her once.</b></p> <p>16 Q What's your best guess as to the last time</p> <p>17 you spoke with her?</p> <p>18 <b>A I'm terrible with years and sometimes –</b></p> <p>19 MR. CHEW: I would caution the witness not</p> <p>20 to speculate or guess.</p> <p>21 I don't think -- I don't think</p> <p>22 Mr. Rottenborn was being literal when he asked you</p>
<p>178</p> <p><b>1 don't – I don't – I'm not able to put any</b></p> <p>2 <b>specific date on it. Is it possible I spoke to</b></p> <p>3 <b>him in the last year? Yes.</b></p> <p>4 Q When was the last time you spoke to</p> <p>5 Mr. Newman?</p> <p>6 <b>A I don't remember. But it would have been</b></p> <p>7 <b>probably more like – I really don't remember.</b></p> <p>8 <b>Not – not very recently.</b></p> <p>9 Q Have you contacted him about providing</p> <p>10 testimony in this case in the U.S., other than in</p> <p>11 the text that we've seen?</p> <p>12 <b>A You know, as I said earlier, I was trying</b></p> <p>13 <b>to get him – I think your question had been:</b></p> <p>14 <b>Were you trying to get him to testify for the</b></p> <p>15 <b>U.K.? And clearly, from what's written, I was.</b></p> <p>16 <b>But I think I said, then, in a past answer, I was</b></p> <p>17 <b>trying to get him to testify generally, and I</b></p> <p>18 <b>certainly would have welcomed him testifying in</b></p> <p>19 <b>this case, yes.</b></p> <p>20 <b>But whether – but in the end he was never</b></p> <p>21 <b>willing to testify at all because he was just</b></p> <p>22 <b>too – too afraid of the – of the MeToo movement</b></p>	<p>180</p> <p>1 to guess.</p> <p>2 THE WITNESS: Well, I do remember that it</p> <p>3 was early summer when I spoke with her; late June</p> <p>4 or early July. And I'm -- I'm really not sure</p> <p>5 what year, but this was several years ago.</p> <p>6 BY MR. ROTTENBORN:</p> <p>7 Q Okay.</p> <p>8 AV TECHNICIAN: And I'm sorry to</p> <p>9 interrupt. I'm not seeing a 650 to 652.</p> <p>10 MR. ROTTENBORN: Let me check here.</p> <p>11 Just bear with me for one minute, please.</p> <p>12 Okay, we'll come back to -- we'll come</p> <p>13 back to that in a little bit. We can move on for</p> <p>14 now.</p> <p>15 <b>Q You had communications with Marilyn Manson</b></p> <p>16 <b>about potentially providing testimony, right?</b></p> <p>17 MR. CHEW: Objection; assumes facts not in</p> <p>18 evidence, lack of foundation.</p> <p>19 <b>THE WITNESS: I did.</b></p> <p>20 <b>Q When was the last time you spoke with him</b></p> <p>21 <b>about being a witness for Johnny in this case or</b></p> <p>22 <b>the U.K. case?</b></p>

R, P,  
Jury  
Conf,  
AF

R, P,  
AF,  
Jury  
conf.

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1 MR. CHEW: Objection to the extent that it  
2 calls for attorney work product.

3 THE WITNESS: I think the last time that I  
4 spoke with Marilyn Manson was -- I couldn't put a  
5 precise date on it, but it was sometime in the  
6 middle of the U.K. trial. So July of that year.

7 Q And since then, you've had no  
8 communications with him about this case?

9 A I don't -- I don't recall doing so. I'm  
10 just trying to remember if after the trial there  
11 was another communication. I -- I just don't  
12 remember one. It -- it's possible that the  
13 communications went on for a few weeks after the  
14 trial ended about testifying, but not longer than  
15 that. And, actually, I'm not even sure -- I'm not  
16 even sure that the conversation wasn't over by the  
17 time the trial ended.

18 Q Got it. Okay.

19 MR. ROTTENBORN: Can we -- can we pull up  
20 the document that's entitled ARW 698 through 739  
21 please.

22 AV TECHNICIAN: Stand by.

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1 (Exhibit 20, Text messages and e-mails  
2 between Adam Waldman and Marilyn Manson dated  
3 July 11, 2020, Bates Nos. ARW\_000698 through  
4 ARW\_000739, was marked for identification and is  
5 attached to the transcript.)

6 Q And, Mr. Waldman, it's a fairly lengthy  
7 document. I'm going to kind of -- you're,  
8 obviously, welcome to take a look at it. I don't  
9 think you need to take a look at the whole thing.  
10 I can point out to you the places I have  
11 questions, but...

12 A Would it be all right -- is it -- is it a  
13 long chain of things?

14 Q Yeah. There is a lot of duplication  
15 because we get kind of the texts at the beginning  
16 and then the e-mail where things show up, it  
17 appears, in your e-mail at the end. But it's  
18 probably about a ten-page text -- text exchange.

19 A May I propose that I read it all, but I  
20 promise I'll skip past the duplicative parts.

21 Q Sure.

22 A Okay. Thank you.

183

1 Q I think that's kind of where the  
2 duplication starts.

3 A Everything from here on is duplication?

4 Q I think so.

5 A Okay.

6 Q There's some bigger blowups of the  
7 pictures.

8 A Okay. Thank you.

9 Q So if you can just go to the first page,  
10 please. This was a text exchange between you and  
11 Marilyn Manson about potentially compiling  
12 evidence that you believed would be helpful to  
13 Mr. Depp's case, right?

14 MR. CHEW: Objection; clearly calls for  
15 attorney work product which can be obtained  
16 directly by Ms. Heard.

17 THE WITNESS: But I -- but I'm free to  
18 answer?

19 MR. CHEW: Yes, you're free to answer.  
20 Also object on the grounds of  
21 argumentative.

22 THE WITNESS: Thank you.

F/A  
IR  
AF  
D  
THRU  
156:2

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1 Yeah, I spoke with Marilyn Manson and the  
2 question that I posed to him was did he attend  
3 Thanksgiving. Sorry about the year, but I feel  
4 like it's 2013. I may be wrong. But Thanksgiving  
5 2013. And this was one of Ms. Heard's sort of  
6 late-blooming claims as her -- as her allegations  
7 against Mr. Depp kind of mushroomed in advance of  
8 the U.K. trial. She said that Mr. Depp beat her  
9 and did cocaine and, you know, forced her to  
10 change her clothes because of damage and injured  
11 her head and so on, even though her own nurse was  
12 one of the guests.

13 And only several days before this  
14 interaction, which I guess is July 11th, I -- I  
15 realized that Mr. Manson was one of the attendees  
16 of this Thanksgiving. And when I spoke with him I  
17 was extremely surprised that he had taken videos  
18 at the beginning and the end of the evening. And  
19 so I was -- I was very interested in getting those  
20 photos and videos, which I -- which I did. And  
21 once I got them, we gave them to the Court and, of  
22 course, she and The Sun quietly dropped that claim

UN

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1 because the photos and videos sort of destroyed  
2 it.

3 And I was also interested in the story he  
4 told me about some of his interactions with  
5 Ms. Heard, and had the idea that he might prepare  
6 a declaration to that effect.

7 MR. ROTTENBORN: I'll move to strike  
8 everything after the beginning of that as  
9 nonresponsive.

10 BY MR. ROTTENBORN:

11 Q But my question for you, Mr. Waldman, is:  
12 He says he has lots of photos and videos, on the  
13 first page. Do you see that?

14 **A I do.**

15 Q Is he just referring to lots of photos and  
16 videos of the Thanksgiving evening that you were  
17 referring to?

18 **A I don't know what he's referring to**  
19 **exactly. I don't know what the catalogue of**  
20 **photos and videos are that he has. I think you'd**  
21 **have to ask him.**

22 Q Did you produce -- well, these are

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1 communications that are sent to you. So I guess  
2 my question for you is: Did you produce all the  
3 photos and videos that he sent you as part of your  
4 document production in this case?

5 **A Yes.**

6 Q Because I'll represent to you that in --  
7 other than some of the things in these texts,  
8 there's one video I believe that was part of your  
9 document production, but that's it.

10 **A Well --**

11 Q Do you know, did he send you more than one  
12 video?

13 **A Maybe I should clarify my answer by**  
14 **telling you what he did give me. I actually**  
15 **didn't produce it to you, so I really -- my answer**  
16 **should have been: I assume, but I don't know,**  
17 **what was produced to you.**

18 **My recollection is that Mr. Manson sent me**  
19 **maybe four or five videos and I -- a number of**  
20 **photographs, roughly somewhere between five and**  
21 **ten, I suppose, still photographs that he had**  
22 **taken during the course of the evening from the**

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1 **beginning to the end.**

2 Q And it was your belief that those  
3 photographs and videos would bolster your claim  
4 that Ms. Heard was not telling the truth about  
5 what happened that evening, right?

6 MR. CHEW: Objection; argumentative.

7 THE WITNESS: I think it wasn't only my  
8 belief, I think it was The Sun's and Ms. Heard's  
9 belief once we presented them in court, because  
10 they dropped this claim, dropped it completely.

11 Q And you have no idea why they chose to  
12 drop the claim, right?

13 MR. CHEW: Objection.

14 Q You have no knowledge of that?

15 MR. CHEW: Objection; argumentative.

16 THE WITNESS: Well, I'm not a big believer  
17 in coincidences. They stopped talking about it as  
18 soon as the videos appeared in court.

19 Q And my question for you is: In your  
20 production, where are those pictures and videos?  
21 Because I don't see them.

22 **A I don't know the answer to that.**

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1 Q But you do believe that the pictures and  
2 videos Marilyn Manson sent you helped disprove  
3 Ms. Heard's allegations, correct?

4 **A As to that -- as to that incident,**  
5 **Thanksgiving, perhaps 2013, I think those -- I**  
6 **think those videos and photographs, yes,**  
7 **demolished her claim. More than that. She just**  
8 **dropped the claim. There was no need to demolish**  
9 **it anymore.**

10 Q Okay.

11 MR. ROTTENBORN: Well, I'll note for the  
12 record that we don't seem to have these -- all of  
13 these pictures and videos. And, of course, we  
14 dispute Mr. Waldman's characterization of what  
15 they show or don't show.

16 But, Mr. Braga, I would ask that -- that  
17 you take another look and provide those if you  
18 have them. And if you don't, that you obtain them  
19 and provide them promptly.

20 MR. BRAGA: Okay. We have copies. So you  
21 know if you viewed our production we have produced  
22 it; one video. We have produced photographs.

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<p style="text-align: right;">189</p> <p>1 We've produced the chain of communications with 2 Mr. Manson. I will certainly go back at your 3 request and double-check whether, within the 4 parameters of the search I performed, there were 5 any other photographs or videos that are 6 responsive and get back to you on that. 7 MR. ROTTENBORN: Thank you. 8 Can you go to page 3 of this document, 9 please. 10 BY MR. ROTTENBORN: 11 Q Who is that in that picture? 12 A <b>The dog or the person?</b> 13 Q The person, if you know. 14 A <b>I think that's Marilyn Manson.</b> 15 MR. CHEW: And, Ben, when you get a 16 chance, if we can take a ten-minute break, even 17 when you finish this line. 18 MR. ROTTENBORN: Sure. Yeah, why don't 19 we -- I have, I think, just one other document 20 about Marilyn Manson that I want to -- his 21 communication with Marilyn Manson. So maybe five 22 more minutes, Ben.</p>	<p style="text-align: right;">191</p> <p>1 consideration, right? 2 A <b>It looks that way, yes.</b> 3 Q I'll represent to you that that has not 4 been produced. 5 MR. ROTTENBORN: Again, Mr. Braga, I would 6 ask that that be produced. 7 Q Do you recall -- 8 MR. BRAGA: Excuse me. Excuse me, Ben, 9 for a minute. I believe, if I remember correctly, 10 but I will double-check at your request, that that 11 draft declaration was produced by Gibson Dunn. 12 MR. ROTTENBORN: There was a declaration 13 produced by Gibson Dunn. 14 MR. CHEW: Just to -- I recall that as 15 well. That was one of the documents that they did 16 produce. 17 MR. ROTTENBORN: And my belief is they did 18 produce a document that was closer to the final 19 version; they did not produce this draft. 20 MR. BRAGA: Okay. We'll take a look. 21 MR. ROTTENBORN: Thank you. 22 Q So you talked to Marilyn Manson and then,</p>
<p style="text-align: right;">190</p> <p>1 MR. CHEW: Sure. 2 MR. ROTTENBORN: Can you pull up Exhibit 3 -- the exhibit that's labeled -- starts with 4 ARW 747, please. 5 AV TECHNICIAN: Stand by. 6 (Exhibit 21, Text messages and e-mails 7 between Adam Waldman and Marilyn Manson dated 8 July 12, 2020, Bates Nos. ARW_000747 through 9 ARW_000753, was marked for identification and is 10 attached to the transcript.) 11 AV TECHNICIAN: Showing Exhibit 21 on the 12 screen. 13 BY MR. ROTTENBORN: 14 Q Mr. Waldman, if you can go ahead and take 15 a look at that. It's just really that first page 16 and onto the second, and then it's duplicates 17 after that. 18 A <b>Okay. If it ends then she smacked me and 19 said stay away from my husband you faggot, I've 20 read it all.</b> 21 Q Did -- at the top of this text you sent a 22 draft declaration to Marilyn Manson for his</p>	<p style="text-align: right;">192</p> <p>1 based on your conversation, you typed up a 2 declaration for him to sign and then engaged in a 3 communication with him over potential edits to 4 that document; is that right? 5 A <b>I want to make sure that I agree with 6 everything you said. I don't think I ever do a 7 declaration for somebody to sign; I do a 8 declaration for them to look at, review, and then 9 revise. And that declaration, from my part, I 10 just try to take down the words they said to me. 11 It's sort of for their convenience, to give them a 12 foundation of what they've said that they can then 13 work with.</b> 14 And so as long as that's understood, yeah, 15 I took down the words. He told me a story, a 16 narrative of what had happened, and I took down -- 17 as I say here, I kept it super simple, which is 18 what I generally try to do, stick to the facts, 19 and sent it to him to do what I just said, to 20 consider, to revise, you know, to make it his own 21 statement of what occurred. 22 Q You reference here that you were going to</p>

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1 get a declaration from both Joe Perry and Alice  
2 Cooper. Do you see that in the middle text?  
3 **A Yes.**  
4 Q Did you ever receive declarations from Joe  
5 Perry or Alice Cooper?  
6 MR. CHEW: Objection --  
7 THE WITNESS: No.  
8 MR. CHEW: -- to the extent it calls for  
9 attorney work product.  
10 THE WITNESS: No, I don't think I ever did  
11 get declarations from them.  
12 Q And you say Joe Perry, quote, has other  
13 great stuff.  
14 **A Yes.**  
15 Q What other "great stuff" did he have?  
16 **A Joe Perry is the lead guitarist for the**  
17 **band Aerosmith. He's a very close friend of**  
18 **Johnny's. And he and his wife lived at -- on**  
19 **Sweetzer, at one of Johnny's houses, across the**  
20 **street from Johnny's primary residence, for years.**  
21 **And so he and his wife Billie were around**  
22 **Ms. Heard and Mr. Depp -- I don't know if**

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1 **frequently is the right word, but over a period of**  
2 **years they -- they had frequent, frequent**  
3 **interactions. And both Joe and Billie, and Alice,**  
4 **for that matter, but more Joe and Billie who were**  
5 **there, had a lot of insights as to the nature of**  
6 **the relationship between Ms. Heard and Mr. Depp.**  
7 **And so that's -- when I say "great stuff," that's**  
8 **what I'm referring to.**  
9 Q But neither of them provided a declaration  
10 for use in this case or the U.K. case?  
11 **A No, not yet.**  
12 Q When was the last time you spoke with Joe  
13 Perry or Alice Cooper?  
14 **A When you say "spoke," do you mean on the**  
15 **telephone?**  
16 Q Communicated with. Thank you.  
17 **A Communicate.**  
18 **With Joe Perry? Probably in the last**  
19 **week; text.**  
20 **In the case of Alice Cooper, I don't think**  
21 **I've spoken to Alice since the U.K. trial.**  
22 Q What did you speak with Joe Perry about in

195

1 the last week?  
2 **A Well, I should say I didn't speak with**  
3 **him. He sent me two texts, which I didn't respond**  
4 **to. But I assume that counted as communicate.**  
5 Q What did the texts say?  
6 **A They were -- they were typical of texts**  
7 **that Joe would send or communication Joe would**  
8 **make that were basically: Good luck. And I**  
9 **would -- I would describe it as sort of good luck.**  
10 **Johnny needs to be vindicated. He needs his life**  
11 **back. We love him. If you talk to him, please**  
12 **tell him we love him. That's my recollection of**  
13 **it.**  
14 Q Okay.  
15 MR. CHEW: Ben, are we ready for a break,  
16 because I've --  
17 MR. ROTTENBORN: In a minute.  
18 Q What -- as best you can recall, what was  
19 the exact verbiage of the text from Joe Perry to  
20 you?  
21 **A The best I can recall is what I just gave.**  
22 **Good luck. Good luck. We love him. Please pass**

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1 **that along. He needs to be vindicated.**  
2 Q And you said he hasn't yet provided a  
3 declaration. Have you asked him to provide a  
4 declaration --  
5 **A No.**  
6 Q -- for the U.S. case?  
7 MR. CHEW: I would object -- I would  
8 object on the grounds it clearly calls for  
9 attorney work product. It's not a proper line of  
10 inquiry.  
11 Q Do you anticipate that he will be a  
12 witness at trial?  
13 MR. CHEW: Same objection.  
14 THE WITNESS: I don't know.  
15 MR. ROTTENBORN: I think now is a good  
16 time for a break. Ten minutes?  
17 THE VIDEOGRAPHER: Stand by. We are  
18 now --  
19 MR. CHEW: Ten minutes would be great.  
20 Thanks.  
21 THE VIDEOGRAPHER: We are now going off  
22 the record. The time is 2:44 p.m.

197	1 (Recess was held.) 2 THE VIDEOGRAPHER: We are now going back 3 on the record. The time is 2:56 p.m. 4 BY MR. ROTTENBORN: 5 Q Mr. Waldman, where are you physically 6 located today? 7 A I'm in -- I'm in Los Angeles. 8 Q Okay. Where? 9 A Where? Like, what the address is? 10 Q Like, are you in a law office? 11 A No. No, no, no. I came to use a friend's 12 home office. 13 Q Got it. Okay. 14 MR. ROTTENBORN: Can you please pull up 15 ARW 650 to -52, Lucien. 16 AV TECHNICIAN: Stand by. Oh, I see that 17 it's just been uploaded. One second. 18 MR. ROTTENBORN: Yeah, we just -- we just 19 uploaded it. 20 AV TECHNICIAN: Stand by. 21 (Exhibit 22, Text messages and e-mail 22 between Adam Waldman and Nurse Erin dated June 27,	199	1 exchange that you had with Ms. Boerum in June of 2 2019? 3 A It looks like a text exchange from June of 4 2019, yes. 5 Q Do you recall having any communications 6 with her since June of 2019? 7 A Well, it's -- my recollection is the same 8 as I testified earlier. I -- I remember having a 9 phone call with her in -- in my memory it was 10 early July. It could have -- it certainly could 11 have been late June. And I said I couldn't 12 remember the year. 2019 is probably right. 13 Q Okay. Since that early July 2019 time 14 frame, have you had any other communications with 15 her since then? 16 A I don't remember having any, no. 17 Q And in this text exchange and 18 communications that you had with her, is it fair 19 to say -- and you can look at her text on the 20 second page, second one down -- that you're asking 21 her to search through her notes of times she would 22 have seen Ms. Heard, to provide you information
198	1 2019, Bates Nos. ARW_000650 through ARW_000652, 2 was marked for identification and is attached to 3 the transcript.) 4 AV TECHNICIAN: Showing Exhibit 22 on the 5 screen. 6 MR. ROTTENBORN: Thank you. 7 BY MR. ROTTENBORN: 8 Q Mr. Waldman, go ahead and take a look at 9 this -- it's just two pages -- please. 10 A Okay. Thank you. I've read it. 11 Q So Erin Boerum is a nurse who works for 12 Dr. Kipper, right? 13 A That's my understanding, and that she was 14 Ms. Heard's personal nurse. 15 Q And Mr. Depp's personal nurse as well, 16 right? 17 A Yes, that's my understanding. 18 Q Have you -- we -- you testified a little 19 while ago -- and I don't want to take your words 20 out of context, but I think you testified you 21 hadn't talked to her since early summer of what 22 year you couldn't quite remember. Is this a text	200	1 from those notes? 2 MR. CHEW: Objection; argumentative, seeks 3 attorney work product. 4 THE WITNESS: May I ask that somebody 5 takes the -- who's controlling the document takes 6 me to the place you're referring to. 7 MR. ROTTENBORN: Yeah, that would be 8 great, please. 9 THE WITNESS: Thank you. 10 MR. ROTTENBORN: There you go. 11 Q And what I'm specifically referring to, 12 Mr. Waldman, is her text, the second one down, 13 when she said -- she asked for dates. And I 14 assume that those dates are -- those correspond to 15 dates of alleged abuse by Mr. Depp of Ms. Heard, 16 correct? 17 A Those dates do correspond to dates alleged 18 by Ms. Heard, and I think to your -- to your prior 19 question, I -- I believe I'm asking her to look at 20 her nurse notes because I was under the impression 21 she might have firsthand -- firsthand knowledge 22 about these three dates in particular.

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1 Q And you -- because of having seen or  
2 treated Ms. Heard on or around those dates?  
3 A I'm not sure what your question is. I  
4 think your question is -- is your question: Why  
5 did I think she would have some information about  
6 these dates?  
7 Q Well, my question is: You were asking  
8 her, I think you just said, to look through her  
9 nurse notes and provide you information about --  
10 from on or around those dates about Ms. Heard,  
11 correct?  
12 A Yes. It seems that way, yes.  
13 MR. ROTTENBORN: Can you pull up ARW 656  
14 and 657, please.  
15 AV TECHNICIAN: Stand by.  
16 (Exhibit 23, Text message and e-mail  
17 between Adam Waldman and Nurse Erin dated July 8,  
18 2019, Bates Nos. ARW\_000656 and ARW\_000657, was  
19 marked for identification and is attached to the  
20 transcript.)  
21 AV TECHNICIAN: Showing Exhibit 23.  
22 Q So the last text exchange we looked at --

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1 remembered. I spoke with her sometime -- again, I  
2 think it's early July of '19. I was in Paris.  
3 And we had a conversation about her -- her  
4 experience as a percipient witness, what she had  
5 seen, what she had done as Amber's nurse.  
6 And she told me about her nurse notes,  
7 which, if memory serves, were December --  
8 December 17, 2015, two days after Mr. -- if my  
9 date is correct, it's two days after Ms. Heard  
10 claimed Mr. Depp nearly beat Ms. Heard to death,  
11 broke her nose, two black eyes, pus coming out of  
12 her head, wounds in her jaw, in her hairline,  
13 bruises all over her body, I think either broken  
14 ribs or bruised ribs, defensive bruises all over  
15 her, all over her arms. I think that's a fair  
16 paraphrase of her testimony; Ms. Heard's.  
17 She summoned her nurse, Nurse Erin, who  
18 had been assigned to her. You're right that Nurse  
19 Erin was Mr. Depp's nurse also. But if I'm not  
20 mistaken, Nurse Erin was really assigned to  
21 Ms. Heard at that time to -- to watch out for her  
22 and help her. And she was also her personal

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1 A Right. Mr. Rottenborn, do you mind, may I  
2 read it really fast, and then --  
3 Q Yeah, go for it.  
4 A I'll be quick.  
5 Okay. Thank you. I've read it.  
6 Q So the last text exchange we looked at was  
7 that late June time frame, and then this is  
8 another text exchange with Ms. Boerum in -- on  
9 July 8, 2019, right?  
10 A Yes.  
11 Q And you say, Hi Erin, how's it coming in  
12 determining which date Amber came to you with the  
13 dry lips and called it abuse?  
14 Do you see that?  
15 A I do.  
16 Q Had she told you that over the phone that  
17 that's something that she believed happened, or  
18 where did you get that information -- alleged  
19 information that you're asking her for the date  
20 of?  
21 A Sure. I spoke with Erin, and this is --  
22 this is -- ratifies the time frame that I had

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1 friend.  
2 Nurse Erin told me on the phone when we  
3 spoke that time that she went to the door, after  
4 Ms. Heard summoned her, of her apartment, and she  
5 said she had to wait for a long time, maybe even  
6 five minutes after she rang the bell and knocked  
7 on the door. It was an unusually long time. And  
8 when Ms. Heard came to the door, Nurse Erin said  
9 that she had blood running down her face from her  
10 lip. And Nurse Erin said to me, The reason I put  
11 arterial blood flowing from her lip was to make  
12 the point that if what she said happened had  
13 actually happened, there wouldn't be active  
14 arterial blood flowing two days later from her  
15 lip.  
16 She said that she believed that Amber used  
17 that five minutes to pick at her chronically dry  
18 lips. And she has, according to Nurse Erin,  
19 chronically dry lips because she takes an  
20 anti-acne medicine -- the name of which escapes me  
21 right now, but it causes dry lips. And Nurse Erin  
22 told me that she thought she was picking at the

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1 lip to make it bleed. But besides that, there  
2 were no injuries.  
3 And she said she told Amber to stop  
4 drinking. And that all – some of that, the  
5 fact – the really factual parts are in her nurse  
6 notes. And I think what I'm saying is she was  
7 explaining the nurse notes to me and giving her –  
8 you know, overlaying it with her opinion about  
9 what had happened.  
10 She also told me that Ms. Heard had called  
11 in for some – some sort of a complaint around  
12 this, called in to Dr. Kipper's office, as I  
13 remember it, and also saw another nurse, and that  
14 nobody could see any injuries. The only injury  
15 anybody could see was this – was this  
16 picked-at – this picked-at lip.  
17 Q Did she provide you with her nurse notes?  
18 A I'm not sure where – I'm referring to  
19 nurse notes that everybody's seen quite a lot at  
20 this point. I'm not sure where I ever got those  
21 nurse notes from, where I saw them the first time.  
22 I'm not sure.

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1 Q Did you -- before you -- in your  
2 conversation with Ms. Boerum on the phone you said  
3 that she gave you a summary of what was in those  
4 notes; is that right?  
5 A I'm not sure -- I'm not sure if it was  
6 exactly -- that's exactly how I'd characterize it.  
7 She was described -- I simply remember the  
8 narrative that she told me. And she did -- I  
9 remember that she said something -- and I  
10 referenced it a minute ago, but I'll repeat it.  
11 She did say something about: That's why I wrote  
12 arterial blood flowing. And she used the words  
13 "eye roll." I remember that. It was an eye roll,  
14 as in she wasn't really injured; she didn't have  
15 the injuries she was complaining of, she just had  
16 a bloody lip.  
17 Q Before she spoke to you on the phone and  
18 over text, did she request or did you provide a  
19 HIPAA waiver for Ms. Heard?  
20 A I don't remember doing so. I don't  
21 remember her asking for it and I don't remember  
22 providing it.

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1 Q Thank you.  
2 MR. ROTTENBORN: Can you pull up ARW 667  
3 to 669, please.  
4 AV TECHNICIAN: Stand by.  
5 I'm not currently seeing that. Let's see  
6 here.  
7 THE WITNESS: I want to add in my answer  
8 to your HIPAA waiver question. I see here in the  
9 text: We don't want any privileged medical  
10 information, only percipient witness information.  
11 So I think this was my allusion to the notion of  
12 not wanting anything that was HIPAA implicating.  
13 Q Well, you would agree that her telling you  
14 observations she made while providing nursing  
15 services to Ms. Heard is medical information  
16 that's HIPAA related, right?  
17 MR. CHEW: Objection -- objection;  
18 argumentative, calls for a legal conclusion on the  
19 HIPAA statute.  
20 THE WITNESS: So, again, to contextualize  
21 the answer in time, it's sometimes difficult.  
22 I'm not sure that in July of 2019 I knew

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1 what I said a moment ago, that Nurse Erin had been  
2 assigned to Amber Heard. I'm -- I suspect I  
3 probably didn't know.  
4 BY MR. ROTTENBORN:  
5 Q Mr. Waldman, over the course of this case  
6 there have been times when you have obtained  
7 declarations from witnesses that you've then  
8 leaked to the press, right?  
9 MR. CHEW: Objection; lack of foundation,  
10 assumes facts not in evidence, argumentative.  
11 THE WITNESS: The question is: Have  
12 declarations been received from witnesses and then  
13 given to the media?  
14 Q Yes.  
15 A Yes.  
16 Q And in some cases they've been given to  
17 the media months before they were produced as part  
18 of the actual discovery process in this case,  
19 right?  
20 MR. CHEW: Objection; lack of foundation,  
21 assumes facts not in evidence, argumentative,  
22 irrelevant.

<p>209</p> <p>1 THE WITNESS: But I also don't know that 2 to be true. 3 BY MR. ROTTENBORN: 4 Q Do you remember producing a declaration 5 from Dave Colucci to the press in this case? 6 MR. CHEW: Objection; assumes facts not in 7 evidence, lack of foundation, argumentative. 8 THE WITNESS: Yes, I do. 9 Q And when you obtained that declaration 10 from him, you leaked it to the press without 11 regard to whether or not it had been actually used 12 or filed in court in Fairfax, correct? 13 MR. CHEW: Objection; argumentative, lack 14 of foundation, assumes facts not in evidence, not 15 remotely relevant to any issue that will be tried 16 on April 11th. 17 THE WITNESS: Could I hear the question 18 again, please. 19 THE REPORTER: I can read it back. 20 MR. ROTTENBORN: That would be great, Amy. 21 Thank you. 22 (The court reporter read the pertinent</p>	<p>211</p> <p>1 correct? 2 MR. CHEW: I'm going to instruct the 3 witness not to answer that. I told your partner, 4 Ms. Bredehoff, earlier today, and I know you were 5 listening in, that we're not going to allow 6 harassment of one of Mr. Depp's attorneys. So I'm 7 instructing him not to answer. 8 You must be out of questions because now 9 you're going into completely irrelevant issues 10 just to distract everybody from what I think you 11 believe is -- are your client's very substantive 12 problems that really are relevant to what we're 13 going to be trying. So we've all got a lot of 14 work to do. 15 I'm going to tell you I'm going to 16 instruct him not to answer further abusive 17 questions. We're not going to allow it, and I 18 don't think the Court will either. So if you've 19 got something else that's relevant, you should ask 20 it, and then I have a few questions of my own and 21 we can wrap this up. 22 BY MR. ROTTENBORN:</p>
<p>210</p> <p>1 part of the record.) 2 THE WITNESS: Well, "without regard" is 3 a -- is a legal question, you know, probably not 4 for me to answer. The document -- and I want to 5 go chronologically in the question. You began by 6 saying I leaked it. And I'm from Washington, so 7 the word "leak" has a particular connotation. 8 It's like a leak; it's something that kind of goes 9 out secretly and is given. Sometimes it's 10 illegally given or whatever. 11 In this case, these things were very 12 openly given, so I'm not sure it was exactly a 13 leak. I don't think it was confidential. I'm 14 sure it wasn't confidential. I don't think that 15 there was any prohibition in giving it to the 16 media or you probably would have complained about 17 it. 18 So I -- I really don't agree with the 19 characterization of it being without regard for, 20 you know, court procedures or processes or rules. 21 Q You have leaked to the press documents 22 that had been labeled "Confidential" in this case,</p>	<p>212</p> <p>1 Q Mr. Waldman, who is your attorney here 2 today? 3 A My attorney is Steve Braga. 4 Q Is Mr. Chew your attorney? 5 A No. 6 MR. CHEW: I am -- like Mr. Waldman, I'm 7 one of Mr. Depp's attorneys, and he has a very -- 8 he has a very real interest here. And when you 9 depose somebody's attorneys you're going to get a 10 lot of instructions not to answer. 11 MR. ROTTENBORN: And I think instructing 12 the witness on any -- 13 MR. CHEW: As we would -- as we would if 14 we were deposing Robbie Kaplan or Mr. George or 15 any of the other myriad attorneys, serial 16 attorneys who've represented Ms. Heard. 17 MR. ROTTENBORN: And I'll just put on the 18 record, Ben, that I think it's -- the only 19 standing that Mr. Depp has to instruct Mr. Waldman 20 not to answer is on privileged grounds, and I 21 think anything else is inappropriate. 22 MR. CHEW: Well, that's going to be for --</p>

<p>213</p> <p>1 for some judge to decide, and neither you nor I 2 are wearing the robes at this point in our 3 careers. 4 BY MR. ROTTENBORN: 5 Q Who is Jen Antonelli, Mr. Waldman? 6 <b>A I'm not sure, actually. The name rings a 7 bell, but I'm not sure.</b> 8 Q I will -- I want to -- in interest of 9 time, I want to -- I'll represent to you that you 10 produced a text communication with a Jen Antonelli 11 at NBCUniversal, but I didn't see any e-mails -- 12 that references e-mails. 13 MR. ROTTENBORN: So this is more of a 14 statement to Mr. Braga again, and we can talk 15 about this after the deposition, but I think that 16 the production is incomplete. 17 Q Do you recall ever sending e-mails to a 18 Jen Antonelli at NBCUniversal? 19 <b>A I don't, no.</b> 20 Q Who is Tracey Mattock? 21 <b>A Tracey Mattock is a -- I guess you would 22 say a social media advisor to our skin care</b></p>	<p>215</p> <p>1 Q Now, we touched on social media a bit this 2 morning with Ms. Bredehoff. But you frequently 3 communicate with other social media contacts who 4 post information about this case, correct? 5 MR. CHEW: Objection; argumentative, 6 assumes facts not in evidence, lack of foundation, 7 calls for attorney work product. 8 THE WITNESS: I don't think I agree with 9 the characterization. I might need to hear it -- 10 may I hear it again? I communicate frequently... 11 Q Let's -- let's drop the adverb. 12 <b>Have you communicated with other social 13 media users about this case other than public 14 messaging platforms?</b> 15 <b>Let me ask that differently. Have you</b> 16 <b>communicated privately with other social media</b> 17 <b>users about this case?</b> 18 <b>A Other social media -- I want to make sure 19 I'm precise. Other social media users?</b> 20 Q Yes. 21 <b>A That would -- that would -- that group 22 would include almost everybody on Earth.</b></p>
<p>214</p> <p>1 <b>company. A consultant. I suppose you would say a 2 consultant to our skin care company.</b> 3 Q Did you ever -- has she ever provided 4 services to Mr. Depp? 5 <b>A You'd have to define what you mean by 6 "services."</b> 7 Q Has she ever provided social media 8 services to Mr. Depp? 9 <b>A It's a difficult question to answer. 10 Shall I -- shall I try? I'm not sure I could 11 answer --</b> 12 Q Yeah. 13 <b>A -- as to the way you asked it, but I think 14 I understand the thrust of your question. 15 She made an introduction for me to 16 Instagram when Mr. Depp wanted to launch his own 17 Instagram account.</b> 18 Q What about any other social media services 19 that she may have provided to Mr. Depp? Anything 20 else? 21 <b>A No, I don't remember any others besides 22 that.</b></p>	<p>216</p> <p>1 <b>Q Have you provided information about this 2 case to other social media personalities who then 3 post that information?</b> 4 <b>A I've provided information episodically to 5 what I would -- what I would call Internet 6 journalists. And I'll define that as journalists 7 who are not affiliated with -- you mentioned, I 8 think, NBC a moment ago, or a mainstream media 9 outlet.</b> 10 Q And I think this question was asked 11 before, but have you ever used social media to 12 make posts about this dispute or the U.K. dispute 13 from an account that doesn't contain your name? 14 <b>A No.</b> 15 <b>Q Have you communicated with a social media 16 user who goes by the name of That Umbrella Guy?</b> 17 <b>A I've had several phone calls with a -- 18 with the person who goes by the name That Umbrella 19 Guy. I don't actually know his real name.</b> 20 <b>Q Have you communicated with him other than 21 through phone calls?</b> 22 <b>A I don't remember doing so, no.</b></p>

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1 Q What are other -- well, let me ask you  
2 this: Do you -- have you communicated in a  
3 similar fashion with someone on social media that  
4 goes by the name ThatBrianFella?  
5 A Yes.  
6 Q What about someone who goes by the name  
7 TheRealLauraB?  
8 A Yes.  
9 Q And what about something -- or someone  
10 who's to -- who -- whose name is The Right Side of  
11 the Roaring Rapids?  
12 A No.  
13 Q What are some other, if any, whether you  
14 know real name or social media handle,  
15 quote/unquote, Internet journalists that you have  
16 communicated about this case with?  
17 MR. CHEW: Objection; vague and ambiguous.  
18 THE WITNESS: There aren't any others that  
19 come to mind besides the one you listed -- the  
20 ones you've listed.  
21 MR. BRAGA: Could we take down the  
22 document if we're done with it, please.

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1 MR. ROTTENBORN: Yeah. Good idea.  
2 MR. BRAGA: Thank you.  
3 MR. ROTTENBORN: Thanks, Stephen.  
4 BY MR. ROTTENBORN:  
5 Q And have you communicated to those  
6 individuals listed evidence that you believe  
7 suggests that Ms. Heard's allegations are hoaxes?  
8 A I would say I communicate with the  
9 Internet journalists -- because we put them in a  
10 category calling them that, I've done that --  
11 exactly the same way I would communicate with  
12 mainstream media. If they have questions about  
13 evidence or the facts, I'll -- you know, I'll --  
14 I'll inform them.  
15 Q And have you -- when you communicate with  
16 them, you do so -- you testified some by phone,  
17 correct?  
18 A Yes.  
19 Q Do you do so by text or messenger  
20 platform?  
21 A Largely, I think, by phone. But if I --  
22 if I communicated in writing, it would be probably

1 by Signal.

219

2 Q Do you know if those communications were  
3 searched for and produced in response to the  
4 subpoena you received in this case?  
5 A I -- I don't know.  
6 Q Would your -- did you provide your  
7 attorneys access to any such communications to  
8 search for and produce if, in fact, they did  
9 exist?  
10 A I did.  
11 MR. ROTTENBORN: Can you please pull up  
12 the exhibits ALH 17001 to -2, please.  
13 AV TECHNICIAN: Stand by.  
14 ALH? I'm not seeing that. R  
15 MR. ROTTENBORN: I was told it was P  
16 uploaded earlier today. I'm sorry, AH. Jury confusion  
17 AV TECHNICIAN: Oh, AH. Okay. 00017001?  
18 MR. ROTTENBORN: Yes. Sorry about that.  
19 AV TECHNICIAN: Okay. Stand by.  
20 (Exhibit 24, Tweets, Bates Nos.  
21 ALH\_00017001 through ALH\_00017002, was marked for  
22 identification and is attached to the transcript.)

1 AV TECHNICIAN: Showing on the screen  
2 Exhibit 24.

220

3 BY MR. ROTTENBORN:  
4 Q And, Mr. Waldman, you can take control of  
5 this if you want. The next page is just a larger  
6 screenshot of the -- what I'm going to ask you  
7 about, which is in that -- that sort of different  
8 color text at the top.  
9 A May -- may I ask that we make it a little  
10 larger?  
11 Q Yeah. Well, that's what I was going to  
12 say, make it larger if you want. But if you  
13 wanted to go to the next page, it's even bigger.  
14 A Okay. I'll take a moment to read it.  
15 Q Sure.  
16 A Okay, I've read the -- I've read the  
17 little off-colored box. Is there -- is there more  
18 below to read?  
19 Q No. My question -- well, my first R, P,  
20 question is: Is that -- in that box where it jury  
21 says, First on the record statement from me confusion  
22 regarding the body cam to RTL, Adam Waldman,

	221	223
1-22: R, P, jury conf	1 Johnny Depp's attorney, is that a statement that 2 you made to a German media outlet called RTL? 3 <b>A Yes.</b> 4 Q And in that statement you say that LAPD 5 have now opened up a criminal investigation into 6 perjury of Ms. Heard, correct? 7 <b>A Yes.</b> 8 Q What evidence do you have that LAPD 9 allegedly opened up a criminal investigation into 10 perjury? 11 MR. CHEW: Objection to the extent that it 12 calls for attorney work product. 13 THE WITNESS: The evidence that I have is 14 that the LAPD told me that. 15 Q Who at the LAPD told you that? 16 <b>A I don't know the name of the desk officer,</b> 17 <b>but it was somebody in the Foothill, a branch</b> 18 <b>office of the LAPD.</b> 19 Q Who at the LAPD have you had 20 communications with about this case? 21 <b>A This -- this person that I'm referring to,</b> 22 <b>the desk officer, who then told me that, in fact,</b>	1 THE WITNESS: Yeah, I -- I was not at that 2 moment aware of the length of the statute of 3 limitations. I wondered about it, and I'm also R, L, 4 generally familiar with the notion of the 5 discovery rule; when a thing is discovered, 6 sometimes that's when the clock starts, so... 7 BY MR. ROTTENBORN: 8 Q You have no knowledge whether the 9 discovery rule applies to perjury charges in 10 California, correct? 11 MR. CHEW: Objection to the extent that it 12 purports to call for a legal conclusion about the 13 particulars of California law. 14 THE WITNESS: That's correct. 15 Q Did you -- did you make a correction to R, P, H, 16 RTL when you learned that the LAPD wasn't, in Jury 17 fact, investigating Ms. Heard for perjury? confusion 18 <b>A Well, the way you've characterized it is</b> 19 <b>not exactly what I would agree with. The LAPD</b> 20 <b>told me that they were investigating the perjury</b> 21 <b>claim at that time, then sequentially came the</b> 22 <b>statement, then came notification from the LAPD</b>
1-17: R, P, H, jury conf	1 it was not the LAPD -- subsequently told me that 2 it was not the LAPD that was going to investigate 3 it, it was the LA sheriff's department because 4 they had jurisdiction over the courts. 5 And what -- the perjury referred to here 6 is the false under-oath statements by Amber -- 7 Amber Heard's best friend, Rocky Pennington, about 8 wine sloshed all over the walls and furniture, 9 et cetera, and Ms. Heard's statements to obtain a 10 temporary restraining order for abuse for domestic 11 violence against Mr. Depp on May 27, 2016. 12 Q So what your testimony is, is that someone 13 at -- someone said that the statements that were 14 being investigated for perjury were statements 15 made by Ms. Heard and Ms. Pennington in May 16 of 2016? 17 <b>A That's correct.</b> 18 Q Did -- were you aware that the statute of 19 limitations for perjury is three years in 20 California? 21 MR. CHEW: Objection to the extent that it 22 calls for legal conclusion, argumentative.	1 that it was actually the LA sheriff's department 2 that was investigating it. And that was the last 1-3:H 3 I heard about it. 4 Q And who notified you from the LAPD that it 5 was allegedly the sheriff's department who was 6 investigating it? 7 <b>A The same -- the same desk officer at 1-22: 8 Foothill. And when I say he's the desk officer, I R 9 don't know if -- that's not necessarily the job P 10 title. Jury 11 Q How did you find his -- well, do you have Conf. 12 his contact information? 13 <b>A I don't think I do. I don't know. But I</b> 14 <b>don't -- well, I'm not sure. 15-22 15 Q And the time frame for this communication SP, 16 from this desk officer would have been sometime Lack of 17 after the U.K. ruling came down, is that right, Pers. 18 since above it there is a statement from you about Know. 19 the U.K. ruling as well? 20 <b>A I mean, that's -- that's a reasonable --</b> 21 <b>that's a reasonable conclusion. I'm not sure as I</b> 22 <b>sit here today. But if you say that's what I've</b></b></b>

225:8 "counsel is testifying"

R, P,  
Jury  
conf.

1 **said, then probably yes.**  
2 Q And I'm sorry if I asked you this. How  
3 did you come into contact with this desk officer?  
4 **A I brought a binder of information**  
5 **including the statements that had been made and**  
6 **the evidence showing that those statements were**  
7 **false.**  
8 Q In your view.

225

9 MR. CHEW: Objection; argumentative.

10 Q So you took a binder to the LAPD and spoke  
11 to this desk officer?

12 **A Correct.**

13 Q And was that the only time that you spoke  
14 to this person?

15 **A The two times.**

16 Q Were they both in person?

17 **A Oh, maybe it's three – two or three**  
18 **times.**

19 **No. No, two times were on the phone.**

20 Q Was the first meeting in person when you  
21 brought this binder?

22 **A No. The first was on the telephone.**

R, P  
jury  
conf.

1 **Ms. Heard and her best friend, Rocky Pennington,**  
2 **had made to a court.**

3 Q Was that claim that you filed in writing?

4 **A Yes.**

5 Q Do you know whether that claim was  
6 produced as part of this -- your document  
7 production in this case? Because I certainly  
8 haven't seen it.

9 **A I don't know that I ever received a copy**  
10 **of it. It was filed in writing with the LAPD, but**  
11 **I don't – I don't recall that I ever received a**  
12 **copy of it.**

13 Q Did you draft it?

14 **A No.**

15 Q So what was -- you were talking to the  
16 desk officer and he was taking down notes, and is  
17 that the writing you were referring to?

18 **A Yes.**

19 Q Did you ever see this alleged written  
20 claim?

21 **A Yes.**

22 Q Did you sign it?

227

R  
P  
Jury  
Confusion

226

1 Q At what meeting were you allegedly told  
2 that LAPD was investigating Ms. Heard for perjury?

3 **A When I spoke – when I spoke on the phone**  
4 **the – with the LAPD desk officer I asked what**  
5 **will happen with this.**

6 **And he said this – an investigation will**  
7 **be opened up.**

8 **And I said, What happens next?**

9 **And he said, Well, Ms. Pennington and**  
10 **Ms. Heard, we'll seek them out and we'll seek**  
11 **them – we'll seek their evidence, we'll**  
12 **interview them. And my recollection is he said**  
13 **that sort of has to happen within some period of**  
14 **time. It was relatively short.**

15 **And whether that ever happened or not, I**  
16 **don't know.**

17 Q So the investigation was opened up at your  
18 request after you brought this binder to the desk  
19 officer; is that right?

20 **A I didn't ask him – I didn't ask him to**  
21 **open an investigation. I filed a claim with the**  
22 **LAPD regarding these perjurious statements that**

1 **A I don't recall if I did.**

2 Q Did you ever call the sheriff's department  
3 to -- after you allegedly learned that they were  
4 investigating this perjury allegation?

5 **A No.**

6 Q Why not?

7 **A I don't think there was any – I didn't**  
8 **think there was anything else really for me to do.**  
9 **In my earlier life I worked at the Department of**  
10 **Justice and I don't think you get too involved in**  
11 **law enforcement matters. I filed a claim that she**  
12 **had – she had perjured herself to the courts. I**  
13 **provided abundant evidence, overwhelming, in my**  
14 **opinion, that those statements were false and that**  
15 **that was perjury. And I was told that they were**  
16 **going to look into it. My role in it was over at**  
17 **that point.**

18 Q And as specifically as you can recall,  
19 what specific communication was made to you  
20 that -- based on your filing of a complaint, that  
21 an investigation had been opened?

22 **A Precisely that, that this opens an**

228

1-22:  
R, P,  
Jury  
conf.

1:16:  
H

229

1 investigation. It's open now. And then, as I  
2 mentioned a moment ago, we're going to interview  
3 the two primary witnesses.  
4 Q And it was opened as a result of your  
5 filing that complaint?  
6 A That was my understanding, yes.  
7 Q Have you had communications about this  
8 case with anyone else from the LAPD or LA  
9 sheriff's office?  
10 A No, not that I can think of.  
11 Q Have you ever spoken with Officer Saenz or  
12 Hadden?  
13 A No.  
14 Q And you said that the desk officer to whom  
15 you made this report was in the Foothill office;  
16 is that right?  
17 A I think so, yes. I think that's what it's  
18 called.  
19 Q And other than this desk officer, you  
20 never spoke to anyone else about this alleged  
21 perjury investigation?  
22 A I'm not going to be able to answer that

230

1 without revealing an attorney-client privilege.  
2 MR. CHEW: I would instruct you not to  
3 answer further, then. Thank you for spotting  
4 that.  
5 Q Did you ever speak to anyone other than  
6 your client about this alleged perjury  
7 investigation -- other than your client and the  
8 desk officer?  
9 A Well, I think this quote that you've shown  
10 me to the media would constitute speaking about  
11 it.  
12 Q Fair enough. What I'm trying to get at is  
13 anyone -- did you speak with anyone in the LAPD or  
14 LA sheriff's office other than this desk officer  
15 about this perjury complaint or investigation?  
16 A I don't think so.  
17 Q Did you ever hear anything about this  
18 investigation or lack thereof from anyone else who  
19 you understood to have spoken with anyone in LAPD  
20 or the LA sheriff's office?  
21 A I'm sorry, I just couldn't follow the  
22 question.

231

1 Q Did you ever hear anything more about this  
2 perjury investigation, to the extent it existed  
3 from anyone -- any other third party who claimed  
4 that they had spoken to anyone in LAPD or the LA  
5 sheriff's office?  
6 A No, I don't think so.  
7 MR. ROTTENBORN: I think with that --  
8 Mr. Waldman, appreciate your time. I don't have  
9 any further questions at this point. Mr. Chew may  
10 have some questions, and that may spur other  
11 questions by us, but thank you.  
12 THE WITNESS: Thank you, Mr. Rottenborn.  
13 MR. CHEW: Adam, I just have a few  
14 questions if now is a good time.  
15 THE WITNESS: Sure.  
16 MR. CHEW: Just a few.  
17 EXAMINATION  
18 BY MR. CHEW:  
19 Q Mr. Waldman, do you have a professional  
20 license?  
21 A I do.  
22 Q Do you have your own law firm?

232

1 A I do.  
2 Q What is the name of your law firm?  
3 A Endeavor Law Firm.  
4 Q When was Endeavor Law Firm formed?  
5 A I think it was in 2005.  
6 Q And who was it who formed your law firm?  
7 A It was I who did it.  
8 Q And who owns your law firm?  
9 A I do.  
10 Q What is your title at the Endeavor Law  
11 Firm?  
12 A Managing member, I believe.  
13 Q And it's -- it's none of our business who  
14 your clients are, but does the Endeavor Law Firm  
15 have other clients other than Mr. Depp?  
16 A Yes.  
17 Q Do your clients dictate the -- strike  
18 that.  
19 Do your clients dictate exactly when you  
20 take breaks?  
21 MS. BREDEHOFT: Objection; leading,  
22 relevance, hearsay, foundation.

R  
P  
Jury  
conf.

R  
P  
Jury  
conf.

O

233

1 Go ahead.  
2 THE WITNESS: No, I don't think my clients  
3 dictate when I take breaks.  
4 BY MR. CHEW:  
5 Q Do your clients dictate the exact hours  
6 you work?  
7 MS. BREDEHOFT: Objection; leading,  
8 hearsay, foundation.  
9 Go ahead.  
10 THE WITNESS: As a general matter, I would  
11 say no.  
12 Q Do your clients dictate the exact location  
13 where you perform your work?  
14 MS. BREDEHOFT: Objection; leading,  
15 hearsay, foundation.  
16 THE WITNESS: I would say it depends.  
17 Q Does Johnny Depp issue you a form W-2?  
18 MS. BREDEHOFT: Objection; leading,  
19 hearsay, foundation.  
20 THE WITNESS: I don't think so, no.  
21 Q Do you receive legal training from Johnny  
22 Depp or any of your other clients?

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1 MS. BREDEHOFT: Objection; leading,  
2 hearsay, foundation.  
3 THE WITNESS: I suppose the practice of  
4 law in general is legal training. But if I  
5 understand your question correctly, no.  
6 BY MR. CHEW:  
7 Q Fair point.  
8 Have you ever listed Johnny Depp as your  
9 employer on any filings with the IRS?  
10 MS. BREDEHOFT: Objection; hearsay,  
11 foundation.  
12 THE WITNESS: No.  
13 Q Do you hold yourself out to the public to  
14 offer legal services?  
15 MS. BREDEHOFT: Objection; leading,  
16 foundation, hearsay.  
17 Go ahead.  
18 THE WITNESS: I'm not sure I understand  
19 the question. Do I hold myself out --  
20 Q It's not a very well-drafted question so I  
21 apologize.  
22 But you offer legal services to clients,

235

1 correct?  
2 A Yes.  
3 MS. BREDEHOFT: Objection; leading,  
4 hearsay, foundation. Go ahead. 3-4:O  
5 Q All right. I'll say: Do you offer legal  
6 services to the general public?  
7 A Probably not to the general public, but I  
8 offer legal services. I think that's your  
9 question.  
10 Q Thank you. It is. That's a better --  
11 betterly -- better-phrased question.  
12 MR. CHEW: Thank you very much, O, UN  
13 Mr. Waldman. We greatly appreciate your time.  
14 THE VIDEOGRAPHER: Any other --  
15 MR. ROTTENBORN: I just have -- I don't  
16 have any follow-up questions based on that. But I  
17 just would like to put on the record that we're  
18 going to keep the deposition open for now due to  
19 what we believe are deficiencies in the document  
20 production and improper privilege objections. So  
21 we reserve the right to continue this deposition  
22 at a later date.

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1 I appreciate your time, Mr. Waldman.  
2 MR. BRAGA: I will put on the record that  
3 we disagree with that, of course. We will get you  
4 the information we've committed to try to get you  
5 or figure out whether it exists, at least, and  
6 talk with you further about it.  
7 And, of course, Mr. Waldman is going to  
8 reserve his right to review and correct the  
9 deposition.  
10 THE VIDEOGRAPHER: Anything else to add to  
11 the record from any counsel?  
12 MR. CHEW: No, sir.  
13 THE VIDEOGRAPHER: Stand by. This marks  
14 the --  
15 Sorry. Did anyone want to add anything  
16 else? No? Thank you.  
17 This marks the end of today's deposition  
18 of Adam Waldman. We are now going off the record.  
19 The time is 3:42 p.m.  
20 (Off the record at 3:42 p.m.)  
21  
22

F/A  
L  
H

7-8: O  
18;19: O

1-2: O

L  
F/A  
H

10-  
11: O

15-16  
O

